

**City of Philadelphia
Department of Human Services**

**FY 2010
Request for Qualifications
Out-of-School Time Programs**

**Release Date:
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**Due Date:
Monday, March 30, 2009, 12:00 noon**

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OVERVIEW

Purpose

On behalf of the City of Philadelphia (City) / Department of Human Services (DHS) / Division of Community Based Prevention Services (DCBPS), the Public Health Management Corporation (PHMC) invites eligible non-profit organizations to submit their qualifications to lead and operate a variety of non-school hour programming as part of the City's Out of School Time System for the Fiscal Year beginning July 1, 2009.

Eligibility Requirements

This Request for Qualifications (RFQ) is open to provider organizations that meet the following eligibility requirements:

- Have non-profit status according to Section 501 (c)(3) of the Internal Revenue Code or Fiscal Agent with non-profit status according to Section 501(c)(3) of the Internal Revenue Code;
- Have been in operation for at least three years; and
- Be able to provide a cash match of 15% of the proposed program's total budget

The City reserves the right to match qualified providers to priority locations as necessary, particularly as it relates to School District of Philadelphia (SDP) locations. Pennsylvania Department of Public Welfare (DPW) licensed and/or licensable sites are considered priority as well.

Programs currently funded via the City's OST System must respond to this request to be considered for FY 2010 funding. Performance of existing OST System providers will be a factor in evaluating their responses. Areas for consideration in reviewing performance include slot utilization, client utilization and retention, program quality assessment, and administrative function. Both current and potentially new providers must follow these instructions in submitting their qualifications.

Value of OST Programs

OST programs include a wide variety of enrichment activities that traditionally take place during the non-school hours. These age appropriate programs help school-age children and out of school, older youth build their emotional, social, and academic skills, and can include extra learning activities, homework assistance, employment or skills training, and structured cultural and sports activities. Studies of effective non-school hour programs show that they can contribute to fewer crimes, increased academic achievement, fewer instances of drug abuse, improved in-school behavior, fewer instances of teen parenthood, increased school attendance and lower dropout rates, increased participation in physical activities, and decreased exposure to situations leading to high-risk behavior. (See **Appendix A** for a summary of various research studies showing positive youth outcomes related to participation in afterschool and other types of non-school hour programs.)

Recent History of Afterschool Programming in Philadelphia

Non-school hour programs have existed for many years in a variety of settings—schools, churches, playgrounds and recreation centers, community centers, museums and cultural spaces, and private residences. In the 1990s, Philadelphia, like municipalities across the nation, began to focus more intently on the potential of non-school hour programming to increase children's safety and security, to interrupt the attraction of harmful behaviors, such as smoking, drinking, drug use, and sexual activity, and to improve interest in and connection to school. The City and the SDP increased their investment in non-school hour programs using a mix of state, federal, and private funding.

In 2001, the City launched a broad civic effort to improve the health, safety, and academic outcomes for its children and youth. Distressed and emergent neighborhoods were targeted for the implementation of afterschool and summer programs, youth development activities, and school-based community centers.

In his first year in office (2008), Mayor Michael A. Nutter embarked on an ambitious plan to reduce the City's dropout rate by 50%, double the number of residents with a 4-year degree, decrease homicides by 25%, and increase economic growth and job availability in the City, among other goals. The City has organized this effort through a focus on public safety, education, jobs and economic development, healthy and sustainable communities, ethics, and customer service and a high performing government. As part of this OST plan in FY 2009, the City has developed 22,017 structured afterschool slots at 329 school and community-based sites and recreation centers and has supported drop-in opportunities at 54 library branches that have served 80,000 youth.

Public Health Management Corporation

In May 2008, PHMC was selected through an open solicitation process to serve as intermediary for the City's OST System, primarily using funds available from DHS/DCBPS. PHMC is a nonprofit public health institute that builds healthier communities through partnerships with government, foundations, businesses, and community-based organizations. It fulfills its mission to improve the health of the community by providing outreach, health promotion, education, research, planning, technical assistance, and direct services. Formerly the Philadelphia Health Management Corporation, PHMC has served the Greater Philadelphia region since 1972 as a facilitator, developer, intermediary, manager, advocate, and innovator in the field of public health. With nearly 1400 employees, 250 programs, nine (9) subsidiaries—including one (1) in Chester County, one (1) with programs throughout Pennsylvania, and another nationwide--70 sites and 55,000 clients served annually, PHMC has become one of the largest and most comprehensive public health organizations in the nation.

Under contract with the City since July 1, 2008, PHMC has managed and monitored the DHS/DCBPS-funded OST System for the City. The program categories have included the AfterSchool Initiative (ASI), Beacon Centers (Beacons), and the Youth Education for Tomorrow (YET) Initiative.

OST Advisory Committee

A comprehensive, city-wide OST Advisory Committee was formed by Donald F. Schwarz, MD, MPH, Deputy Mayor for Health & Opportunity and Health Commissioner, as a vehicle to expand the City's efforts to make youth safer, and improve their chances of developing into competent, productive adults. During its initial work, the OST Advisory Committee has articulated the following vision for Philadelphia's children and youth:

All Philadelphia children and youth will have access to high-quality, age-appropriate, out-of-school time (OST) programs and activities that promote their education, safety, development and successful transition into adulthood; and, as a result, enrich families, neighborhoods and communities.

An additional task for the OST Advisory Committee is the identification of additional funding sources for the OST System.

Better Coordinating Systems and Services for Children and Youth

Over the course of the next few months, there will be a number of Requests for Proposals (RFPs) released by the City, the SDP, and the Philadelphia Council for College and Career Success through the Philadelphia Youth Network (PYN). While each RFP will be slightly different in nature, there will be many similarities. In particular, most of the RFPs will require some coordination with schools and the provision of a similar range of services. Over the course of this coming year, the goal will be to further integrate and to better coordinate all of the various funding sources and to improve Philadelphia's service delivery system to better support youth, families, communities, and providers. As a first step, the review and selection process for all of the solicitations will be coordinated to ensure that awards made across funding sources are efficient and minimize unnecessary redundancy. A parallel process is taking place with a subset of schools to assess existing services and their need for additional support. In addition to a coordinated review and selection process, several other conditions will be consistent across funding sources:

- Duration of contracts: Each contract will be for one year with optional extensions based on the funding source.
- Process for matching applicants with schools: Applicants will be asked **not to contact schools directly** but rather to indicate in the application their school partnership preferences. The goal is to support a more coordinated school and provider matching process.
- Common Partnership Language: Common expectations will be outlined for what schools and partners each need to do to ensure effective services for youth.

Over the course of the next year, more work will be undertaken to assess how other areas, including professional development, data collection, evaluation, contract management, and oversight can be better aligned and coordinated.

School District of Philadelphia Relations

In the District's strategic plan draft "Imagine 2014", one indicator of student success is the ability of students to "access comprehensive enrichment" activities "during the school day, afterschool, during the summer and on Saturdays." (*Imagine 2014: The School District of Philadelphia Strategic Plan, Public Comment Draft, p.7*). The SDP is committed to establishing effective partnerships and collaborations which further enhance student opportunities for extended and complementary learning opportunities. Further, the District is committed to working with school-based OST providers in order to ensure that afterschool opportunities are aligned with as well as supplemental to school day activities and serve the students most in need of the programs. The following outlines guiding principles for effective school and provider relations:

- Ongoing communication between the school and the external provider; regarding all aspects of afterschool programs;
- Clearly defined roles, responsibilities and tasks;
- Availability of a menu of activities and services that are aligned with and support the mission of the school;
- Common understanding about use of school space (designated and/or shared);
- Shared identification of appropriate students for afterschool activities; and
- Shared opportunities for family input and involvement

DHS/DCBPS Alignment

DHS/DCBPS has chosen to continue to invest in the City's OST System as an important strategy in improving the situation of the City's youth in terms of delinquency, truancy, and DHS-dependency. To achieve this goal, DHS/DCBPS believes that its investment should target DHS-involved youth as well as youth who are at great risk of being DHS-involved. DHS-involved is defined as children, youth and their families already in the DHS system or transitioning from it and/or children, youth and their families referred to the DHS system, but not active in its caseload. Youth with a history of chronic behavior problems, truancy, and/or delinquency or enrolled at a School District of Philadelphia Empowerment School have been defined by DHS/DCBPS as youth who are at great risk of being DHS-involved.

In addition, DHS/DCBPS believes that non-school hour programming should be implemented in a manner that provides an integrated and systemic continuum of age appropriate activities that closely links schools, the families they serve, along with other city agencies, community partners, and individual stakeholders. These priorities further align with the City of Philadelphia's overarching goals to improve graduation rates and decrease youth violence.

Program and Youth Outcomes

DHS/DCBPS has been required by the state Department of Public Welfare/Office of Children and Youth to align all of its programs with the safety, permanency, and well-being needs of DHS-involved children and youth as well as children and youth who are at great risk of being DHS-involved. In response to both state requirements and its own

reform efforts, DHS/DCBPS has embarked on a process to develop higher accountability standards and measures for the funds that it invests in all its community-based programs, including the City's OST System. Starting in FY2010, DHS/DCBPS intends to begin collecting specific program and youth outcome information that is directly related to the required program elements and is responsive to the collaborative effort between DHS/DCBPS and the SDP to address "early warning indicators" of children and youth at risk of dropping out of school.

Out-of-School Time: Connecting to Early Warning Indicators

Recent research conducted in Philadelphia by Nield, Balfanz and Herzog (2007) found early warning indicators that can serve as predictors to identify students who may be at risk of dropping out of school. (See **Appendix B**, An Early Warning System, Neild, Balfanz, and Herzog, October 2007).

This research found that as early as the 6th grade, the following indicators can predict a student who will eventually drop out:

- A final grade of F in mathematics
- A final grade of F in English
- Attendance below 80% for the year
- A final "unsatisfactory" behavior mark in at least one class

Sixth graders who have one or more of these indicators have no more than a:

- 10% chance of graduating on-time
- 20% chance of graduating one year later

These indicators serve as even stronger predictors for dropout as students grow older.

The SDP is taking steps to integrate the use of the early warning indicators of dropout into the ways its schools operate and to use these indicators to target students in need of additional supports both during and after school. The SDP plans to develop an online early warning indicator system for all students in elementary, middle and high schools. The system will incorporate the following indicators: attendance, academic achievement in Math and Reading/English, and student behavior. It will help students, parents, school personnel, and administrators measure schools' progress toward removing barriers for all students, and assist in individual student planning. In addition, schools will be better equipped to identify students who are showing risk factors and connect them to enrichment activities such as those outlined in this RFQ.

DHS/DCBPS recognizes that out-of-school time programs can play a critical role in meeting the Department's goal of preventing young people's future dependency on social service systems and/or delinquency. Ensuring that more young people graduate high school is an important strategy for avoiding these outcomes, and the early warning indicators help better focus prevention efforts.

OST programs are uniquely positioned to help young people achieve success, and can help address the early warning indicators that young people may have. OST programs can:

1. Work collaboratively with schools to inform parents and students about how early warning indicators can help identify students who are off-track for graduation;
2. Partner with schools to use non-school hour programming as incentives for school attendance and good behavior during the school day;
3. Provide homework help and academic support focused on reading and math skill building in the form of in-person help or on-line/computer-based help;
4. Create partnerships with schools to better target afterschool program enrollment on students who show signs of dropping out.
5. Develop meaningful and caring adult-child relationships with young people who are showing one or more of the early warning indicators

Applicants are encouraged to consider the ways they can make linkages between their program design, the early warning indicators, and the young people they serve.

Funding Source

The DHS/DCBPS investment is currently the sole source of funding for this RFQ. Consequently, it is imperative that applicants recognize the priorities of DHS/DCBPS and the changes this solicitation seeks in the current array of DHS-funded OST programming. In short, this significant component of the City's OST system is undergoing change. Applicants need to comprehend these substantive DHS changes in order to determine whether the resulting mix of programs, services, and requirements are aligned with their organization's internal mission, resources, and capabilities.

FY 2010 DHS/DCBPS-funded portion of the City's OST System Programs and Activities

Currently, there are two (2) program categories: Afterschool (178 sites) and Beacons (29 locations). More than half (119/207) of the sites are in public schools; only 22% (46) are State-licensed, 37 of which are in a community setting. About an equal number of sites have 45 or fewer slots (93) than those with more than 45 slots (84); 18% have less than 30 slots (38).

Existing afterschool programs serve youth from kindergarten to high school age. Many programs claim to serve wide age ranges, but in reality, few do; their enrolled youth cluster in 3-5 age year cohorts. An analysis of the demographic data of youth served by the existing ASI providers showed that the majority of youth served were between the ages of 6 years to 10 years. The second largest group were youth ages 11 –12. A similar trend was evident in Family Preservation programming at the Beacons. Conversely, only one-fourth of youth currently being served by either ASI or Beacon activities are 14 years or older.

At the conclusion of the solicitation and review process, the aforementioned summary is expected to shift in ways listed below.

Priorities

Organization that submit qualifications and express a willingness to meet the new DHS priorities and requirements noted will place higher in the rankings that will be used when allotting available dollars. Please note that historically, the DHS/DCBPS-funded OST has operated programs under two primary models – ASI and Beacons. Effective FY 2010, the Beacon model will be discontinued. All OST programming will operate according to models specific to the age group of the youth served, as indicated below. Priority will be given to:

- Programs that adapt a single program model that is age-specific as follows:
 - Elementary School (K-5)
 - Middle School (6-8)
 - High School (9-12)
- Programs located in a public school facility, preferably a Level I Empowerment School (followed in order by a Level II Empowerment School and other public schools with an emphasis on schools where an existing, effective program is located) where program staff and school leaders have effective partnerships and relationships. (See **Appendix C** for a list of Empowerment schools)
- Programs that serve one or more of the priority populations (e.g. older youth, DHS involved youth, (truant, dependent, and/or delinquent), youth who are at a greater risk of being DHS-involved, youth exhibiting early warning indicators and SDP Empowerment School students). (See DHS/DCBPS Alignment section.)
- Programs located in a licensed facility or one that is “licensable.” Currently funded high-quality programs operating at a community or school site that is licensed and/or licensable may remain at that site.
- Programs with the staff and physical capacity to operate with a minimum of 45 slots (exceptions are possible for programs with extenuating circumstances or valid reasons based on the special needs of those who they serve).
- Programs expressing a willingness to further move towards a greater infusion of literacy and numeracy in the lower grade programs – to be done either in partnership with the host public school and/or with “wrap-around” literacy services, tools and technical advice that would be provided system-wide.
- Programs expressing a willingness to participate in the advancement and implementation of meaningful and measurable outcomes – system-wide, by school, and by individual youth
- For providers not currently a part of the DHS/DCBPS-funded, PHMC administered OST network, programs that propose to create new OST opportunities

- For providers that are currently part of the DHS/DCBPS-funded, PHMC administered OST network, programs that have shown to be effective in FY 2009 as measured and recently reported by PHMC
- Providers willing to replicate the Feltonville Early Warning Indicator (EWI) Project Model at selected middle school sites. (See **Appendix D** for a full description of the EWI Project. Also, see “Program Models” section for additional information.)
- Programs that are willing to operate on a fee-for-service basis with bonuses associated with desired outcomes

Period of Performance

The period of performance will commence as early as July 1, 2009, but no later than September 2009, and terminate June 30, 2010. Please note that new providers in SDP schools and existing providers with new locations in SDP schools may not operate summer programs in FY 2010. It is expected that this period will be used by both the provider and the school for planning purposes and to refine further the school-based partnership. All programming in these locations will commence no later than September 2009.

SUBMISSION INSTRUCTIONS

Application Deadline

Submissions must be made via the web-based OST Management Information System called *Provider Contract, Attendance, Performance, and Payment System* or **PCAPS** by **Monday, March 30, 2009, 12:00 noon**. No late submissions will be accepted. **PCAPS will prohibit proposal submission after the deadline.**

PHMC strongly recommends that you make your submission up to 72 hours before the deadline. Please expect the system to operate more slowly closer to the deadline, as more users will be logged in simultaneously. Lateness for this reason will not constitute an acceptable excuse.

Applicant Registration

All Interested applicants, including those currently part of the City's OST Network, must register their interest in applying. To do so, applicants must do the following:

- 1) Go to <http://pcaps.phmc.org>, and select the link "Request FY 2010 RFQ access."
- 2) Complete the following information:
 - a. Agency Name
 - b. Proposed Program Location (non-School District of Philadelphia sites only) (Please note that applicants requesting School District of Philadelphia locations will be matched to schools following submission reviews, so will not be able to specify location at this time.)
 - c. Contact Person Name
 - d. Contact Person Email
 - e. Contact Person Phone
 - f. Number of slots requested (Please carefully review the Program Models and the Performance Goals and Financial Requirements sections to ensure that you select an appropriate number of slots.)
 - g. Choice of Model, i.e. Elementary, Middle, or High (Please carefully review the Program Models section to ensure that you select an appropriate model. A separate registration is required for each model proposed per site.)
 - h. Operation timeframe, i.e. School Year Only or Year Round

Interested applicants will be contacted within two (2) business days of the requested submittal with PCAPS access information.

PCAPS Training

New providers will be required to attend training on the use of PCAPS. Training will take place:

- Thursday, March 12, 2009 (morning)
- Thursday, March 12, 2009 (afternoon)
- Friday, March 13, 2009 (afternoon)
- Tuesday, March 17, 2009 (evening)

Please email ost@phmc.org to register for training.

Bidders' Conference and Questions

A bidders' conference will be held on Tuesday, March 10, 2009, Parkway Central Library, 1901 Vine Street, Montgomery Auditorium (ground floor), Philadelphia, PA 19103, 10:00 am to 12:00 noon.

Interested applicants are encouraged to submit questions regarding this RFQ to ost@phmc.org as soon as possible. All questions must be submitted by close of business Wednesday, March 11, 2009. Answers to all questions will be in writing and posted on the PCAPS homepage by Monday, March 16, 2009.

Proposal Submission Details

All applicants must follow the procedures outlined in this RFQ. Submissions will be reviewed to verify that they are complete and consistent with the guidelines set forth herein. PCAPS will also provide quality, logic, and completeness checks.

- To access PCAPS: Go to <http://pcaps.phmc.org>
- For assistance using PCAPS: Download the User manual, which can be found on the homepage. The PCAPS Help Desk may be reached at 215-985-2599 or at helpdesk@phmc.org.
- The following PCAPS proposal modules must be included for consideration. Please refer to the PCAPS User manual for instructions in completing each section. Please review each section, complete required information, and mark each section as complete:
 - Demographics
 - Site Info
 - Provider Board
 - Staff
 - Address Info
 - Agency Info
 - Contacts
 - Narrative
 - Budget (with Budget Narrative included as "Comments" with each line item)
 - Calendar
- No documents or attachments, other than those specifically requested, should be included.
- Applications that do not follow the required format will not be considered.
- Incomplete, mailed, faxed, or e-mailed applications will not be considered.
- Before submitting the proposal providers are expected to certify that they:
 - Agree to the City's Reservation of Rights.
 - Are not indebted to the City of Philadelphia as outlined in the Certificate of Non-Indebtedness (**Appendix E**) of this RFQ.
 - Agree to provide proof of insurance coverage according to the Insurance Checklist (**Appendix F**) of this RFQ, prior to the commencement of service, should they receive this award.
 - Agree to complete an accurate Activity Calendar before the program's start date, should they receive this award.
 - Agree to raise 15% of program budget as cash match for use in FY 2010.

AWARD PROCESS

Selection Criteria

Submissions will be scored based on the following criteria:

- **Organizational Capacity** – Capacity to implement quality and age appropriate non-school hour programming. Experience delivering non-school hour programs and services. Experience collaborating with schools. Experience operating DPW licensed programs. Capacity to obtain DPW licensure. Success in meeting agency's goals and objectives. Capacity to set measurable goals and objectives and capacity to measure success in meeting program and youth outcomes. Capacity to participate in the advancement and implementation of meaningful and measurable outcomes – system-wide, by school, and by individual youth. Capacity to provide literacy and numeracy programming in partnership with the host public school and/or with "wrap-around" literacy services and tools. Capacity to operate on a fee-for-service basis. Where applicable, organization performance with programs in PHMC OST network.
- **Target Community and Population** – Familiarity with and understanding of the needs of the target community and population. Description of approaches to prioritize enrollment of the target population. Strength of strategies and approaches that will be taken in the program in order to address those needs. Experience working in the target community. Program location as it relates to the priorities.
- **Program Design** – Effectiveness of the program design, including the plans for ensuring community engagement, plans for creating a program that will appeal to the target population, plans for coordination with the school for academic enrichment activities, student recruitment activities, compliance with SDP school attendance requirements, plans for recruiting and retaining youth, as well as diverse, responsive and well-trained staff and volunteers. Ability to implement a project based learning approach in programming. Ability to develop effective program services designed to demonstrate progress toward program objectives. Capacity to service a minimum of 45 slots.
- **Budget** – Appropriateness and reasonableness of the budget items for the services to be provided, clarity of the budget narrative, responsiveness to the budget guidance. Ratio of requested dollars to agency operating budget. Strength of the fiscal plan for attracting additional resources to the program.
- **Administration** – Ability of the organization to provide sound fiscal oversight, reporting, and management of the award amount. Where applicable, organization performance with administration of programs in PHMC OST network.

Notification of Award

It is anticipated that awards will be announced by early May 2009. If you have any questions about the award process prior to this date, contact Amy Friedlander, Public Health Management Corporation at amyf@phmc.org or 215-985-2512.

PROGRAMMATIC REQUIREMENTS

Target Population

Programs must be located in Philadelphia and serve youth who are residents of Philadelphia. Priority for program enrollment should be given to high-risk youth, as defined as:

- Youth with a history of involvement with the Children and Youth Division of the Department of Human Services or with the Juvenile Justice System or involvement with the Truancy Programs in DCBPS
- Youth enrolled in School District of Philadelphia Empowerment Schools
- Youth with eight or more absences from school in the current academic year

Program Operation Time Frame

Applicants may propose to operate:

- A 12-month (year round) program which will include a summer component and a school year component, OR
- A 10-month (school year) program which will include only school year programming

Applications proposing to operate summer only programs will not be considered.

As per the “Period of Performance” section, new programs in School District of Philadelphia schools will be restricted to operating during the school year only.

The summer component must operate for a minimum of six weeks, Monday to Friday, within the period July 6, 2009 to August 14, 2009. The school year component must operate a minimum of 175 days within the period Monday, September 14, 2009 to Friday, June 18, 2010. Applicants should indicate dates of service in the PCAPS Calendar as part of the submission. Programs located in School District of Philadelphia schools will be restricted to these dates, and may be asked to start as late as September 21, 2009. Providers in community-based locations may have additional flexibility; however, the City will provide compensation only for the minimum levels of service indicated.

Program Models

As stated above, historically, the DHS/DCBPS-funded OST System has operated programs under two primary models – AfterSchool Initiative (ASI) and Beacon Centers. Effective FY 2010, the Beacon model will be discontinued. All OST programming will operate according to models specific to the age group of the youth served, as indicated below.

Only one model may be selected per submission. Providers with an interest in serving multiple age groups at a single location will need to make separate submissions for each age group targeted. However, PHMC recommends a focus on a single age group.

For providers proposing to operate in a school-setting, the program model selected must be consistent with the grade group served by the school. Where multiple models are requested for a single site, only the “neighbor” age group may be proposed. i.e.

- An elementary school site may host an Elementary model and a Middle model
- A middle school may host a Middle model and an Elementary model OR a Middle model and a High model
- A high school may host a High model and a Middle model.

1) Elementary (Grades K-5)

- During the summer, programs are required to operate Monday to Friday for at least eight hours per day
 - Enrolled youth are expected to attend at least four days per week.
- During the school year, programs are required to operate Monday to Friday for at least three hours immediately afterschool, generally from 3:00 pm to 6:00 pm
- Enrolled youth are expected to attend at least four days per week.
- Programs are to focus on:
 - Homework help
 - Reading and Math skill building
 - Compliance with SDP school attendance requirements (to include regular communication with school staff regarding student school attendance, supporting families with problem solving related to school attendance)
 - Enrichment opportunities related to life skills, arts, culture, health, prevention
 - Physical activities
- If the program is located in an Empowerment I or II school, the enrichment and physical activities should complement or expand existing opportunities provided by the school.

2) Middle (Grades 6-8)

The Middle Model is designed to provide youth with opportunities to develop leadership and life skills, enhance their academic and study skills, and help them explore new interests with the guidance of a nurturing and caring adult.

- During the summer, programs are required to operate Monday to Friday for at least six hours per day
 - All youth are required to complete a project that incorporates post-secondary/career exploration and a community service activity responsive to community need.
 - Enrolled youth are expected to attend at least four days per week.
- During the school year, programs are required to operate Monday to Friday for at least three hours immediately afterschool, generally from 3:00 pm to 6:00 pm
 - Enrolled youth are expected to attend at least three days per week.
 - Program activities should be delivered within the context of a program cycle, e.g. 8-10 week cycles, with clearly defined goals and objectives.
- Programs are to focus on:
 - Academic support, including homework help, test taking and study skills
 - Reading and Math skill building

- Compliance with SDP school attendance requirements (to include regular communication with school staff regarding student school attendance, supporting families with problem solving related to school attendance)
- Post-secondary/career exploration skill building. This component may include:
 - Exposure to universities, community colleges, and technical schools
 - Exploration of careers in specific fields, such as technology and media, led by skilled professionals
 - Entrepreneurship
 - Community service projects with a professional shadowing component
 - Enrichment and Recreational activities with a skill building component
 - Performing, Visual and Language Arts (e.g. drama, instrumentation, foreign languages.)
 - Technology (e.g. gaming, website development);
 - Traditional and non-traditional athletics must include a skill building, character development, and/or life skill component.
- If the program is located in an Empowerment I or II school, the enrichment and physical activities should complement or expand existing opportunities provided by the school.

Early Warning Indicators (EWI) Project, also known as the “Feltonville Model”

Applicants seeking to replicate this particular project currently operating at the Feltonville Middle School can submit a proposal via this RFQ to potentially procure the necessary resources for the Out-of-School Time component of this promising program. The model’s uniqueness is a combination of specifically utilizing Early Warning Indicators data and having a close collaboration with the School District and other partners who respectively deliver services both during school hours and distinct services in out-of-school time hours.

This is a school year program only. Essential elements of the model are listed below, but potential applicants should reference **Appendix D** for a full description of the EWI Project. Applicants need to submit the requested information via its PCAPS application by following the instructions in this RFQ (Proposal Narrative Guidance, Section E, page 29). In the response, the proposal must clearly affirm the existence of the other funding sources for the non-OST components.

The program is required to comport with the basic Middle School Model components of this RFQ as well as the elements of the Feltonville model, summarized as follows:

- Programs must operate Monday to Friday for at least three hours at the end of the school day.
- Enrolled youth are expected to attend at least three days per week and program activities should be delivered within the context of a program cycle, e.g. 8-10 week cycle, having clearly defined goals and objectives.

- The programs (up to three may be selected for OST funding) are to also provide the following:
 - One-to-one homework help;
 - Tutoring in reading and math where appropriate;
 - Opportunities for a formal, one-to-one mentoring relationship involving the youth and a caring adult that is sustained throughout the contract period to promote positive in-school behavior;
 - Reading and Math skill building
 - Compliance with SDP school attendance requirements to include regular communication with school staff regarding student school attendance, supporting families with problem solving related to school attendance

3) High (Grades 9-12)

- The High School model will focus on Career Exploration and Apprenticeships. Through this model, youth will be provided the opportunity to explore a specific career area and to gain critical workplace skills (soft skills) within a set of structured and engaging activities. Programs should be fun, engaging and consist of experiential learning opportunities that allow youth the ability to learn, apply, and reflect on their experiences in a substantial way.
 - During the summer:
 - Programs must operate Monday to Friday for at least four hours per day
 - Enrolled youth are expected to attend at least four days per week
 - During the school year:
 - Programs are required to operate Monday to Friday for at least three hours immediately afterschool, generally from 3:00 pm to 6:00 pm
 - Enrolled youth are expected to attend at least two days per week
 - Program activities should be delivered within the context of a program cycle, e.g. 8-10 week cycle, with clearly defined goals and objectives.
 - The following are key components of the High School Model
 - Focus on a specific industry area and provide the opportunity for youth to learn about the career opportunities through engaging hands-on learning experiences. Selected industry areas should be aligned with the interest of youth. Suggested industry areas are not limited to but may include:
 - Arts (e.g. theater, dance, vocal arts, instrumentation, visual)
 - Technology (e.g. web design, digital media, automation,)
 - Sports (e.g. athletic leagues, sports management, physical therapy)
 - Journalism (e.g. spoken word clubs, poetry, short-stories)
 - Entrepreneurship
- Using the selected theme, programs are to deliver activities that provide academic support, including reading and math skill building and homework help (during the school year), and activities that support high school graduation and post-high school opportunities exploration
- Exploration of the career ladder opportunities within the targeted industry by researching a variety of careers and required educational/ training requirements to become successful within the chosen industry area.
 - Acquisition of critical workplace skills as described by the Partnership for

21st Century Skills. These applied skills are listed below:

- Critical Thinking / Problem Solving
- Oral Communications
- Written Communications
- Teamwork / Collaboration
- Information Technology Application
- Leadership
- Creativity / Innovation
- Lifelong Learning / Self Direction
- Professionalism / Work Ethic
- Exposure and skill acquisition within the targeted industry area that will equip youth with a working knowledge of the industry area. As youth move through the program and learn the basic skills within the targeted career area, the programming should continue to expose youth to more advanced skills.
- A project based learning plan or a career- themed portfolio. This project based learning plan will provide youth an opportunity to demonstrate and apply the skills taught throughout the program.
- An incentive-based payment system to participants based on milestones/benchmarks achieved during the program. Incentive payment programs are based on youth earning points for certain achievements throughout the program session. Incentive payments should be structured to match individual program goals. Programs may not exceed a total of \$600 per youth, in incentive payments per year.
- If the program is located in an Empowerment I or II school, the enrichment and physical activities should complement or expand existing opportunities provided by the school.

Outcomes

For all models, the focus is on improving youth's reading and math skills and improving school attendance. Further, there is a focus on post secondary and career exploration for middle and high school youth.

DHS/DCBPS intends to collect and measure specific program and youth outcome information from its OST - funded providers in a fashion depicted in the chart below. These desired outcomes are directly related to the required program elements and respond to the collaborative effort between DHS/DCBPS and the SDP to address "early warning indicators" of children and youth at risk of dropping out of school. The plan is to implement these data collection activities once a variety of aspects of the School District – City data collaboration efforts are resolved or when the City centrally provides the needed tools, staff training, and technical assistance to providers.

Model Type	Program element	Outcome measure	Evaluation Tool
Elementary	Reading and Math skills	Improvement in reading and math performance by points or percentage (pre and post tests/assessments)	Pre and post tests that are part of selected curriculum package
	Attendance	School attendance is stable and/or improves from year prior to program participation to end of program participation	School attendance record from previous year School attendance record from year of program participation
Middle	Reading and Math skills	Improvement in reading and math performance by points or percentage (pre and post tests/assessments)	Pre and post tests that are part of selected curriculum package
	Attendance	School attendance is stable and/or improves from year prior to program participation to end of program participation	School attendance record from previous year School attendance record from year of program participation
	Post secondary & career exploration	Completion of programmatic/module benchmarks established by provider	Student questionnaire administered before and after completion of post secondary & career exploration module
High	Reading and Math skills	Improvement in reading and math performance by points or percentage (pre and post tests/assessments)	Pre and post tests that are part of selected curriculum package
	Attendance	School attendance is stable and/or improves from year prior to program participation to end of program participation	School attendance record from previous year School attendance record from year of program participation
	Project or career-themed portfolio	Successful completion of a project or career-themed portfolio	Attainment of a work-readiness goal Attainment of an industry skills goal

Pennsylvania Department of Public Welfare Licensure

Programs that receive funding to operate Elementary or Middle models will be required to pursue licensure through the Pennsylvania Department of Public Welfare. Licensure provides guidance regarding minimum health and safety standards for program operation. See **Appendix G** for the PA Code for licensure regulations for childcare facilities.

Core Standards

Providers funded through this RFQ must ensure that program operations are consistent with fiscal, quality, health, safety, and data-collection requirements, including, demonstrably and consistently providing activities for youth according to the *Core Standards for Philadelphia Youth Programs*. See **Appendix H** for a copy of the standards. In addition, see **Appendix I**, the *Core Standards for Philadelphia's Youth Development Programs – Implementation Guide*.

Project Based Learning Approach

All programs will be required to implement a project based learning approach in programming. According to the Buck Institute, "Project Based Learning is an instructional approach built upon authentic learning activities that engage student interest and motivation. These activities are designed to answer a question or solve a problem and generally reflect the types of learning and work people do in the everyday world outside the classroom." (*Buck Institute for Education*, <http://www.pbl-online.org/About/whatisPBL.htm>) The project based learning approach takes the focus from teacher-centered lessons and emphasizes learning activities that are long-term, interdisciplinary, student-centered, and integrated with real world issues and practices. (<http://pblmm.k12.ca.us/PBLGuide/WhyPBL.htm>) Students work in cooperative groups completing steps toward a culminating project, they are able to see a purpose and real-life relevance to what is being taught. Teachers facilitate the learning process by providing guidelines, helping students focus questions, model note taking and organizational techniques, and provide materials. (<http://www.teachersnetwork.org/NTNY/nychelp/manage/projbase.htm>)

Project based learning emphasizes, (among other things):

- **Depth of understanding** rather than content
- **Comprehension of concepts and principles** rather than knowledge of facts
- **Development of complex problem-solving** rather than building skills in isolation
- **Student interest** rather than a fixed curriculum
- **A broad, interdisciplinary focus**

(<http://www.gvedfound.org/RESEARCH%20INFO.htm>)

The project based learning approach will assist OST programs in working more closely with the School District of Philadelphia, as the interdisciplinary focus will target key Pennsylvania state academic standards.

Program Administration and Staffing

The provider shall develop an adequate infrastructure to support the program. A model infrastructure should include internal program quality assurance processes and protocols that are implemented on a regular basis to ensure compliance with contractual requirements and timely communication between the provider agency and the program site to ensure adequate resources to effectively implement, operate, and evaluate the program.

The following staffing pattern is recommended:

- One (1) full time (at least 30 hours per week) Site Director who is assigned solely to the OST program. The Site Director must have attained the following qualifications level:
 - Bachelor's degree in a related field with one (1) year relevant experience; or
 - Associate's degree in a related field with three (3) years relevant experience

- For each group of 45 youth who will attend program daily, one additional full time (at least 30 hours per week) staff person who works 100% at the program site during program hours.
- For each group of 12 youth (for grades K-3) and 15 youth (for grades 4-12) who will attend program daily, one additional staff person who works 100% at the program site during program hours.

Performance Goals and Financial Requirements

In order for OST programs to demonstrate meaningful outcomes, youth must be engaged consistently and over a long period. Historically, the primary focus of OST was on the daily attendance as an expression of slots, i.e. average daily attendance total. In FY 2010, there will be greater emphasis on “dosage” or the hours of service received by each youth. Slot level will be the number of youth expected to meet the minimum service level.

For the Elementary model, payment will be based on the average daily attendance, since these youth are expected to attend programs on an almost daily basis.

For the Middle model, a service unit will be defined as 80% attendance per youth during the summer and 25 hours per month of service per youth during the school year. Providers will not receive compensation for youth who do not meet this threshold. Providers are expected to over-enroll to ensure that at minimum a number of youth equal to the slot level receive the required hours of service. Providers will need to determine a number of youth they intend to serve daily in order to meet their monthly slot level.

For the High model, a service unit will be defined as 80% attendance per youth during the summer and 15 hours per month of service per youth during the school year. Providers will not receive compensation for youth who do not meet this threshold. Providers are expected to over-enroll to ensure that at minimum a number of youth equal to the slot level receive the required hours of service. Providers will need to determine a number of youth they intend to serve daily in order to meet their monthly slot level.

Providers must meet the following performance goals, as applicable by program model in order to earn the base award. **All models are 100% fee for service. Regardless of the budget submitted, providers will only be compensated for services rendered according to the service levels outlined in the chart below.**

Model Type	Performance Goals and Base Award Calculation	
	Summer	School Year
Elementary	<u>Performance Goal</u> Average daily attendance of 80% of the awarded slot level <u>Payment Mechanism</u> Providers may earn up to \$650 per slot achieving average daily attendance of the awarded slot level. <u>Slot range</u> 45 to 255 <u>Operations Expectation</u> 30 days, Monday to Friday, 8 hours per day	<u>Performance Goal</u> Average daily attendance of 80% of the awarded slot level <u>Payment Mechanism</u> Providers may earn up to \$1,900 per slot achieving average daily attendance of the awarded slot level. <u>Slot range</u> 45 to 255 <u>Operations Expectation</u> 175 days, Monday to Friday, 3 hours per day (additional hours are expected on days when schools operate half days or are closed for staff professional development)
Middle	<u>Performance Goals</u> 1) Number of youth equal to awarded slot level who attend program at least 80% of the time. 2) Number of youth equal to awarded slot level successfully complete projects <u>Payment Mechanism</u> Providers may earn up to \$600 per slot for each youth, up to the awarded slot level, who attends the program 80% of the time. <u>Slot range</u> 45 to 105 <u>Operations Expectation</u> 30 days, Monday to Friday, 6 hours per day	<u>Performance Goals</u> 1) Number of youth equal to awarded slot level receive 25 hours of service monthly 2) Number of youth equal to awarded slot level successfully complete projects <u>Payment Mechanism</u> Providers may earn up to \$2,200 per slot for each youth, up to the awarded slot level, who receives 25 hours of service per month. <u>Slot range</u> 45 to 105 <u>Operations Expectation</u> 175 days, Monday to Friday, 3 hours per day (additional hours are expected on days when schools operate half days or are closed for staff professional development)
High	<u>Performance Goals</u> 1) Number of youth equal to awarded slot level who attend program at least 80% of the time. 2) Number of youth equal to awarded slot level successfully complete projects <u>Payment Mechanism</u> Providers may earn up to \$650 per slot for each youth, up to the awarded slot level, who attends the program at least 80% of the time. An additional amount of up to \$100 per slot will be available for use exclusively toward youth incentives. <u>Slot range</u> 45 to 100 <u>Operations Expectation</u> 30 days, Monday to Friday, 4 hours per day	<u>Performance Goals</u> 1) Number of youth equal to awarded slot level receive 15 hours of service monthly 2) Number of youth equal to awarded slot level successfully complete projects <u>Payment Mechanism</u> Providers may earn up to \$2,350 per slot for each youth, up to the awarded slot level, who receives 15 hours of service per month. An additional amount of up to \$500 per slot will be available for use exclusively toward youth incentives. <u>Slot range</u> 45 to 100 <u>Operations Expectation</u> 175 days, Monday to Friday, 3 hours per day (additional hours for special activities are recommended on days when schools operate half days or are closed for staff professional development)

Bonus

Providers may earn a bonus award of \$100 per slot, if they meet one of the following criteria. Bonuses apply only to the school year portion of the program. Providers may not earn more than one bonus. Achievement of performance goals for the purpose of earning a bonus will be assessed by PHMC and the City of Philadelphia.

Bonus 1 – Licensure/Keystone STAR/National Accreditation

Providers will receive the \$100 per slot bonus if they achieve one of the following, as applicable. Documentation of these achievements must be submitted to the PHMC Program Monitor by May 31, 2010.

- Unlicensed programs must achieve licensure; or
- Licensed programs who have no STAR status must achieve STAR 1 or STAR 4A status as part of the Keystone STARS system; or
- STAR 1 programs must achieve STAR 2 or STAR 4A status; or
- STAR 2 programs must achieve STAR 3 or STAR 4A status; or
- STAR 3 programs must achieve STAR 4 or STAR 4A status; or
- STAR 4 programs must achieve STAR 4A status; or
- STAR 4A programs must maintain this status. It is recommended that National Accreditation be sought through the Council on Accreditation.

Bonus 2 – Service Levels

- For elementary programs, 80% of enrolled youth attend program an average of 3 days per week for their period of enrollment.
- For middle programs, 80% of enrolled youth receive 35 hours of service per month for 8 months
- For high school programs, 80% of enrolled youth receive 25 hours of service per month for 8 months

Advance Payment

Providers will receive a one-month advance within 30 days of the contract start date, provided the following conditions are met:

- Execution of the FY 2010 contract
- PHMC having in its possession a completed ACH Banking form from the provider authorizing PHMC to make payment electronically to the provider's designated account
- Provider submission of proof of insurance to PHMC
- Provider submission of an advance invoice via PCAPS

Invoicing

Provider will be required to submit monthly invoices, generated from PCAPS by the 10th day of the following month of service. The amount earned will be evident within PCAPS as it will calculate the amount due based on the performance goals and payment mechanism.

REPORTING REQUIREMENTS

Providers will be required to input data on clients, staff, and the agency on a monthly basis. Data-entry into PCAPS must be 100% accurate and consistent with records maintained at the agency. **Provider payment will depend upon timely and accurate data entry into PCAPS, as well as validation of this data by PHMC personnel.**

Staff Information

Providers will be required to maintain staff files with the following information. Providers will also be required to enter dates relevant to the following in PCAPS.

- Child Abuse Clearances (needed once, within 30 days of hire)
- Criminal Record Clearances (needed once, within 30 days of hire)
- FBI Clearances (needed once upon hire, if hired effective July 1, 2008 or later)
- Staff Health Assessments (needed within 60 days of hire, then biannually thereafter; TB screen needed once upon hire)
- Confidentiality Agreements (needed once upon hire)
- Training Hours
- Qualifications

Client Information

Providers will be required to maintain client files with the following information.

Providers will also be required to enter dates relevant to the following in PCAPS.

- DPW Emergency Contact Form (needed semi-annually)
- Child Health Assessment Form (needed within 60 days of enrollment, then annually thereafter). Please note that Child Health Assessment Forms will not be required for youth under the High School model.
- Means Test Worksheet (needed within 30 days of enrollment, then annually thereafter)
- Attendance information from youth (daily sign-in and sign-out times from youth sign-in/sign-out sheets)

Programmatic Reports

Providers will be required to submit a semi-annual report outlining programmatic performance. In addition, providers will be required to provide an end of year report discussing the status of program outcomes. Report templates will be communicated well in advance of the report due dates.

End of Year Financial Reconciliation

Providers will be required to submit a financial reconciliation for their program no later than July 30, 2010. The reconciliation will show all program revenues and expenses for the year, including those from non-DHS funding sources. Provider is further advised to have documentation for costs substantiating their amounts invoiced to PHMC. PHMC reserves the right to hold the final FY 2010 payment until the financial reconciliation is received.

PROPOSAL NARRATIVE GUIDANCE

Please follow the PCAPS User Manual for complete instructions on completing this section in PCAPS.

Instructions:

- Each question has a character limit to guide you regarding the length of your response. These character limits are for guidance only; programs must provide enough information to respond adequately to all questions, within the designated character limits. PCAPS will prohibit submission if the response contains less than 25% of the recommended character limit. As a reference, one page of narrative is roughly equal to 2800 characters.
- Applicants must complete Sections A to D. Where applicable, applicants should complete Section E.
- Several appendices in PCAPS, found on the PCAPS “Review Proposal” tab provide resource and reference information to assist you in completing this narrative. Please review these resources before you begin your responses. The appendices include:
 - A. Afterschool Outcomes Summary – February 2008
 - B. Research Paper – An Early Warning System
 - C. School District of Philadelphia Empowerment Schools
 - D. Early Warning Indicators Project Description
 - E. Certificate of Non-Indebtedness to the City of Philadelphia
 - F. Certificate of Insurance Checklist
 - G. PA Code – Chapter 3270 – Child Day Care Centers (Licensing Requirements)
 - H. Core Standards for Philadelphia’s Youth Development Programs
 - I. Core Standards for Philadelphia’s Youth Development Programs – Implementation Guide
 - J. Setting Goals and Expectations
 - K. Online Resources for Students
 - L. Clearance Requirements – Implementation of Act 179 of 2006 and Act 73 of 2007
 - M. Clearance Requirements – Summary of Clearance Requirements

Section A: Executive Summary (1/2 page)

- 1) Highlight the contents of the submission in a clear and concise manner. Please consider this section as one that may be used in the future as a brief summary of your program for promotion purposes.

Section B: Organizational Capacity (5 pages)

- 1) Briefly describe your organization, its history, vision, mission, goals, and objectives.
- 2) Briefly describe your organization’s success in achieving its goals and objectives from last fiscal year.
- 3) Describe your organization’s experience administering out-of-school time and afterschool programs for at-risk youth. Indicate specific experience working with

schools and with system involved youth from the Children and Youth Division or the Juvenile Justice System.

- 4) Describe your organization's experience operating DPW licensed programs. Please indicate whether the proposed location is DPW licensed for the provision of childcare services. If the proposed site is not DPW licensed, and your program will serve youth under 14, describe plans to obtain DPW licensure by May 31, 2010.
- 5) Describe your organization's capacity to supplement OST funding with additional cash resources at least equal to 15% of the program costs during FY 2010.
- 6) Is your organization able to provide your:
 - a) Last two years' completed IRS Form 990?
 - b) Last two years' independently audited or reviewed financial statements?
 - c) Board-approved human resources policy and procedures manual (or a similar document)?

Please do not submit the above documents with this submission. However, should your organization qualify following the review process, these documents must be immediately available.

- 7) How many active members serve on your organization's Board of Directors? How often does your board meet?

Section C: Operational Plan (7 pages)

1) Goals and Objectives

- a) State your goal and three objectives for the proposed program. (See **Appendix J** for additional information on developing SMART goals and objectives.)
- b) How will you measure success in meeting your proposed goal and objectives?

2) Client Recruitment

- a) Will the proposed project provide new out-of-school slots?
- b) Describe your strategy for recruiting and retaining youth in the proposed program. Include how you will work with the school staff, DHS providers, and community resources.

3) Staffing Plan

- a) Describe your staff recruitment and staff orientation process for the proposed program.
- b) What activities will your program conduct to ensure staff engagement and retention?
- c) Provide a position description, including qualifications, of each staff position that will support this program. Indicate the number of staff in each position.

4) School and Program Collaboration

- a) How will your proposed program engage the principal and school staff, particularly regarding compliance with school attendance requirements?
- b) How will your proposed program ensure a system of learning to support school day activities? See **Appendix K** for a list of online resources to which

- many School District of Philadelphia youth have access.
- c) Describe your planned homework help procedures. How will staff be trained on providing homework assistance?
 - d) Describe your experience working with reading and math skill improvement curriculum in afterschool program settings. Describe your capacity to implement this type of curriculum as part of the proposed program.

4) Community Engagement

- a) Describe the target community. Include the geographical boundaries that define the proposed target community, along with relevant demographic and socio-economic characteristics. Describe the population that will be served by the program. Provide a description of the strengths and challenges of the targeted population. Describe the community partnerships your organization will bring to the proposed program, the purpose of these partnerships and the intended benefit.

5) Parental Engagement

- a) Describe your successes engaging parents/caregivers. Include a discussion of how your program will address language and other cultural barriers.
- b) Describe your organization's methods of assessing and addressing parent needs.
- c) What strategies will your program use to encourage parent participation in afterschool activities to support their children's participation?
- d) How will you ensure that parents are notified of youth progress, including formal notification at least twice per year?

6) Quality Assurance

- a) Describe your program's quality assurance protocols. Include your approach to monitoring and supporting staff, providing professional development, and ensuring progress toward outcomes.
- b) How will you ensure contract compliance?
- c) Describe how your program will support effective communication, decision-making, and collaboration amongst all stakeholders.
- d) Describe which services your proposed program will provide through subcontracts with partner organizations. Describe your plan to ensure that subcontractors have the skills, expertise and work experience necessary to ensure that the services will be delivered in a manner which infuses youth development principles with specific content area. Describe how your program will monitor subcontractors to ensure compliance with PHMC contract requirements.
- e) Discuss the potential barriers to your program's success. How will your agency address these barriers?

7) Program Location

- a) For providers proposing a community-based location, describe the proposed program location. Include the maximum number of youth who can be served

on a daily basis for the summer as well as the school year program. Describe the room sizes and proposed room arrangement. How will youth get to and from the program?

- b) For providers proposing to operate in a School District of Philadelphia school building, please list the top five and bottom five choices in order of preference. Indicate the reason(s) for your choice. Current PHMC OST providers operating at a public school should indicate the name of the school. Following review of all submissions, qualified providers will be matched to schools.

Section D: Program Plan (7 pages)

1) Project Based Learning

- a) Project based learning is rooted in real-world subject matter that is meaningful to youth. How will your program determine the subject matter of your projects and ensure that your theme is engaging?
- b) How will your projects incorporate complex problem solving and collaboration among youth?
- c) How will your proposed program ensure advanced planning to prepare a comprehensive and multi-disciplinary project? Who on your site's (or agency's) staff will be responsible for project planning? Provide staff's qualifications for planning such a project. How will you ensure that all staff members have adequate preparation time?
- d) How will your program ensure that projects are youth-driven, with staff serving as facilitators only? Who on your program's staff will be responsible for facilitating the project? Provide staff's qualifications for implementing such a project.
- e) How will your program ensure that reading and math skill development is incorporated into projects?
- f) Programs selected for FY 2010 funding will be required to submit their full Project Based Learning Plans at a future date. At this time, please use the format below to outline a sample project. (Note: your program will not be held to implementing this specific project):
 - Project theme
 - Driving question (open-ended) or problem
 - Key skills youth will learn during project
 - Disciplines (e.g., reading, math, etc.) to be included in the project
 - Reading and Math skills that will be developed as part of the project
 - Timeline for project (6 weeks minimum), including number of days per week and hours per day dedicated to project
 - Sample activities in which youth will engage
 - Culminating products or events of the project
 - Method used to evaluate or assess project's success

2) Summer Programming

- a) Themed learning creates a meaningful way of organizing your Summer activities around shared learning experience. Please indicate the theme(s) your Summer 2009 program will implement.
- b) Please indicate the activities that will support your theme.
- c) If your summer program staff will differ from your School Year staff, please describe how many staff will work only during the summer, what their role will be, how you will recruit them.
- d) Please describe your orientation process for all staff who will work during the summer program.
- e) How will you ensure that smaller staff to student ratios are in place for higher risk activities such as swimming and field trips?
- f) Please describe your summer program orientation process for parents and youth.
- g) What are your program's plans to address excessive heat in the summer?

3) School Year Program Preview

- a) Discuss a typical week during the school year portion of the proposed program. Be sure programming is aligned with the core program services outlined under each program model (See "Program Models" section for a description of the models). Discuss the activities to be offered, the ages of youth to be served by each activity, the duration of each activity, and the staff facilitating each activity. Provide a sample eight-week schedule.

Section E: Early Warning Indicators Project (3 pages)

(For providers applying for this project only)

- 1) Provide evidence of past success in operating the range of activities described as part of the Feltonville model. Use data to support your response.
- 2) Describe your organization's experience in supporting student's school attendance and good behavior using targeted interventions.
- 3) Describe your organization's experience in collaborating with school staff to target students most at risk of academic failure.
- 4) Describe your organization's capacity to provide technical assistance and training to staff on mentoring, tutoring, and youth development.
- 5) Describe how you plan to operate within this model, and how you would encourage the engagement of at-risk students in particular.
- 6) Describe the staff you would recruit or employ for this program and describe why they are appropriate to work in this particular program model.

FISCAL INFORMATION

Budget

Applicants must submit a budget via the PCAPS Budget Form showing expected revenues and expenses for the period July 1, 2009 to June 30, 2010 for year round providers OR for the period September 1, 2009 to June 30, 2010 for school year only providers. Budgets are required to assist applicants in properly allocating adequate sums for critical items, and to assist reviewers in understanding applicants' capacity to allocate resources to meet programmatic requirements. **PHMC reserves the right to provide awards for less than the requested amount, given funding availability and the assessed organizational capacity.**

As this is a competitive proposal process, applicants are expected to adhere specifically to these budget instructions.

Costs

Your award ceiling is calculated by your requested slot level (i.e. the total number of youth you anticipate reaching the performance goals) multiplied by the base rate per slot. Be sure to tally summer (where applicable) and school year for the award total. The bonus of \$100 per slot will be calculated separately and included in PCAPS.

All budgets must account for both DHS-funded expenses and non-DHS funded expenses, including in-kind (non-cash) contributions e.g., donated space, volunteer staff, etc. For assistance in preparing your program's budget, go to www.wallacefoundation.org/cost-of-quality. This online calculator will help you determine what a quality program, of comparable size and location, is expected to cost. Please follow the below guidance in recording these costs in the PCAPS budget.

Employees: Enter the job titles of all staff that are paid as employees. **These should be payroll positions and have associated payroll taxes and/or fringe benefits. Do not enter non-payroll positions in this category. You must list under the Consultants/Contractors section any staff persons for whom there are no associated payroll taxes.** Enter the DHS-funded expenses for these employees on the corresponding line of the DHS column. **Enter only one staff person per line item. If there are multiple staff per position type, please enter as many of the position type as is necessary. (e.g. each of the required Group Leaders should be listed separately.)**

- **Administrator:** This can be an Executive Director (ED) or other position. The Administrator can be the direct or indirect supervisor of Site Directors and/or Coordinators. The Administrator cannot be the same person as the Coordinator. The ED's time charged to this program should not exceed 10% of the annual salary unless the ED directly serves children, daily.
- **Coordinator:** This position can describe middle managers -- direct supervisors of Site Directors. The Coordinator cannot be the same person as the ED.

Coordinator time charged to the grant should not exceed 50% of the annual salary.

- Site Director: One Site Director employed full time (i.e., at least 30 hours per week) is required. The Site Director must dedicate 100% of his or her time to the OST program. Site Directors must have attained the following qualifications levels: Bachelor's degree in a related field, with one year relevant experience OR Associate's degree in a related field, with three years relevant experience.
- Group Supervisor: One full-time (at least 30 hours per week) Group Supervisor for each group or partial group of 45 who will attend programming daily. Group Supervisors must dedicate 100% of their time to the out-of school time program. Supervised by Site Directors, the Group Supervisor can coordinate Group Leaders and can lead children's groups, directly. Groups can be made up by age, activity, interest, etc.
- Group Leader: A number of group leaders sufficient to meet DPW regulations for staff to child ratio is required. (Ratio requirement may be met in combination with Assistant Group Leaders.) Supervised by Site Director or Group Supervisor. Lead children's groups. Groups can be made up by age, activity, interest, etc.
- Assistant Group Leader: Supervised by Site Director or Group Supervisor and instructed by Group Leaders in assisting with children's groups. Groups can be made up by age, activity, interest, etc.
- Youth Worker: Youth workers under 18 years of age must always be supervised when working directly with children.
- Volunteer: All volunteers 18 year of age and older must have clearances.
- Data-entry/Program Support Personnel.
- Other: Please note any other staff that serves the program.

Fringe Benefits: Enter the fringe benefit rate and check the box next to each employee receiving the benefits. PCAPS will calculate the prorated total.

Payroll Taxes: Enter the payroll tax rate and check the box next to all employees. No employee paid by the provider agency can be paid as a third-party consultant. PCAPS will calculate the prorated total.

Consultants/Contractors: These are separate entities and individuals for whom the provider pays no payroll taxes or benefits. Please indicate via the drop down menu, if the line item is for a contract (entity) OR for a consultant (individual).

Operating Costs: Enter the costs for the appropriate line item. The following line item headers are preloaded in PCAPS.

- Rent
- Utilities
- Office Supplies: Consumable items used by program staff for program operation
- Program Supplies and materials: Consumable items such as office supplies and program supplies such as gross-motor equipment, art supplies, first-aid supplies, food ware, cleaning agents, etc. used in the course of conducting the scope of work for your program.

- Equipment: Any article of nonexpendable, tangible property having potential use of more than one year. For the duration of the grant, provider should maintain records documenting equipment purchased, date of purchase, vendor name, and invoice number.
- Telephone
- Liability Insurance
- Printing and Advertising
- Postage
- Local Travel: These costs must benefit the proposed program and include travel associated with program training, outreach, and other enhancement.
- Staff Training: Expenses for staff to attend non-DHS supported trainings, including training curricula, workshops, afterschool conferences, etc.
- Cultural/Recreational Field Trips: These costs are for only children attending the program and listed in PCAPS enrollment. At least six field trips should be planned for summer programs. Fields trips are also recommended for school year programs.
- Meals and Snacks
- Clearances and Health Assessments
- Maintenance
- Security
- Administrative Expenses: DHS recommends that Administrative Expenses not total more than 10% of the grant award amount. Staff who are not directly funded by this grant, but who do work to support your program, can be included under the administrative expenses category. Estimate the cost of indirect staff activities, and total them for the administrative expense line item. The following activities, if dedicated to the operation of this program, would count as administrative expenses: general administration, contract and grant administration for this grant, personnel functions, accounting and budgeting functions, travel or event planning, newsletter/ brochure preparation, processing and tracking purchase orders, maintaining general departmental databases, proposal budget preparation, purchasing, payroll/human resources, bookkeeping, financial monitoring, reconciling accounts/ledgers, correspondence/report preparation, space management, equipment inventory, etc.

Revenue

Expenses cannot exceed revenue.

DHS Funds: PCAPS automatically displays your potential award amount based on the slots you entered. Please align your budget line items to total the same as the *revenue* amount for DHS costs in PCAPS. PCAPS will prohibit submission of the budget if the revenue and expenses do not match.

Non-DHS Funds: Experience in administering OST programs has shown that complete reliance on the City's dollars is a precursor to a troubled, less than robust program.

Therefore, applicants must provide a monetary match of 15% of the program

costs. Please list sources and expected award amount from non-DHS sources of revenue, including revenues generated from fees and subsidies. Please also indicate if they are committed or anticipated. Applicants shall create a development and fundraising work plan and comprehensive timeline for the contract period. The goal of this plan is to pursue cash resources of at least 15% of the OST program budget, necessary to enhance the OST program services. This plan should include private and public grants and contributions, as well as, childcare or other subsidies. In no instance may grant funds be used to supplant an existing or more appropriate funding source.

In-Kind Revenue: Itemize herein your in-kind revenue, including:

- Name of entity from which you will receive in-kind services and donations, including, but not limited to:
 - Volunteer time
 - Donated equipment, books, program supplies, space, etc. Indicate fair market value for space in schools.
- Value of each in-kind donation.
An example: Volunteers: Three volunteers Five partial days per week; Value: \$10 per hour x 17.5 hours total = \$175 per week.

Budget Narrative

Using the “Comment” notepad to the left of the line item titles in PCAPS, complete a budget narrative description, per the instructions below, for each line item. PCAPS will prohibit submission if the budget narrative is missing or incomplete. Please identify succinctly which expenses have a non-DHS component, and the dollar value of that non-DHS component.

Personnel: State the qualification of the employee. Indicate the name of the person, if known. If a position is vacant, indicate “to be hired” and state the anticipated start date for the new hire. For salaried positions, state the annual salary and the percentage of time to be devoted to the program. For hourly employees, state the hourly rate and indicate the average number of hours weekly or the total hours anticipated for the contract period. PHMC recommends you calculate total hours based on the number of program hours PLUS an allowance for training hours, preparation time, time for staff orientation, time for staff meetings, and time for semiannual parent conferences. Budget narratives that do not indicate these allowances will be scored less favorably.

Compensation for employees engaged in grant activities must be consistent with the pay for similar work within the agency and the local OST field.

For all positions, briefly describe the duties to be performed.

Fringe Benefits: Fringe benefits should be based on actual known costs or an established formula that is concurrent with the applicant organization. Fringe benefits are for the employees listed in the budget, and only for the percentage of time devoted to the project. Please describe specifically:

- Which fringe benefits are included in your rate

- How the rate keeps consistent with other fringe benefit rates across your agency, programs, and positions.

Payroll Taxes: Indicate the taxes and applicable rates.

Consultants/Contractors: For each consultant/contractor, indicate:

- Legal Name of individual consultant or contracted entity
- Cost per service the consultant charges (hourly, per activity, etc.)
- Activity(ies) that the consultant will provide
- Frequency of Activity(ies) in the program – indicate daily, weekly, monthly, or yearly number of contact days the consultant will have with your program and/or children.

Consultants operating as a business in the City should have a City's Business Privilege License and if appropriate, should seek certification as a minority business. For further details, go to the City's web site www.phila.gov.

Supplies

Other Costs: List other items with known costs, e.g. copying, telephone, postage, equipment, travel, maintenance, and the basis of their computation.

Administrative Rate & Costs: An administrative cost rate is acceptable in lieu of detailing numerous and minor costs associated with providing services, e.g. administrative staff or office costs shared with multiple programs/services. Indicate your agency's applicable, standard rate as long as it excludes items specified elsewhere and is consistently applied in other grant-funded programs. Note that your administrative rate is subject to future audits. Apply the rate to the sum of your total personnel and operating costs for each period.

Occupancy Costs: Indicate costs related to rental fees, utility costs, etc. If a formula is used to determine occupancy costs, please indicate.

Non-Recurring Costs: Categorically list one-time expenses within the sub-categories of "equipment" and "other." Indicate the cost per item and the number of items. Describe the source of all non-DHS expenses. Provide formulas for any expenses that have a per-child component, e.g., field trips and local travel.

Other Revenue: List each non-DHS source of funding for your program. Provider is required to obtain non-DHS funding that makes up at least 15% of the program's budget.

Appendix A
Afterschool Outcomes
Summary
February 2008



Afterschool Alliance

AFTERSCHOOL FOR ALL

Afterschool Programs: Making a Difference in America's Communities by Improving Academic Achievement, Keeping Kids Safe and Helping Working Families

Improved School Attendance and Engagement in Learning

- Elementary school students attending LA's BEST afterschool program improved their regular school day attendance and reported higher aspirations regarding finishing school and going to college. Additionally, LA's BEST participants are 20 percent less likely to drop out of school compared to matched nonparticipants. (UCLA National Center for Research on Evaluation, Standards and Student Testing, June 2000, December 2005 and September 2007)
- High school students participating in Chicago's After School Matters program—which offers paid internships in the arts, technology, sports, and communications to teenagers in some of the city's most underserved schools—have higher class attendance, lower course failures and higher graduation rates than similar students who do not participate in the program. (University of Chicago, Chapin Hall Center for Children, 2007)
- Ninth grade students who formerly participated in The After-School Corporation (TASC) funded afterschool programs as middle schoolers had higher daily attendance and credit accumulation than matched nonparticipants. (Policy Studies Associates, Inc., October 2007)
- Participants in the Breakthrough Collaborative program enroll in college-preparatory mathematics courses at double the national average, and are accepted to college-preparatory high schools by more than 80 percent. (Breakthrough Collaborative, 2006)
- Sixty-five percent of former Citizen Schools 8th Grade Academy participants enrolled in high-quality high schools compared to 26 percent of matched nonparticipants. Ninety-two percent of high exposure participants were promoted on time to the tenth grade compared to 81 percent of matched nonparticipants. This is critical, since earning promotion to tenth grade on time is a key predictor of high school graduation (i.e. preventing drop out). (Policy Studies Associates, Inc., December 2006)
- A New Hampshire statewide study of students participating in academically focused afterschool programs, including those funded by the federal 21st Century Community Learning Centers Program (21st CCLC), found that more than half of regular attendees improved both behaviorally and academically. (RMC Research, 2005)

Improved Test Scores and Grades

- Annual performance report data from 21st CCLC grantees across the country demonstrate that students attending 21st CCLC programs improve their reading (43%) and math grades (42%). Students who attend 21st CCLC programs more regularly are more likely to improve their grades and their performance on state assessments. (Learning Point Associates, November 2007)
- The Promising Afterschool Programs Study, a study of about 3,000 low-income, ethnically-diverse elementary and middle school students, found that those who regularly attended high-quality programs over two years demonstrated gains of up to 20 percentiles and 12 percentiles in standardized math test scores respectively, compared to their peers who were routinely unsupervised during the afterschool hours. (Policy Studies Associates, Inc., 2007)
- Participants in North Carolina's Young Scholars Program with at least 280 hours in the program averaged double-digit increases annually for proficiency in both math and reading. Promotion rates rose by 38 percent. Furthermore, the number of Young Scholars receiving A's and B's increased an average of 38 percent, while the number receiving F's decreased an average of 50 percent. (Z Smith Reynolds Foundation, 2006)
- Active participants in programs offered by The After-School Corporation (TASC) were more likely to take and pass the Regents Math Sequential 1 exam by ninth grade than were nonparticipants. Thirty-two percent of active ninth grade participants took and passed the exam, compared to one percent of ninth grade nonparticipants. Fifty-two percent of active participants took and passed the Math Sequential 2 and 3 exams, compared to 15 percent of nonparticipants in the same grades. (Policy Studies Associates, Inc., 2004)
- Participants of St. Paul Minnesota's 21st CCLC Pathways to Progress program received better grades in English and math than nonparticipants. (University of Minnesota, Center for Applied Research and Educational Improvement, March 2004)

Students at Greatest Risk Show Greatest Gains

- Researchers at Johns Hopkins University conclude that two-thirds of the achievement gap between lower- and higher-income youth can be explained by unequal access to summer learning opportunities. The summer learning gap begins in elementary school, accumulates over the years and, once students get to high school,



Afterschool Alliance

AFTERSCHOOL FOR ALL

results in unequal placements in college preparatory tracks and increases the chance that children from low socio-economic families will drop out. (American Sociological Review, Vol. 72, April 2007)

- Citizen Schools reported especially large improvements in achievement among the most high-risk students, including those initially in the lowest quartile on standardized test scores and English language learners. In the primary grades, there was a 53.4 percent decrease in grade retention associated with the program. (Policy Studies Associates, Inc., November 2005)
- The CORAL initiative in California found that reading gains were greatest for participant youth who were two or more grade levels behind at the time of the first assessment. This improvement represents approximately three quarters of a grade level in reading (0.78). (Public/Private Ventures, December 2005)

Afterschool Programs Keep Kids Safe, Healthy and On Track for Success

- The Promising Afterschool Programs Study, a study of about 3,000 low-income, ethnically-diverse elementary and middle school students, found that students reported improved social and behavioral outcomes: elementary students reported reductions in aggressive behavior towards other students and skipping school, and middle school students reported reduced use of drugs and alcohol, compared to their routinely unsupervised peers. (Policy Studies Associates, Inc., 2007)
- A meta-analysis of 73 afterschool evaluations concluded that afterschool programs employing evidence-based approaches to improving students' personal and social skills were consistently successful in producing multiple benefits for youth including improvements in children's personal, social and academic skills, as well as their self-esteem. (University of Illinois at Chicago, Collaborative for Academic, Social, and Emotional Learning, 2007)
- Children attending LA's BEST Afterschool program are 30 percent less likely to participate in criminal activities than their peers who do not attend the program. Researchers estimate that every dollar invested in the LA's BEST program saves the city \$2.50 in crime-related costs. (UCLA National Center for Research on Evaluation, Standards and Student Testing, September 2007)
- A study measuring the health and social benefits of afterschool programs found that controlling for baseline obesity, poverty status, and race and ethnicity, the prevalence of obesity was significantly lower for afterschool program participants (21 percent) compared to nonparticipants (33 percent) at follow-up. (Mahoney, J., Lord, H., & Carryl, E., Lawrence Erlbaum Associates, Inc, 2005)
- Youth attending 23-40 or more days of Maryland's After School Opportunity Fund Program showed a more positive gain on such measures as commitment to education and academic performance, and a reduction in delinquency and contact with the police. (University of Maryland, Department of Criminology and Criminal Justice, June 2004)
- Teens who do not participate in afterschool programs are nearly three times more likely to skip classes than teens who do participate. They are also three times more likely to use marijuana or other drugs, and they are more likely to drink alcohol, smoke cigarettes and engage in sexual activity. (YMCA of the USA, March 2001)

Afterschool Programs Help Working Families

- Parents who are concerned about their children's after-school care miss an average of eight days of work per year. Decreased worker productivity related to parental concerns about after-school care costs businesses up to \$300 billion per year. (Brandeis University, Community, Families and Work Program, 2004 and Catalyst & Brandeis University, December 2006)
- In an evaluation of LA's BEST, three quarters of the parents surveyed indicated that since enrolling their children in the program, they worried significantly less about their children's safety and had more energy in the evening. A majority also indicated the program sizably saved their time. (UCLA Center for the Study of Evaluation, June 2000 and December 2005)
- Parents in the TASC study said that the program helped them balance work and family life: 94 percent said the program was convenient, 60 percent said they missed less work than before because of the program, 59 percent said it supported them in keeping their job, and 54 percent said it allowed them to work more hours. (Policy Studies Associates, Inc., 2004)

Appendix B
Research Paper
An Early Warning System

Educational Leadership

October 2007 | Volume 65 | Number 2

Early Intervention at Every Age Pages 28-33

An Early Warning System

By promptly reacting to student distress signals, schools can redirect potential dropouts onto the path to graduation.

Ruth Curran Neild, Robert Balfanz, and Liza Herzog

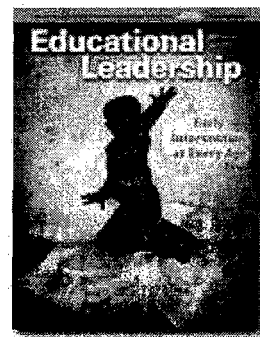
The alarm has sounded. The United States has a high school graduation crisis. The crisis does not stem, however, from any precipitous drop in the percentage of students who graduate. In fact, graduation rates are about as high as they have ever been. What makes current graduation rates alarming is a reality of the new U.S. economy: It is practically impossible for individuals lacking a high school diploma to earn a living or participate meaningfully in civic life. Adding to the urgency is evidence of disproportionately low graduation rates among low-income and minority youth. Recent estimates suggest that between one-third and one-half of minorities do not earn a high school diploma (Education Week, 2007).

Policymakers and educators have tended to view dropping out of high school in two contradictory ways. On the one hand, they view it as predictable, given the high dropout rates in certain demographic categories and geographic locations. At the same time, they view the experiences that precede a specific student's dropping out as mysterious, difficult to predict, and idiosyncratic. Some students unaccountably "become bored with school"; "fall in with the wrong crowd"; or experience a jarring life event, such as a pregnancy or a parent's unemployment, that precipitates their dropping out of school.

Our research suggests that, on the contrary, many students who drop out of high school send strong distress signals for years. These students are metaphorically waving their hands and asking for help. By paying attention, schools and districts can develop interventions that can help keep potential dropouts on track to graduation.

Policymakers and educators face several challenges in devising these early intervention strategies. The first is to figure out which signals to look for and when to look for them. These signals form an early warning system that schools can use to identify students who are at risk of dropping out. The second challenge is to develop a set of structures and practices within schools that enable educators to review data and pinpoint those students who are sending signals. The third challenge is to determine the help that students need, on the basis of the signals they send and their responses to previous interventions.

Early Indicators



October 2007

During the past 25 years, a great deal of research has focused on why students drop out. This research typically uses data from complex surveys or in-depth interviews with students, none of which are commonly available to schools and school districts. We wondered whether the ordinary data that school districts keep in student records could operate as a crystal ball of sorts to predict which students might drop out.

We began our research in Philadelphia, using data on several cohorts of students that became available to us when we established a number of Talent Development High Schools and Middle Grades Programs in the city. Johns Hopkins developed these school models, and the Philadelphia Education Fund was the local reform partner. Schools implementing the Talent Development model were located in areas with low graduation rates.

The school district data that we examined included test scores, report card grades, behavior marks, attendance records, special education status, English language learner status, and demographic categories. We identified the following indicators using Philadelphia data. However, we have been able to replicate them with slight modifications in other cities, such as Boston and Indianapolis.

Signals in the Middle Grades

A high percentage of dropouts send distress signals in the middle grades, long before they actually drop out of school. We followed an entire cohort of students in Philadelphia who entered the 6th grade in September 1996—approximately 14,000 students—to determine their dropout status six years later. Then, going back to the 6th grade data, we looked for any signals—a poor course grade, a low test score—that would give students *at least* a 75 percent probability of dropping out of high school. We chose the 75 percent threshold because it enables schools and districts to focus their scarce resources on students who are at high risk of dropping out.

In Philadelphia, we found that a 6th grader with even one of the following four signals had at least a three in four chance of dropping out of high school:

- A final grade of *F* in mathematics.
- A final grade of *F* in English.
- Attendance below 80 percent for the year.
- A final “unsatisfactory” behavior mark in at least one class.

Students with more than one signal—for example, failing mathematics *and* missing a lot of school—had an even higher probability of dropping out within six years. But we also found that some students sent just one signal, indicating that various factors can culminate in dropping out. Students with failing course grades may struggle with academic skills and motivation, those with inconsistent attendance may find little support for schooling at home, and those with poor behavior marks may have social and emotional challenges that require attention. The signals that have the greatest predictive power relate to student action or behavior in the classroom, rather than to a particular status, such as receiving special education services.

In a separate analysis, we looked at indicators for a cohort of 8th graders. For these students, too, a failing course grade in mathematics or English or an attendance rate of less than 80 percent during the year were highly predictive of dropping out. In fact, more than 50 percent of the students who ultimately dropped out sent one or more of these signals during 8th grade, meaning that more than half of the dropouts in the cohort could have been identified even before they entered high school.

Although all distress signals should be taken seriously in the middle grades, schools should pay special attention to students who send a signal in 6th grade. The earlier a student first sends a signal, the greater the risk that he or she will drop out of school.

Signals in High School

Ninth grade is a treacherous year for students, particularly those in large urban districts. Even students who were doing moderately well in the middle grades can be knocked off the path to graduation by the new academic demands and social pressures of high school. Among students who sent their first serious distress signal in 9th grade, those who earned fewer than two credits or attended school less than 70 percent of the time had at least a 75 percent chance of dropping out of school. Most of these students did not drop out immediately but attempted 9th grade courses for another one or two years before finally giving up on school altogether.

Eighty percent of the dropouts we studied in Philadelphia had sent a signal in the middle grades or during the first year of high school. The majority of U.S. high school dropouts are enrolled in such large urban districts (Balfanz & Legters, 2004). Consequently, an effective early warning system could identify—at least by 9th grade—the vast majority of future dropouts nationwide.

What Can Schools Do?

Our experience with urban middle schools and high schools suggests that several strategies can help keep students on the path to graduation.

Intervening in the Middle Grades

Philadelphia is currently piloting a middle grades program—Keeping Middle Grades Students on the Graduation Path—that seeks to develop tools and practices for responding to early indicators that signal potential dropouts. Developed through the joint efforts of the School District of Philadelphia, the Philadelphia Education Fund, and the Johns Hopkins University Center for the Social Organization of Schools, the program is based on two fundamental assumptions: (1) that students' signals are surface indicators of deeper academic problems, behavioral issues, or responses to the home or school environment that schools need to identify and address; and (2) that only a small percentage of students will need the most intensive and costly interventions. For the majority of students, lower-cost schoolwide strategies that seek to prevent the problems will suffice.

Schools can identify strategies for addressing each signal—such as course failure, poor attendance, and behavior issues—using a three-tiered school-based model for prevention and intervention. The top tier consists of effective *whole-school preventative measures*. In urban districts that struggle with high dropout rates, these whole-school measures can keep an

estimated 70–80 percent of the students on track to graduation during the middle grades. For example, a school might institute a schoolwide attendance program that highlights the importance of attendance; tracks attendance daily at the classroom level; has an adult in the building respond to the first absence of each student; and provides weekly recognition and monthly social rewards (such as pizza parties or field trips) to students with perfect or near-perfect attendance.

The second tier of *targeted interventions* is aimed at the 10–20 percent of students who require additional focused supports. A student who continues to miss school despite a schoolwide attendance program might sign an attendance contract or attend a conference at school with family members; the student may then receive a brief daily check-in from a school staff member. This adult might acknowledge that the student is in school and mention that he or she looks forward to seeing the student the next day and will call home if the student does not show up.

Finally, the third tier of *intensive interventions* is reserved for the 5–10 percent of students who need small-group or one-on-one supports. A student with severe attendance problems might be assigned to a team of adults at the school (including, for example, a counselor, an assistant principal, and a teacher) who will work together to understand the source of the attendance problem and try to solve it. If the problem is too deep-rooted for the school alone to resolve, the team will arrange for the student and his or her family to receive appropriate social service supports.

Using the three-tiered model, schools in the pilot program take a hard look at what they are actually doing to address attendance, behavior, and academic performance. Our experience has shown us that schools are often doing far less in each of these areas than they think.

To help schools identify which students send signals and how they respond to interventions, we developed an on-demand, classroom-level data program. Teachers can use this program to track individual students on a day-to-day basis so they can quickly identify students who need to move to a more intensive level of intervention. Likewise, they can reevaluate students who have responded to intensive interventions. This early indicator tracking tool has proved so useful that Philadelphia plans to make it available to other schools through the districtwide integrated data management system.

Keeping an Eye on 9th Graders

The best thing a high school can do to keep students on track to graduation is to develop a comprehensive set of strategies that includes attention to climate, curriculum, and credit accumulation. At a minimum, high schools need to set the conditions for 9th grade success by making sure that the curriculum and associated supports help fill gaps in mathematics and reading comprehension. Our work with schools in low-income areas across the United States indicates that the majority of students in these schools are two to three years below grade level when they start 9th grade. They need an age-appropriate curriculum that enables them to catch up on the intermediate skills that high school courses assume that students have.

At the same time, schools need to be organized so that they can flag students who are having

difficulty early on. Data from urban districts (Roderick & Camburn, 1999) indicate that struggling 9th graders typically send their signals in the first or second marking period—or even during the first few weeks of school. The Talent Development High School model (see www.csos.jhu.edu/tdhs), developed by urban educators and Johns Hopkins researchers, organizes 9th grade teachers into four-person interdisciplinary teams. Each team compares notes about its students' classroom performance and collaboratively decides on strategies for dealing with those who are having trouble.

Finally, schools need to make available to struggling or disengaged students various avenues through which they can experience short-term school success. These include such activities as debates, artistic and performance experiences, and service learning projects, with opportunities to participate linked to good attendance and course effort.

Reengaging Out-of-School Youth

Despite the best efforts of schools to keep students on the path to graduation, some students will always drop out. Some will try to return to school, but the traditional high school format may not serve them well because of their age, lack of credits, or personal responsibilities. In Philadelphia, a group of partners—including the school district, city agencies, nonprofit groups that advocate for children and public education, workforce development organizations, and research universities—has begun to collaborate on a multiple-pathways system that will enable out-of-school youth to earn their diplomas.

This collaboration, known as Project U-Turn (www.projectuturn.net) and led by the Philadelphia Youth Network, envisions a system that offers opportunities for students on the basis of their age, literacy and numeracy levels, and credits earned. By examining district data, the Project U-Turn partners learned that although the largest group of dropouts had earned fewer than eight credits despite being at least 17 years old, they had few opportunities to earn a diploma other than reenrolling in traditional high schools, which were hardly enthused about taking in older students with histories of failure. The partnership is currently working to design and fund new education options for these students. In addition, youth who have dropped out just shy of graduation need opportunities to fast-track their high school diplomas while earning credits from a community college.

The Price of Not Intervening

Data from large urban districts and our work with urban middle schools and high schools have shown us that, for the majority of students who drop out of high school, the major cause is *not* an unanticipated life event or disinterest in receiving a diploma, but rather school failure. Moreover, the vast majority of dropouts stay enrolled in school for an additional year or two after their first experience of course failure. This continuing connection with school, however tenuous, suggests a window of time during which schools can redirect potential dropouts back onto the path to high school graduation.

It also tells us that what schools do matters. Growing numbers of high schools have beaten the odds and kept their students on the path to graduation. Good research-based and practice-

validated interventions can improve student attendance, behavior, and effort; academic interventions can improve course performance more directly. The U.S. graduation rate crisis is not fueled by students who lack the potential or desire to graduate, but rather by secondary schools that are not organized to prevent students from falling off the path to graduation or to intervene when they do.

Finally, we need to recognize that some middle schools and high schools are overwhelmed by the number of potential dropouts who walk through their doors. Research shows that approximately 50 percent of the dropouts in the United States are produced by 15 percent of the high schools, all of which serve populations with high poverty rates (Balfanz & Legters, 2004). Further, most of these high schools have two or more feeder middle schools. Dropout rates for an entering cohort can top 50 percent, meaning that hundreds and sometimes thousands of students at each school are in need of comprehensive and sustained supports. These schools need to have in place strong prevention and intervention systems aimed at improving student attendance, behavior, effort, and course performance.

The need for strong programs has significant implications for how we staff and fund the secondary schools that educate economically disadvantaged students. Implementing the whole-school reforms and multitiered prevention and intervention systems that these schools need requires financial and human resources equal to the task, along with high-quality technical assistance. High-poverty schools will also likely benefit from partnerships with external organizations skilled at delivering integrated student supports as well as with community organizations and national service organizations that can provide the necessary people power for mentoring and tutoring on a sufficient scale.

Without question, there are financial costs associated with intervening with students who are on the path to dropping out. But the price of not intervening—in terms of individual lives that do not reach their potential and the broader social costs of having a class of citizens who lack a basic academic credential—is incalculably greater.

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Ruth Curran Neild (rneild@csos.jhu.edu) and **Robert Balfanz** (rbalfanz@csos.jhu.edu) are research scientists at Johns Hopkins University and coauthors of *Unfulfilled Promise: The Dimensions and Characteristics of*

Philadelphia's Dropout Crisis, 2000–2005 (Philadelphia Youth Network, 2006). **Liza Herzog** (lherzog@philaedfund.org) is Senior Research Associate at the Philadelphia Education Fund.

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Appendix C

**School District of Philadelphia
Empowerment Schools
9-18-2008**

Standard Directory Sitemap Schools Login
Employment SRC Leadership Team News & Events About Us FAQs Contact Us
Español 汉语 Vi-t P y c c k и й SHQIP Français 121
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The School District of Philadelphia
440 N. Broad Street
Philadelphia, Pennsylvania 19130
Press Contact: Vincent Thompson - (215) 400-4040

September 17, 2008
#116-08

Superintendent Arlene C. Ackerman unveils plan for addressing 85 under-performing schools in The School District of Philadelphia

Philadelphia -- The School District of Philadelphia's Superintendent of Schools, Dr. Arlene C. Ackerman, unveiled a 45-day action plan to address underachievement at 85 elementary, middle and high schools. The District named the participating schools Empowerment Schools to signify its commitment to providing the resources and supports the schools need to transform from under-performing into high-achieving learning environments.

Schools are classified as Empowerment Schools if they have not achieved Adequate Yearly Progress (AYP) targets under the No Child Left Behind guidelines; and are in Corrective Action Level II (CA-II), including those making progress in CA-II for the 2008-9 school year.

"While the School Reform Commission (SRC) was encouraged when the District recently celebrated its sixth consecutive year of improved scores on Pennsylvania's standardized test, the Commissioners and the District administration both agree that more aggressive efforts are necessary to turn around our poorest-performing schools," said School Reform Commission Chairwoman Sandra Dungee Glenn. "The SRC supports the administration's efforts to tackle this challenge head-on."

"This initiative is designed to turn these schools around through a combination of targeted interventions," said Dr. Ackerman, who assumed administrative leadership of the District on June 2, 2008. "Relying on proven

research, we will strategically incorporate additional supports into each of these schools. The supports will include increased resources, additional school personnel as well as support from the central and regional offices."

All Empowerment Schools will receive differentiated professional development, monthly walk-throughs, quarterly assessments in reading and math, a parent ombudsman, a student advisor, additional volunteers, and the assistance of Empowerment School Response Teams. However, 23 of the 85 schools will receive even more additional supports, including a social service liaison; an instructional specialist assigned to that school; a full-time, site-supported substitute teacher; a part-time retired principal assigned to that school; increased nursing services; and additional monthly walk-throughs.

Fifteen Empowerment School Response (ESR) Teams comprising of trained educators with various areas of expertise, will staff 10 regions and central headquarters. The teams will work intensively with the regional superintendents, the 85 principals and their teachers. The teams will: conduct needs assessments of selected Empowerment Schools; and review academic and professional development plans, assessment data, school and student schedules, all programs and staffing, and the condition of the building and grounds.

45-Day Action Plan Just The Beginning

The 45-day action plan is the District's first initiative in what will be an ongoing commitment to support Empowerment Schools. During this 45-day period, the following actions have occurred or will occur:

- A boot camp for District and School-Based instructional specialists and Special Services Case Managers. These educators will serve on the 15 ESR Teams. (September 2- 12, 2008);
- The teams will participate in training sessions along with Regional and Assistant Regional Superintendents in preparation for initial school visits. Teams will also conduct instructional walkthroughs in selected schools with Regional and Assistant Regional Superintendents. (September 15-19, 2008);
- Initial conferences involving the principals of selected Empowerment Schools, their Regional Superintendents, the members of ESR Teams, and the members of the schools' instructional leadership teams; and informal school walkthroughs (September 22-27, 2008);
- The ESR Teams' development of 30-day action plans, including performance targets, for each school (September 29-October 3, 2008) and;
- Follow up visits to the Empowerment Schools (October 6 - 10, 2008)

Turn-Around Research-Based Action Plan

The Superintendent notes that staff utilized research-based programs and field-tested learning models regarding the District's role in successful school reform, to design the Empowerment School Initiative. This research revealed the need for balancing central authority and school autonomy; increasing capacity through the investment in human, social and physical capital; understanding the change process; and providing leadership for change.

"We will know that we are making progress in turning these schools around when we see evidence of success measures that include improved attendance, increased school safety, increased parent involvement and the attainment of various academic benchmarks," the Superintendent said.

**The School District of Philadelphia
Empowerment Schools
2008-2009**

Empowerment I Schools - 23 Schools
(Receiving the Most Intensive Supports and Resources)

High School Level (8 schools)

Bartram
Germantown
West Philadelphia
Edison/Fareira
Roxborough
William Penn
FitzSimons
University City

Middle School Level (3 schools)

Gillespie
Stetson
Turner

Elementary School Level (12 schools)

Blaine
Cooke
Dunbar
Potter-Thomas
Bryant
Douglass
Harrity
Smedley
Clymer
Drew
Marshall, Thurgood
Stearne

Empowerment II Schools . 62 Schools

High School Level (18 schools)

Carroll
Furness
Northeast
Swenson
Dobbins
Gratz
Overbrook
Vaux
Fels
King
Rhodes
Washington
Frankford
Lincoln
Sayre
Franklin
Mastbaum
South Philadelphia

Middle School Level (8 schools)

Clemente
Jones
Pepper
Feltonville Arts & Sciences
Meehan

Shaw
Harding
Vare

Elementary School Level (36 schools)

Allen, Ethan
DeBurgos
Jackson
Pastorius
Anderson
Edmunds, H. R.
Kenderton
Penn Treaty
Arthur
Ellwood
Lamberton
Pennell
Bache-Martin
Ferguson
Lea
Roosevelt
Bethune
Fitzpatrick
Locke
Southwark
Bluford
Hill
Ludlow
Sullivan
Carnell
Holme
Mann
Taggart
Cassidy
Hopkinson
Marin
Webster
Cramp
Hunter
Morrison
Wister

The School District of Philadelphia

440 N. Broad Street

Philadelphia PA 19130

215 4000

Last Updated: 09/17/2008 16:10:59

Appendix D

Early Warning Indicators Project Description

Out-of-School Time: Connecting to Early Warning Indicators

Recent research conducted in Philadelphia by Nield, Balfanz and Herzog (2007) found early warning indicators that can serve as predictors to identify students who may be at risk of dropping out. [Refer to research as an attachment in the RFP?]

This research found that as early as the 6th grade, the following indicators can predict a student who will eventually drop out:

- A final grade of F in mathematics.
- A final grade of F in English.
- Attendance below 80 percent for the year.
- A final “unsatisfactory” behavior mark in at least one class.

Sixth graders who have one or more of these indicators have no more than a:

- 10% chance of graduating on-time
- 20% chance of graduating one year later

These indicators serve as even stronger predictors for dropout as students grow older.

The School District of Philadelphia is taking steps to integrate the use of the early warning indicators of dropout into the ways its schools operate and to use these indicators to target students in need of additional supports both during and after school. The District plans to develop an online early warning indicator system for all students in elementary, middle and high schools. The system will incorporate the following indicators: attendance, academic achievement in math and reading/English, and student behavior. It will help students, parents, school personnel and administrators measure schools' progress toward removing barriers for all students, and assist in individual student planning. In addition, schools will be better equipped to identify students who are showing risk factors and connect them to enrichment activities such as those outlined in this Request for Qualifications. Providers are encouraged to work collaboratively with schools to provide additional services for this subset of young people.

The Department of Human Services recognizes that out-of-school time programs can play a critical role in meeting the Department's goal of preventing young people's future dependency on social service systems and/or delinquency. Ensuring that more young people graduate high school is an important strategy for avoiding these outcomes, and the early warning indicators help us better focus our prevention efforts.

What can out of school time (OST) programs do?

Out of school time programs are uniquely positioned to help young people achieve academic success, and can help address the early warning indicators that young people may have. Out of school time programs can:

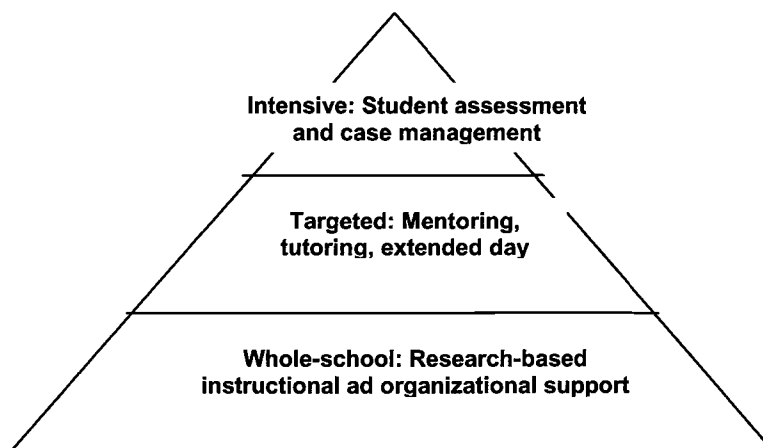
1. Inform parents and students about how early warning indicators can help identify students who are off-track for graduation.
2. Partner with schools to use afterschool activities as incentives for school attendance and good behavior during the school day.

3. Provide homework help and tutoring focused on literacy and numeracy (could include in-person help or on-line/computer-based help).
4. Provide enrichment opportunities focused on literacy and numeracy (ideally, with a project-based learning component)
5. Create partnerships with schools to better target afterschool program enrollment on students who show signs of dropping out.
6. Develop meaningful adult-child mentoring relationships with young people who are showing one or more of the early warning indicators

Applicants are encouraged to consider the ways they can make linkages between their program design, the early warning indicators, and the young people they serve.

Keeping Middle Grades Students on Track to Graduation: the Early Warning Indicators Project Pilot Project

The Keeping Middle Grades Students on Track to Graduation: the Early Warning Indicators Project responds to Philadelphia-specific research conducted by Balfanz and Herzog (2005) to identify the 6th grade as the “make it or break it” year to align and implement programs designed to keep students on track to graduate from high school based on the early warning indicators. Currently, the Feltonville School of the Arts and Sciences is home to a unique set of interventions aimed at supporting young people who are showing one or more signs of being off track. Taken together, these interventions comprise the Early Warning Indicators (EWI) Project. This model places “real time” EWI student data in teachers and administrators’ hands along with the supports and resources, as well as the technical assistance, facilitation and training needed for schools to provide three levels of intervention focused explicitly on the red flags: whole-school (for all students), targeted (for a smaller subset of students with early warning indicators) and intensive (for students with early warning indicators *and* need additional case management services):



This collaborative, comprehensive school-based Early Warning Indicators (EWI) model shows significant promise of eliminating EWI red flags from middle grades’ student prior to 9th grade.

The City of Philadelphia seeks to help create 3-4 additional middle school sites for the EWI model in Philadelphia, using OST funds to support new school-based resources at the "Targeted" level. Applicants will be paired with a school and will work with them in a collaborative manner to identify the appropriate students for this intervention. Programs are required to operate Monday to Thursday for full school days and for at least two hours after school. Approximately ## youth will be enrolled per school, and are expected to attend the afterschool component at least three days per week.

Required Activities include:

School-Day Activities (full day of school)

- Mentor and shadow students who are showing off-track indicators, and support their regular attendance, good behavior and school success in coordination with the school.

After school Activities (3 -5 pm)

- Operate afterschool thematic clubs that work in partnership with the School District's extended day program.
- Homework assistance: one-on-one and small groups.
- Positive role modeling and mentoring.
- Coordinate attendance tracking and behavior incentive programs.

Eligible applicants must have a track record of the following:

- Providing school day or out-of-school time programs that target students who are at risk of academic failure, behavioral challenges, or other life circumstances that impact learning.
- Using research-based approaches to support young people to achieve in academics and in life.
- Coordinating resources in schools, and creating partnerships with multiple youth-serving agencies within a school.
- Capacity to provide technical assistance and training to its staff on mentoring, tutoring, and youth development practices.
- Identify qualified staff that can support the range of activities described above.
- Have evidence of past success implementing a model that integrates the activities described above.

Applicants who wish to be considered must complete the following questions:

1. Provide evidence of past success in operating the range of activities described above, and use data to support your response.
2. Describe your organization's experience in supporting student's school attendance and good behavior using targeted interventions.
3. Describe your organization's experience in collaborating with school staff to target students most at risk of academic failure.
4. Describe your organization's capacity to provide technical assistance and training to staff on mentoring, tutoring, and youth development.
5. Describe the clubs you would plan to operate within this model, and how you would encourage the engagement of at-risk students in particular.

6. Describe the staff you would recruit or employ for this program and describe why they are appropriate to work in this particular program model.

Appendix E
Certificate of Non-Indebtedness
to the
City of Philadelphia

CERTIFICATE OF NON-INDEBTEDNESS TO THE CITY OF PHILADELPHIA

_____ (“Grantee”) has intentions to enter into an Agreement of Philadelphia’s Department of Human Services’ intermediary in connection with the City’s Initiative. Grantee hereby certifies and represents to the City that the Grantee and any entities under common control with the Grantee or controlled by the Grantee are not currently indebted to the City and will not at any time during the term of the pending Agreement (including any additional term(s)) be indebted to the City for or on account of any delinquent taxes (including, but not limited to, taxes collected by the City on behalf of the School District of the City of Philadelphia), water bills, sewer bills, liens, judgments, fees or other debts for which no written agreement or payment plan satisfactory to the City has been established. Grantee shall remain current during the term of such Agreement with all such payments and shall inform the City’s intermediary in writing of the Grantee’s receipt of any notices of delinquent payments within five (5) days after receipt. In addition to any other rights or remedies available to the City at law or in equity, Grantee acknowledges that any breach or failure to conform to this Certification may, at the option of the City, result in the withholding of payments otherwise due to Grantee and, if such breach or failure is not resolved to the City’s satisfaction within a reasonable time frame specified by the City in writing, may result in the offset of any such indebtedness against said payments and/or the termination of the Agreement for default (in which case Grantee shall be liable for all excess costs and other damages resulting from the termination). In addition, it is understood that false certification or representation is subject to prosecution under Title 18 Pa.C.S.A. 4904.

GRANTEE: _____
Name of Agency

By: _____
Authorized Signatory

Attest/Witness: _____
Secretary or Treasurer

Title: _____
President or Vice-President
Print Name

Print Name

Appendix F

Certificate of Insurance Checklist

CERTIFICATE OF INSURANCE CHECKLIST

Proof of insurance is not required in order to submit this proposal. However, if the Certificate of Insurance on file with Public Health Management Corporation does not meet the minimum requirements outlined below at the start of the contract period, a program may not commence until such proof is submitted and approved.

This checklist is designed to assist the subcontractor in meeting the insurance requirements for participation in the OST program as stated in the Subcontractor Agreement. Please review insurance certificates against checklist to ensure contract compliance, and work with your insurance agent to resolve any discrepancies prior to forwarding documentation.

1. General Terms (required in all policies)

1a. ____ The insurance shall provide for at least thirty (30) days prior written notice to be given to the certificate holders in the event coverage is cancelled or non-renewed.

1b. ____ Public Health Management Corporation and the City of Philadelphia and their respective officers, directors, employees and agents, shall be named as additional insured on the General Liability Insurance policy.

1c. ____ An endorsement is required stating that the coverage afforded Public Health Management Corporation and the City of Philadelphia, as well as their respective officers, directors, employees, and agents, will be primary to any other coverage available to them and that no act or omission of Public Health Management Corporation or the City of Philadelphia shall invalidate the coverage.

2. General Liability Insurance

2a. ____ Limit of Liability: \$1,000,000 per occurrence combined single limit for bodily injury (including death) and property damage liability; \$1,000,000 advertising injury

2b. ____ Coverage: Premises operations; blanket contractual liability; personal injury liability; sexual abuse and molestation; Public Health Management Corporation and the City of Philadelphia, independent contractors, employees and volunteers as additional insured; cross liability and broad form property damage (including completed operations).

2c. ____ Limit of Liability: \$2,000,000 general aggregate and \$1,000,000 aggregate for products and completed operations. Higher limits of liability may be required if, at Public Health Management Corporation's sole discretion, the potential risk so warrants.

2d. ____ Coverage: Premises operations; blanket contractual liability; personal injury liability (employee exclusion deleted); products and completed operations; independent contractors, employees and volunteers as additional insured; cross liability; and broad form property damage (including completed operations).

3. Workers' Compensation and Employers' Liability

3a. ____ Statutory Limits

3b. ____ Employers' Liability: \$100,000 Each Accident–Bodily Injury by accident; \$100,000 Each Employee–Bodily Injury by disease; and \$500,000 Policy Limit–Bodily Injury by disease.

3c. ____ Other states insurance including Pennsylvania.

4. Commercial Automobile Liability Insurance

4a. ____ Limit of Liability: \$1,000,000 per occurrence combined single limit for bodily injury (including death) and property damage liability.

4b. ____ Coverage: Owned, non-owned, and hired vehicles.

5. Professional Liability Insurance

5a. ____ Limit of Liability: \$1,000,000 with a deductible not to exceed \$50,000.

5b. ____ Coverage: Errors and omissions including liability assumed under this Agreement.

5c. ____ Professional Liability insurance may be written on a claims-made basis, provided that coverage for occurrences happening during the performance of the services required under this Agreement shall be maintained in full force and effect under the policy or "tail" coverage for a period of at least two years after the completion of the services.

6. Fidelity Bond/Crime Insurance

____ A fidelity bond in an amount of the greater of (a) \$10,000 or (b) the amount specified in the Agreement, covering the Provider's employees who have financial responsibilities related to the receipt and disbursement of funds under this Agreement. In lieu of a fidelity bond, Provider may obtain coverage for crime insurance with limits that are the greater of (a) \$10,000 or (b) the amount specified in this Agreement.

7. Self-insurance

____ Providers may not self-insure any of the coverage required under this Agreement without the prior written approval of Public Health Management Corporation and the City of Philadelphia's Risk Manager.

8. Certificate Holders

The provider shall submit certificate(s) of insurance to confirm the required insurance coverage. This certificate of insurance shall be submitted to Public Health Management Corporation at least ten (10) days prior to commencement of work performed under the Agreement. Providers must identify The City of Philadelphia and Public Health Management Corporation as additional insured on the certificate(s) of insurance.

By signing below, I provide the City of Philadelphia and Public Health Management Corporation assurance that the OST program identified under this Agreement will obtain the required insurance coverage for the duration of the FY 2010 contract.

Lead Agency, Authorized Signatory

Date

Appendix G

PA Code – Chapter 3270 Child Day Care Centers

**Subpart D. NONRESIDENTIAL AGENCIES, FACILITIES
AND SERVICES**

Art.		Chap.
I.	LICENSING/APPROVAL	3270
II.	PURCHASING	[Reserved]
III.	COUNTY-ADMINISTERED SERVICES	3480
IV.	DEMONSTRATION PROJECTS	[Reserved]

ARTICLE I. LICENSING/APPROVAL

Chap.		Sec.
3270.	CHILD DAY CARE CENTERS	3270.1
3280.	GROUP CHILD DAY CARE HOMES	3280.1
3290.	FAMILY CHILD DAY CARE HOMES	3290.1
3300.	[Reserved]	3300.1
3350.	ADOPTION SERVICES	3350.1

CHAPTER 3270. CHILD DAY CARE CENTERS

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Sec.	
3270.1.	Introduction.
3270.2.	Purpose.
3270.3.	Applicability.
3270.3a.	Applicability—Statement of policy.
3270.4.	Definitions.

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3270.11.	Application for and issuance of a certificate of compliance.
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3270.13.	Waivers.
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3270.21.	General health and safety.
3270.21a.	[Reserved].
3270.22.	Communication with parents.
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Authority

The provisions of this Chapter 3270 issued under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087), unless otherwise noted.

Source

The provisions of this Chapter 3270 adopted April 3, 1992, effective April 4, 1992, 22 Pa.B. 1651, unless otherwise noted.

Cross References

This chapter cited in 55 Pa. Code § 168.2 (relating to definitions); 55 Pa. Code § 3041.13 (relating to parent choice); 55 Pa. Code § 3041.16 (relating to subsidy limitations); 55 Pa. Code § 3680.1 (relating to applicability); and 55 Pa. Code § 3800.3 (relating to exemptions).

GENERAL PROVISIONS**§ 3270.1. Introduction.**

This chapter is promulgated to facilitate the safe and healthful care of a child in a child day care center and to support families by providing care that promotes the emotional, cognitive, communicative, perceptual-motor, physical and social development of the child.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.2. Purpose.

The purpose of this chapter is to provide standards to aid in protecting the health, safety and rights of children and to reduce risks to children in child day care centers. This chapter identifies the minimum level of compliance necessary to obtain the Department's certificate of compliance.

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Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.3. Applicability.

(a) This chapter applies to facilities in which out-of-home care is provided, at any one time, for part of a 24-hour day to seven or more children, 15 years of age or younger, including:

(1) Care provided to a child at the parent's work site when the parent is not present in the child care space.

(2) Care provided in private or public, profit or nonprofit facilities.

(3) Care provided before or after the hours of instruction in nonpublic schools and in private nursery schools and kindergartens.

(b) This chapter does not apply to:

(1) Care provided by relatives.

(2) Care furnished in places of worship during religious services.

(3) Care provided in a facility where the parent is present at all times child care is being provided.

(4) Care provided during the hours of instruction in nonpublic schools and in private nursery schools and kindergartens.

(c) A legal entity seeking to operate a child day care facility as defined in this chapter shall apply for an initial or renewal certificate of compliance in accordance with the requirements established in Chapter 20 (relating to licensure or approval of facilities and agencies).

(d) Requirements relating to programs serving only school-age children are in § 3270.241 (relating to requirements specific to school-age programs).

Notes of Decision*Certificate of Compliance Not Required*

Department of Public Welfare did not have authority under section of the Public Welfare Code to promulgate regulations that require a nonprofit religious day care center to obtain a Certificate of Compliance in order to operate. *St. Elizabeth's Child Care Center v. Department of Public Welfare*, 895 A.2d 1280 (Pa. Cmwlth. 2006).

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.3a. Applicability—statement of policy

This chapter is not applicable to a part-day school-age program for children who attend kindergarten or older but under 16 years of age as follows:

(1) A part-day school-age program that operates for less than 90 consecutive days per calendar year from the date the program opens to the date the program closes. This clarification does not apply to a legal entity that has a

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certificate of compliance to operate a child care center or group child care home and that increases its enrollment to include school-age children in the summer and on school holidays.

(2) A part-day school-age program that operates 2 hours or less per day for 3 or fewer days per week.

(3) A part-day school-age program that has a single purpose for the children's attendance and that purpose is the only focus of the program. For example, basketball or art class.

(4) Tutoring programs that are licensed by or approved and funded by the Pennsylvania Department of Education (PDE), for example:

(i) Tutoring centers and educational testing and remedial centers licensed by PDE under 22 Pa. Code Chapters 61 and 63 (relating to tutoring centers and educational testing; and remedial centers).

(ii) Educational assistance programs operated by school districts directly or by contract with an outside provider approved by PDE.

(iii) Classroom Plus Programs.

(iv) Supplemental Education Services Programs.

(5) A drop-in program where the child may come and go at will.

Source

The provisions of this § 3270.3a adopted September 14, 2007, effective September 15, 2007, 37 Pa.B. 5018.

§ 3270.4. Definitions.

The following words and terms, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

ACIP—The Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention, United States Department of Health and Human Services.

Act—The Public Welfare Code (62 P. S. §§ 101—1411).

Age level—The grouping category appropriate for the child's age.

(i) *Infant*—A child from birth to 1 year of age.

(ii) *Young toddler*—A child from 1 to 2 years of age.

(iii) *Older toddler*—A child from 2 to 3 years of age.

(iv) *Preschool child*—A child from 3 years of age to the date the child enters kindergarten in a public or private school system.

(v) *Young school-age child*—A child who attends kindergarten to the date the child enters the 4th grade of a public or private school system.

(vi) *Older school-age child*—A child who attends the 4th grade of a public or private school system through 15 years of age.

CPS—Child Protective Services.

CPSL—*Child Protective Services Law*—Title 23 of the *Pennsylvania Consolidated Statutes* Chapter 63 (relating to the Child Protective Services Law).

CRNP—Certified Registered Nurse Practitioner.

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Casual contact—The ordinary, routine and age-appropriate association of children, parents and facility persons in the course of daily assembly in a facility.

Certificate of compliance—A document issued by the Department to a legal entity permitting the entity to operate a specific type of facility at a specific location for a specific period of time according to applicable Department regulations. A certificate of compliance approves the operation of a facility subject to Article IX of the act (62 P. S. §§ 901—922) or licenses the operation of a facility subject to Article X of the act (62 P. S. §§ 1001—1087).

Child—A person 15 years of age or younger.

Child abuse—Serious physical or mental injury which is not explained by the available medical history as being accidental; sexual abuse or sexual exploitation; or serious physical neglect of a child if the injury, abuse or neglect of a child has been caused by the acts or omissions of the child's parent, by a person responsible for the child's welfare, by an individual residing in the same home as the child or by a paramour of a child's parent. A child will not be deemed to be physically or mentally abused for the sole reason that the child is in good faith being furnished treatment by spiritual means through prayer alone in accordance with the tenets and practices of a recognized church or religious denomination by an accredited practitioner thereof or is not provided specified medical treatment in the practice of religious beliefs or solely on the grounds of environmental factors which are beyond the control of the person responsible for the child's welfare, such as inadequate housing, furnishings, income, clothing and medical care.

Child care experience—Care for a child in lieu of care by the parent or guardian for part of a 24-hour day. The term includes care of foster children in a court-supervised arrangement. The term does not include care of related children who reside with an individual. The term does not include supervised onsite training in the case of a student who is fulfilling the requirements of a secondary or postsecondary child care training or educational curriculum.

Child day care center—The premises in which care is provided at any one time for seven or more children unrelated to the operator.

Child with special needs—A child who has one or more of the following:

- (i) A disability or developmental delay identifies on an IEP, an IFSP or a service agreement.
- (ii) A written behavioral plan that has been determined by a licensed physician, licensed psychologist or certified behavior analyst.
- (iii) A chronic health condition diagnosed by a licensed physician, physician's assistant or CRNP that requires health and related services of a type or amount beyond that required by children generally.

Communicable disease—An illness due to an infectious agent or its toxic products which is transmitted directly or indirectly by the infected agent to a susceptible host. Communicable diseases are specified in 28 Pa. Code Chapter 27 (relating to communicable and noncommunicable diseases).

Department—The Department of Public Welfare of the Commonwealth.

Facility—A child day care center.

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Facility person—A staff person, a substitute staff person, a volunteer, a food service person, a janitorial person or another adult who serves in or is employed by a facility.

Fire protection professional—An individual knowledgeable and competent in fire inspections, fire detection, fire suppression systems and practices, fire service training, emergency preparedness planning and emergency evacuation whose competence is demonstrated by membership in a professional organization which promotes firesafety education.

Group—Children assigned to the care of one or two staff persons. A group occupies a space or a defined part of a space.

IEP—Individualized education program as defined in 22 Pa. Code §§ 14.101 and 14.131—14.133 (relating to definitions; and IEP).

IFSP—Individualized family service plan as defined in §§ 4226.5 and 4226.71—4226.77 (relating to definitions; and IFSPs).

Inspection summary—A document prepared by an agent of the Department describing each regulatory noncompliance item confirmed as a result of a facility inspection.

Legal entity—A person, society, corporation, governing authority or partnership that is legally responsible for the administration of one facility or several facilities, or one type of facility or several types of facilities.

Night care—Care for a child between the hours of 7 p.m. and 7 a.m.

Operator—The legal entity or a person designated by the legal entity to serve as the facility director.

Parent—The biological or adoptive mother or father or the guardian of the child.

Potentially hazardous food—A food that consists in whole or in part of milk or milk products, eggs, meat, poultry, fish, shellfish or other ingredients capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms.

Public water system—A system for the provision to the public of water for human consumption that has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. The term includes:

- (i) Collection, treatment, storage and distribution facilities under the control of the operator of the system and used in connection with the system.
- (ii) Collection or pretreatment storage facilities not under control of the operator which are used in connection with the system.
- (iii) A system which provides water for bottling or bulk hauling for human consumption.

Relative—A parent, child, stepparent, stepchild, grandparent, grandchild, brother, sister, half brother, half sister, aunt, uncle, niece or nephew. As applied to facilities subject to approval under Article IX of the act, the term also includes a stepbrother, stepsister or first cousin.

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School-age care—Supervised child day care in a Departmentally certified facility during the hours when a child is not required to attend school.

Service agreement—A service agreement as defined in 22 Pa. Code §§ 15.2 and 15.7 (relating to definitions; and service agreement).

Space—Indoor or outdoor area designed for child care that is large enough to accommodate the maximum number of children allowed under this chapter. A space may be used by more than one group of children.

Staff person—A person included in the regulatory ratio who is responsible for child care activities.

Supervise—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.

Volunteer—A person 16 years of age or older who is not included in the regulatory ratio and who assists in implementing daily program activities under the supervision of a staff person.

Waiver—The Department's written exemption from the requirement of meeting a standard in this chapter.

Year—For purposes of calculating, 1 year of child care experience is a minimum of 1,250 clock hours.

Authority

The provisions of this § 3270.4 amended under Articles IX of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.4 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial pages (330131) to (330133) and (204545) to (204546).

Cross References

This section cited in 55 Pa. Code § 3270.17 (relating to service to a child with a disability); 55 Pa. Code § 3270.122 (relating to admission interview); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

GENERAL REQUIREMENTS

§ 3270.11. Application for and issuance of a certificate of compliance.

(a) A legal entity shall obtain a valid certificate of compliance to operate at a specific location. The certificate of compliance will be issued by the Department to a legal entity prior to commencement of operation at a specified location.

(b) A legal entity or a representative of the legal entity shall participate in an orientation training provided by the Department within 12 months prior to commencing operation of the child day care center. The orientation does not count

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toward the annual minimum of 6 hours of child care training required in § 3270.31(e) (relating to age and training).

(c) Application for a certificate of compliance shall be submitted to the appropriate regional day care office in accordance with Chapter 20 (relating to the licensure or approval of facilities and agencies).

(d) A certificate of compliance is issued in the manner described in Chapter 20, for a period not to exceed 12 months from the date of issue.

(e) A facility will be inspected at least once every 12 months by an agent of the Department.

(f) The facility is subject to announced and unannounced inspections in accordance with § 3270.24(b) (relating to Departmental access).

(g) Sanctions relating to the status of a certificate of compliance are applied under the authority of applicable sections of the act, Chapter 20 and this chapter.

(h) A facility whose certificate of compliance is current as of September 22, 2008, will not be inspected under this chapter until the current certificate of compliance is due to be renewed or when a regulatory violation is alleged and the Department responds to the alleged violation with an inspection.

Authority

The provisions of this § 3270.11 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.11 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial page (204546).

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.12. Appeals.

(a) Appeals related to the Department's approval or licensure decisions shall be made under 2 Pa.C.S. §§ 501—508 and 701—704 (relating to Administrative Agency Law) and 1 Pa. Code Part II (relating to General Rules of Administrative Practice and Procedure).

(b) Appeals related to the Department's approval or licensure shall be made by filing a petition within 30 days after service of notice of the action.

(c) An operator may appeal a Departmental decision relating to the status of a certificate of compliance of a facility owned or operated by the legal entity.

(d) The Department will include information relative to appeal procedures when notifying operators of one or more of the following decisions:

- (1) The denial of a certificate of compliance.
- (2) The nonrenewal of a certificate of compliance.
- (3) The revocation of a certificate of compliance.

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- (4) The issuance of a provisional certificate of compliance.
- (5) The establishment of a period for which a provisional certificate of compliance is issued.
- (6) The reduction of the maximum facility capacity.
- (7) The denial of an increase in facility capacity.
- (8) The limiting or precluding admission of persons into the facility.
- (e) Subsection (b) supersedes the appeal period of 1 Pa. Code § 35.20 (relating to appeals from actions of the staff).

Source

The provisions of this § 3270.12 amended October 3, 2008, effective November 3, 2008, 38 Pa.B. 5435. Immediately preceding text appears at serial pages (334999) to (335000).

Notes of Decisions

The Department of Public Welfare's repeated failure to make timely inspections of day care center which it concealed by issuing provisional certificates based on technical or pretextual deficiencies, then granting retroactive certificates of compliance, enabled the Department to evade scrutiny of operator's appeal of issuance of provisional certificates of compliance by dismissing operator's appeal as moot. *Musheno v. Department of Public Welfare*, 829 A.2d 1228, 1232—1233 (Pa. Cmwlth. 2003). Such conduct by the Department raised important public issues, such as official competency, candor and accountability, which survive mootness. *Id.* at 1233.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.13. Waivers.

- (a) A waiver excuses an operator from meeting a regulatory standard and substitutes another standard which the operator shall meet. The substituted standard has the same legal effect as the regulatory standard.
- (b) The operator shall submit the request for waiver to the regional office before the facility is inspected for issuance or renewal of a certificate of compliance.
- (c) An operator may request a waiver of only the regulatory standards in the following sections:
 - (1) Accreditation requirements which apply to §§ 3270.34—3270.36 (relating to director qualifications and responsibilities; group supervisor qualifications and responsibilities; and assistant group supervisor qualifications and responsibilities).
 - (2) Physical site requirements in §§ 3270.61—3270.82 (relating to physical site).
 - (3) Equipment requirements in §§ 3270.101—3270.108 (relating to equipment).
 - (4) Program requirements in §§ 3270.111—3270.118 (relating to program).

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(d) The Department will grant a waiver only if the following conditions are met:

(1) The waiver is not requested as a substitute for correcting a Departmental citation of noncompliance.

(2) The request for waiver does not alter the applicability or purpose of a regulation.

(3) The request shows evidence that the operator has a plan to achieve the objective of the regulation.

(4) The request certifies that the operator will meet regulatory standards related to the health, safety and rights of children.

(5) The request for waiver does not violate or condone noncompliance with another Federal or State statute or regulation.

(6) The request for waiver may not jeopardize Federal or State funding.

(e) A waiver previously granted for staff person qualifications remains in effect for the staff person at the location specified.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.14. Pertinent laws and regulations.

A facility shall be operated in conformity with applicable Federal and State laws and regulations. State agencies whose regulations may relate to the operation of a facility include the Department of Environmental Resources, the Department of Labor and Industry, the Department of Health, the Department of Education and the Department of Transportation.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.15. Building codes.

A certificate of compliance will not be granted by the Department until the legal entity provides a certificate of occupancy as proof of compliance with the applicable requirements of the Department of Labor and Industry in 34 Pa. Code § 403.23 (relating to child day care facilities).

Authority

The provisions of this § 3270.15 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

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Source

The provisions of this § 3270.15 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial page (302102).

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.16. Dual licensure.

If a facility meets the definition of both a private academic school under the authority of the Department of Education and a child day care center under the authority of the Department, the legal entity shall apply for approval to operate from both Departments. The facility shall comply with 22 Pa. Code Part II (relating to State Board of Private Academic Schools) and this chapter.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.17. Service to a child with special needs.

(a) The operator shall make reasonable accommodation to include a child with special needs in accordance with applicable Federal and State laws.

(b) The operator shall permit an adult individual who provides specialized services to a child with special needs to provide those services on the facility premises as specified in the child's IEP, IFSP or written behavioral plan.

(c) The operator shall make staff persons and parents aware of community resources for the family of a child who may have special needs. The Department will provide to the operator information regarding community resources.

Authority

The provisions of this § 3270.17 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.17 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial page (302103).

Cross References

This section cited in 55 Pa. Code § 3270.122 (relating to admission interview); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

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§ 3270.18. Liability insurance.

- (a) The legal entity shall have comprehensive general liability insurance to cover the persons who are on the premises. A current copy of the insurance policy shall be on file at the facility.
- (b) The operator shall report to the Department liability insurance claims brought against the operator or a facility person.
- (c) A liability insurance claim report shall include the following information:
 - (1) A detailed description of the claim.
 - (2) The name, address and telephone number of the facility.
 - (3) The name, address and birth date of the claimant.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.19. Child abuse reporting.

- (a) An operator or a staff person who has reason to believe that a child enrolled in the facility has been abused is required to report suspected child abuse to ChildLine as mandated by the CPSL.
- (b) A staff person may be designated by the operator as the person responsible to notify ChildLine of suspected child abuse. The operator or designated staff person with this responsibility shall immediately notify ChildLine at 1 (800) 932-0313.
- (c) Within 48 hours, a written report regarding the suspected child abuse shall be submitted by the operator or designated staff person to the CPS unit which has responsibility for investigating the report.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.20. Reporting injury, death or fire.

- (a) The operator shall immediately notify a child's parent and shall telephone notice to the appropriate regional office of the Department within 24 hours if one or more of the following occurs:
 - (1) Inpatient hospitalization or emergency room treatment of a child receiving care at the facility.
 - (2) A death of a child receiving care at the facility.
 - (3) A facility fire that requires the service of a fire department.

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(b) The operator shall mail or deliver a written report to the appropriate regional office of the Department within 72 hours after the occurrence of an event listed in subsection (a).

(c) The report shall include the following information:

- (1) The name, address and telephone number of the facility.
- (2) The name, address and birth date of the child.
- (3) The name and address of the child's parent or guardian.
- (4) A description of the incident, including the date, time and location of the incident and the equipment involved.
- (5) The name and telephone number of local authorities notified.
- (6) The nature of the treatment.
- (7) The name and address of the place where the treatment was received.
- (8) The required follow-up.

(d) The staff person who prepared the report shall sign and date it.

(e) Copies of reports shall be kept in a file at the facility.

Cross References

This section cited in 55 Pa. Code § 3270.132 (relating to emergency medical care); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.21. General health and safety.

Conditions at the facility may not pose a threat to the health or safety of the children.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.21a. [Reserved].

Source

The provisions of this § 3270.21a adopted December 26, 2003, effective December 27, 2003, 33 Pa.B. 6428; reserved May 23, 2008, effective September 22, 2008, 38 Pa.B. 2469. Immediately preceding text appears at serial page (302105).

§ 3270.22. Communication with parents.

The operator shall establish oral or written communication in the language or mode of communication which is understandable to the parent.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

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§ 3270.23. Parent access and participation.

A parent of a child in care shall be permitted free access, without prior notice, throughout the center whenever children are in care, unless a court of competent jurisdiction has limited the parental right of access to the child and a copy of the order is on file at the facility. Opportunity shall be provided for parents to participate in the facility's program. The operator shall maintain a yearly file which documents general announcements to promote parent participation. The file shall be updated annually.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.24. Departmental access.

(a) A staff person shall provide to agents of the Department immediate access to the facility and, upon request, to the children and the files and records.

(b) An inspection will be conducted during normal business hours except when there is reasonable cause to believe that inspections at other times are necessary to detect violations of applicable laws and regulations.

(c) An agent of the Department will inspect for compliance with this chapter in all areas of the facility premises that are accessible to children.

Authority

The provisions of this § 3270.24 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.24 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial page (302106).

Cross References

This section cited in 55 Pa. Code § 3270.11 (relating to application for and issuance of a certificate of compliance); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.24a. [Reserved].**Source**

The provisions of this § 3270.24a adopted July 26, 1996, effective July 27, 1996, 26 Pa.B. 3552; reserved May 23, 2008, effective September 22, 2008, 38 Pa.B. 2469. Immediately preceding text appears at serial page (302106).

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§ 3270.25. Availability of certificate of compliance and applicable regulations.

(a) The facility's current certificate of compliance and a copy of the applicable regulations under which the facility is certified shall be posted in a conspicuous location used by parents, with instructions for contacting the appropriate regional day care office posted at the same location.

(b) The operator shall post a copy of each inspection summary issued by the Department in a conspicuous location used by parents. The inspection summary must remain posted until an agent of the Department verifies that each regulatory noncompliance item cited on the inspection summary has been corrected.

Authority

The provisions of this § 3270.25 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.25 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial page (302106).

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.25a. [Reserved].**Source**

The provisions of this § 3270.25a adopted July 26, 1996, effective July 27, 1996, 26 Pa.B. 3554; reserved May 23, 2008, effective September 22, 2008, 38 Pa.B. 2469. Immediately preceding text appears at serial pages (302106) to (302107).

§ 3270.26. Compliance with nondiscrimination statutes.

(a) A certificate of compliance will not be granted by the Department to a legal entity unless compliance with civil rights laws and applicable regulations has been met. The applicable laws as identified on the certificate of compliance application are:

- (1) The Pennsylvania Human Relations Act (43 P. S. §§ 951—962.2).
- (2) The Age Discrimination Act of 1975 (42 U.S.C.A. §§ 6101—6107).
- (3) Title VI of the Civil Rights Act of 1964 (42 U.S.C.A. §§ 2000d—2000d-4a).
- (4) Title VII of the Civil Rights Act of 1964 (42 U.S.C.A. §§ 2000e—2000e-5).
- (5) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C.A. § 794).
- (6) The Americans with Disabilities Act of 1990 (42 U.S.C.A. §§ 12101—12514).

(b) The appropriate forms to establish compliance shall be included with the application for certification.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.27. Emergency plan.

(a) The facility shall have an emergency plan that provides for:

(1) Shelter of children during an emergency including shelter in place at the facility and shelter at locations away from the facility premises.

(2) Evacuation of children from the facility building and evacuation of children to a location away from the facility premises. The evacuation routes and evacuation plans to exit the building may be the same as those required by § 3270.94(f) and (g) (relating to fire drills).

(3) A method for facility persons to contact parents as soon as reasonably possible when an emergency situation arises.

(4) A method for facility persons to inform parents that the emergency has ended and to provide instruction as to how parents can safely be reunited with their children.

(b) The operator shall review the emergency plan at least annually and update the plan as needed. Each review and update of the emergency plan shall be documented in writing and kept on file at the facility.

(c) Each facility person shall receive training regarding the emergency plan at the time of initial employment, on an annual basis and at the time of each plan update. The date of each training and the name of each facility person who received the training shall be documented in writing and kept on file at the facility.

(d) The emergency plan shall be posted in the facility at a conspicuous location.

(e) The operator shall provide to the parent of each enrolled child a letter explaining the emergency procedures described in subsection (a). The operator shall also provide to the parent of each enrolled child a letter explaining any subsequent update to the plan.

(f) The operator shall send a copy of the emergency plan and subsequent plan updates to the county emergency management agency.

Authority

The provisions of this § 3270.27 issued under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.27 adopted May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437.

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Cross References

This section cited at 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

FACILITY PERSONS**§ 3270.31. Age and training.**

(a) A volunteer shall be 16 years of age or older and shall be directly supervised at all times.

(b) A staff person shall be 18 years of age or older.

(c) An individual 16 years of age or older who is enrolled in an approved training curriculum may be used as a staff person, if the following guidelines are met:

(1) The curriculum is conducted by an institution approved by the Department of Education and accredited by an accrediting agency recognized by the United States Department of Education or the Council on Postsecondary Education and acceptable to the Department of Education.

(2) The curriculum includes acceptable training topics referenced in subsection (e)(2).

(3) The curriculum includes a minimum total of 600 clock hours, distributed as follows:

(i) A minimum of 400 clock hours of classroom training.

(ii) A minimum of 200 clock hours of supervised training in a child day care facility.

(4) A representative of the training institution certifies in writing that the individual has completed the required classroom training and is currently enrolled in the curriculum.

(5) The written certification required in paragraph (4) shall be retained in the staff file at the facility.

(d) Child care professional credentials are equivalent to the staff qualifications:

(1) A Child Development Associate (CDA) credential or a Certified Child-care Professional (CCP) credential is equivalent to 9 credit hours from an accredited college or university in early childhood education or child development and 1 year of experience with children.

(2) A Pennsylvania school-age professional credential is equivalent to 9 credit hours from an accredited college or university in elementary education or child development and 1 year of experience with children.

(e) A staff person shall obtain an annual minimum of 6 clock hours of child care training.

(1) Acceptable training is conducted in one or more of the following settings:

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- (i) By a secondary or postsecondary institution approved by the Department of Education and accredited by an accrediting agency recognized by the United States Department of Education or the Council of Postsecondary Accreditation and acceptable to the Department of Education.
 - (ii) By an entity that is licensed or certified professionally competent in the training topic.
 - (iii) In conferences or workshops.
 - (iv) With audio-visual materials recognized by child care professionals.
- (2) Acceptable training topics include the following:
- (i) Child or staff health.
 - (ii) Child development, early childhood education and special education.
 - (iii) Supervision, discipline and guidance of children.
 - (iv) Nutrition for children.
 - (v) Child care program development.
 - (vi) Child care staff person or volunteer professional development.
- (3) Other training topics may be submitted for the Department's review and approval.
- (4) Depending on the provisions of the appropriate regulation, training may be required for certain staff persons. The following constitutes competence in training areas:
- (i) *First-aid training.* Competence is the completion of training by a professional in the field of first-aid. First-aid training will be renewed on or before expiration of certification or every 3 years, as applicable.
 - (ii) *Firesafety training.* Staff persons shall participate, at least annually, in firesafety training conducted by a fire protection professional. Staff persons and volunteers shall receive training in maintenance of smoke detectors, the duties of facility persons during a fire drill and during a fire and the use of the facility's fire extinguishers, not including discharge of the fire suppressant agent.
 - (iii) *Lifeguard training.* Competence is the completion of lifeguard training, including first-aid training and cardiopulmonary resuscitation (CPR) for child and infant.
 - (iv) *Water safety instruction.* Competence is the completion of basic instruction in water safety from a certified lifeguard.
- (f) Completion of training shall be documented by the signature and title of a representative of the training entity and include the date training was completed. Documentation shall be retained in the facility person's file.

Authority

The provisions of this § 3270.31 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

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Source

The provisions of this § 3270.31 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437; corrected September 19, 2008, effective May 24, 2008, 38 Pa.B. 5168. Immediately preceding text appears at serial pages (335008) to (335009).

Cross References

This section cited in 55 Pa. Code § 3270.11 (relating to application for and issuance of a certificate of compliance); 55 Pa. Code § 3270.36 (relating to assistant group supervisor qualifications and responsibilities); 55 Pa. Code § 3270.37 (relating to aide qualifications and responsibilities); 55 Pa. Code § 3270.115 (relating to water activity); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.31a. [Reserved].**Source**

The provisions of this § 3270.31a adopted November 3, 1995, effective November 4, 1995, 25 Pa. B. 4708; reserved May 23, 2008, effective September 22, 2008, 38 Pa.B. 2469. Immediately preceding text appears at serial page (257430).

§ 3270.32. Suitability of persons in the facility.

- (a) The operator shall comply with the CPSL and with Chapter 3490 (relating to protective services).
- (b) Questions relating to the requirements of the CPSL shall be directed to the appropriate regional child day care office.
- (c) The operator may not allow an individual to enter the facility if the operator knows that the individual has been convicted or is awaiting trial on charges involving a crime of child abuse, child neglect, physical violence or moral corruptness.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.33. General requirements for facility persons.

- (a) A staff person or a substitute staff person shall meet one of the applicable staff qualifications for the position in which the person is performing.
- (b) At least 50% of the staff persons in a facility shall be individuals qualified and functioning as directors, group supervisors and assistant group supervisors. No more than 50% of the staff persons may be of aide qualification level.
- (c) A volunteer shall be supervised by a staff person who is qualified at minimum as an assistant group supervisor.
- (d) One or more facility persons competent in first-aid techniques shall be at the facility when one or more children are in care.

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Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.34. Director qualifications and responsibilities.

(a) A director is responsible for the general management of the facility, including the following minimum duties:

- (1) Administering finances, personnel, maintenance, meal planning and preparation and transportation.
- (2) Administering the facility's program objectives and activities.
- (3) Designating a staff person who is responsible for compliance with this chapter in the Director's absence.
- (4) Coordinating and planning daily activities with the group supervisors or with the assistant group supervisors in school-age program.
- (5) Overall program planning.
- (6) Written evaluation of staff persons on a regular basis, a minimum of one evaluation every 12 months.

(b) A director shall have attained one of the following qualification levels:

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(1) A bachelor's degree from an accredited college or university in early childhood education, child development, special education, elementary education or the human services field and 1 year of experience with children.

(2) A bachelor's degree from an accredited college or university, including 30 credit hours in early childhood education, child development, special education, elementary education or the human services field and 2 years of experience with children.

(3) An associate's degree from an accredited college or university in early childhood education, child development, special education, elementary education or the human services field and 3 years of experience with children.

(4) An associate's degree from an accredited college or university, including 30 credit hours in early childhood education, child development, special education, elementary education or the human services field and 4 years of experience with children.

(c) A director shall be employed by a facility and be present at the facility site a minimum of 30 hours per week.

(d) In a facility in which 45 or fewer children are enrolled, a director may also function as a group supervisor. An individual who functions in a dual capacity shall meet the responsibilities and qualifications of a director set forth in subsections (a) and (b).

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.35. Group supervisor qualifications and responsibilities.

(a) A group supervisor is responsible for the following minimum duties:

- (1) Planning and implementing daily program activities.
- (2) Coordinating activities of assistant group supervisors and aides.
- (3) Assisting the director with designated activities.

(b) A group supervisor shall have attained one of the following qualification levels:

(1) A bachelor's degree from an accredited college or university in early childhood education, child development, special education, elementary education or the human services field.

(2) A bachelor's degree from an accredited college or university, including 30 credit hours in early childhood education, child development, special education, elementary education or the human services field and 1 year of experience with children.

(3) An associate's degree from an accredited college or university in early childhood education, child development, special education, elementary education or the human services field and 2 years of experience with children.

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(4) An associate's degree from an accredited college or university, including 30 credit hours in early childhood education, child development, special education, elementary education or the human services field and 3 years of experience with children.

(c) In a facility in which 45 or fewer children are enrolled, a group supervisor or a director/group supervisor shall be employed by and be present at the facility site for a minimum of 30 hours per week.

(d) A director may not function as a group supervisor in a facility in which more than 45 children are enrolled.

(e) In a facility in which more than 45 children are enrolled, a group supervisor is required for the first group of 45 enrolled children and for each group or partial group of 45 additional enrolled children.

(f) Each additional group supervisor shall be employed by and be present at the facility for a minimum of 30 hours per week.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.36. Assistant group supervisor qualifications and responsibilities.

(a) An assistant group supervisor is responsible for the following minimum duties:

(1) Assisting in the implementation of daily activities under the guidance of the group supervisor.

(2) Coordinating daily activities and supervising aides in the absence of the group supervisor.

(b) An assistant group supervisor shall have attained one of the following qualification levels:

(1) A high school diploma or a general educational development certificate and 30 credit hours from an accredited college or university in early childhood education, child development, special education, elementary education or the human services field.

(2) A high school diploma or a general educational development certificate, including 600 or more hours of secondary training described in § 3270.31(c) (relating to age and training).

(3) A high school diploma or a general educational development certificate, 15 credit hours from an accredited college or university in early childhood education, child development, special education, elementary education or the human services field and 1 year of experience with children.

(4) A high school diploma or a general education development certificate and completion of a post-secondary training curriculum described in § 3270.31(c).

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- (5) A high school diploma or a general educational development certificate and 2 years experience with children.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers).

§ 3270.37. Aide qualifications and responsibilities.

- (a) An aide is responsible for assisting in the implementation of daily program activities.
- (b) An aide shall have attained one of the following qualification levels:
- (1) A high school diploma or a general educational development certificate.
 - (2) A minimum of an 8th grade education and enrollment in a training curriculum described at § 3270.31(c) (relating to age and training). The classroom training portion of the curriculum shall be completed. Documentation of completion of classroom training and continuing enrollment in the training curriculum shall be included in the staff person's file.
 - (3) A minimum of an 8th grade education and 2 years of experience with children.
- (c) An aide or a combination of aides shall be supervised at all times by a staff person qualified at minimum as an assistant group supervisor.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

STAFF:CHILD RATIO

§ 3270.51. Similar age level.

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

<i>Similar Age Levels</i>	<i>Staff</i>	<i>Children</i>	<i>Maximum Group Size</i>	<i>Total Number of Staff Required for the Maximum Group Size</i>
Infant	1	4	8	2
Young toddler	1	5	10	2
Older toddler	1	6	12	2
Preschool	1	10	20	2
Young school-age	1	12	24	2

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<i>Similar Age Levels</i>	<i>Staff</i>	<i>Children</i>	<i>Maximum Group Size</i>	<i>Total Number of Staff Required for the Maximum Group Size</i>
Older school-age	1	15	30	2

Cross References

This section cited in 55 Pa. Code § 3270.52 (relating to mixed age level); 55 Pa. Code § 3270.53 (relating to children of an operator or a staff person); 55 Pa. Code § 3270.113 (relating to supervision of children); 55 Pa. Code § 3270.173 (relating to transportation ratios); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.52. Mixed age level.

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 § 3270.51 (relating to similar age level).

Authority

The provisions of this § 3270.52 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.52 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial pages (312266) to (312267).

Cross References

This section cited in 55 Pa. Code § 3270.53 (relating to children of an operator or a staff person); 55 Pa. Code § 3270.113 (relating to supervision of children); and 55 Pa. Code § 3270.173 (relating to transportation ratios).

§ 3270.53. Children of an operator or a staff person.

(a) The related or foster children of an operator and the children or foster children of a staff person shall be counted for the purpose of satisfying the staff/child ratio requirements in §§ 3270.51 and 3270.52 (relating to similar age level; and mixed age level).

(b) The related or foster children of an operator and the children or foster children of a staff person shall be counted for the purpose of satisfying the allocated space capacity requirements in §§ 3270.61 and 3270.62 (relating to measurement and use of indoor child care space; and measurement and use of play space).

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Cross References

This section cited in 55 Pa. Code § 3270.113 (relating to supervision of children); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.54. Minimum number of facility persons in the child care facility.

(a) At least two facility persons shall be present in the facility when two or more children are in care. At a minimum, one of the facility persons shall be a staff person.

(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.

(c) If the staff-child ratio warrants only one staff person, the second person may be another facility person.

Cross References

This section cited in 55 Pa. Code § 3270.113 (relating to supervision of children); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.55. Ratios while children are napping.

(a) While toddlers and preschoolers are napping, the following staff-child ratios apply:

<i>Similar Age Level</i>	<i>Staff</i>	<i>Children</i>
Young toddler	1	10
Older toddler	1	12
Preschool	1	20

(b) Staff persons who are on duty but are not providing child care during naptime shall remain in the child care portion of the facility premises.

Cross References

This section cited in 55 Pa. Code § 3270.113 (relating to supervision of children).

PHYSICAL SITE**§ 3270.61. Measurement and use of indoor child care space.**

(a) A facility shall provide indoor child care space for individual and group small muscle activity.

(b) Indoor child care space may not be used simultaneously as play space.

(c) Indoor child care space is measured within permanent stationary partitions or walls. The allowable number of children in a space is determined by dividing the total square feet in a space by 40.

(d) Measured indoor space includes space occupied by cupboards, shelves, furniture and equipment.

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(e) Measured indoor space excludes space occupied by halls, bathrooms, offices, kitchens and locker rooms.

(f) Indoor space in which children are receiving care may not be used simultaneously for other business, commercial, social or another purpose unrelated to the child care being offered.

(g) Preschool and school-age children may not be involved in small or large muscle activity in the same group space in which children are sleeping or resting.

(h) The capacity established for an indoor space may not be exceeded except in the following situations:

(1) At naptime, when toddler or preschool children are resting on rest equipment described in § 3270.106 (relating to rest equipment) if the following conditions are met:

(i) At naptime, the capacity is determined by the requirement for placement of rest equipment described in § 3270.106(f).

(ii) At naptime, the capacity may be exceeded for a period not longer than 2 1/2 consecutive hours, no more than twice in a program day.

(2) When older toddler, preschool or school-age children are participating in a program activity if the following conditions are met:

(i) The capacity of the indoor child care space may be exceeded for no more than two separate 1/2 hour time periods daily.

(ii) Each time period shall be designated on the facility's schedule of daily activities.

(iii) The space may not be occupied by children of the infant or young toddler age levels during a time period when the capacity is exceeded.

(iv) The number of children present in the space may not be more than twice the measured capacity of the space.

(3) When a meal is served in a space designated and measured as indoor child care space if the following conditions are met:

(i) The capacity of a space may be exceeded when children are eating for no more than 1 hour daily.

(ii) The meal time shall be designated on the facility's schedule of daily activities.

(iii) The number of children present in the space may not be more than twice the measured capacity of the space.

(i) The total number of children receiving child day care services at the facility at any one time may not exceed the facility's maximum capacity.

Authority

The provisions of this § 3270.61 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

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Source

The provisions of this § 3270.61 corrected April 24, 1992, effective April 4, 1992, 22 Pa.B. 2243; amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial pages (312268) and (268707).

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); 55 Pa. Code § 3270.53 (relating to children of an operator or a staff person); 55 Pa. Code § 3270.232 (relating to indoor and outdoor space and capacity); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.61a. [Reserved].**Source**

The provisions of this § 3270.61a adopted August 19, 1994, effective August 20, 1994 and apply retroactively to July 30, 1994, 24 Pa.B. 4213; amended September 1, 2000, effective June 1, 2000, 30 Pa.B. 4641; reserved May 23, 2008, effective September 22, 2008, 38 Pa.B. 2469. Immediately preceding text appears at serial pages (268707) to (268708).

§ 3270.62. Measurement and use of play space.

(a) A facility shall provide outdoor or indoor play space to be used for large muscle activity which includes running, jumping, climbing and riding.

(b) Outdoor or indoor play space shall be measured at 65 square feet per child, except in the following situations:

(1) The minimum outdoor or indoor play space required per infant is 40 square feet.

(2) The minimum outdoor or indoor play space required per young or older toddler is 50 square feet.

(c) Outdoor or indoor play space shall be safe for large muscle activity.

(d) Outdoor or indoor play space in which children are receiving care may not be used simultaneously for other business, commercial, social or another purpose unrelated to the child care being offered.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); 55 Pa. Code § 3270.53 (relating to children of an operator or a staff person); 55 Pa. Code § 3270.232 (relating to indoor and outdoor space and capacity); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.63. Unsafe areas in outdoor space.

If unsafe areas or conditions are in or near an outdoor play space, fencing or natural barriers are required to restrict children from those unsafe areas or conditions.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers).

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§ 3270.64. Outside walkways.

Outside walkways shall be free from ice, snow, leaves, equipment and other hazards.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.65. Protective electrical covers.

Protective receptacle covers shall be placed in electrical outlets accessible to children 5 years of age or younger.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers).

§ 3270.66. Toxics.

(a) Cleaning materials and other toxic materials shall be kept in an area or container that is locked or made inaccessible to children.

(b) Cleaning materials and other toxic materials shall be stored in an original labeled container or in a container that specifies the content. Toxics shall be stored away from food, food preparation areas and child care spaces.

(c) Cleaning materials and other toxic materials shall be used in a way that does not contaminate play surfaces, food, food preparation areas and does not constitute a hazard to the children.

(d) Toxic plants are not permitted in a child care space.

(e) Arts and crafts materials shall be nontoxic.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.82 (relating to toilet areas).

§ 3270.67. Sanitation.

(a) Trash shall be removed from the facility at least once per day.

(b) Trash shall be removed from the facility grounds at least once per week.

(c) Evidence of infestation of insects or rodents in the facility is not permitted.

(d) Trash that has been contaminated by human secretions or excrement shall be contained in closed, plastic-lined receptacles.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

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§ 3270.68. Smoking.

(a) Cigarettes, pipes or cigars may not be smoked in a child care space, a play space or a food preparation area when children are in care or when food is being prepared.

(b) Ashes and cigarette or cigar butts are prohibited in a child care space, a play space or a food preparation area.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers).

§ 3270.69. Water.

(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 (35 P. S. §§ 721.1—721.17).

(b) Hot water temperature, in areas accessible to children, may not exceed 110° F.

(c) Safe drinking water shall be made available to children of all ages throughout the day.

(d) Drinking water shall be provided to children who are out-of-doors for a period exceeding 1 hour.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.70. Indoor temperature.

(a) The indoor temperature must be at least 65° F.

(b) If the indoor temperature exceeds 82° F in a child care space, a means of mechanical air circulation must be operating.

Authority

The provisions of this § 3270.70 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.70 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial page (204564).

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers).

§ 3270.71. Hot water pipes and other sources of heat.

Hot water pipes and other sources of heat exceeding 110° F that are accessible to children shall be equipped with protective guards or shall be insulated to prevent direct contact.

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Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers).

§ 3270.72. Ventilation.

- (a) Natural or mechanical ventilation shall be provided in child care spaces.
- (b) Windows or doors used for ventilation shall be screened when open.
- (c) Screens shall be in good repair.
- (d) Windows or doors above the ground floor that open directly to the outdoors and are accessible to children shall be constructed, modified or adapted to limit the opening to 6 or fewer inches.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.73. Telephone.

A facility shall have an operable telephone and a published telephone number.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.74. Emergency telephone numbers.

The telephone number of the nearest hospital, police department, fire department, ambulance and poison control center shall be posted by each telephone in the facility.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.75. First-aid kit.

- (a) A first-aid kit must be in a child care space.
- (b) A first-aid kit must be inaccessible to children.
- (c) A first-aid kit must contain the following: soap, an assortment of adhesive bandages, sterile gauze pads, tweezers, tape, scissors and disposable, nonporous gloves.
- (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).

Authority

The provisions of this § 3270.75 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

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Source

The provisions of this § 3270.75 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial page (315865).

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.178 (relating to transportation first-aid kit).

§ 3270.75a. [Reserved].**Source**

The provisions of this § 3270.75a adopted December 9, 2005, effective December 10, 2005, 35 Pa.B. 6662; reserved May 23, 2008, effective September 22, 2008, 38 Pa.B. 2469. Immediately preceding text appears at serial page (315865).

§ 3270.76. Building surface requirements.

Floors, walls, ceilings and other surfaces, including the facility's outdoor play space surfaces shall be kept clean, in good repair and free from visible hazards.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.77. Paint.

(a) Peeled or damaged paint or damaged plaster is not permitted on indoor or outdoor surfaces in the child care facility.

(b) When indoor or outdoor surfaces are repaired or when new indoor or outdoor surfaces are painted, the paint may not contain more than .06% lead.

(c) A child may not be present during removal of paint from the indoor or outdoor surfaces of a facility.

(d) Removal, clean-up and disposal of leaded paint dust and debris shall be accomplished in a manner that avoids dispersal of dust and debris into the environment.

(e) Abrasive removal methods which include dry sanding, electrical sanding and sandblasting or open flame burning, or a removal process that permits the release of leaded particulate material into the environment are prohibited.

(f) Dust and debris generated by removal shall be disposed of in accordance with applicable Federal, State and local regulations.

(g) Child care may resume when the removal process is completed and when all accompanying debris is removed.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers).

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§ 3270.78. Lighting.

Rooms, hallways, stairways, outside steps, porches and ramps shall be lighted by artificial or natural light.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.79. Firearms.

Weapons, firearms and ammunition are prohibited in a child day care center.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.80. Stairs.

- (a) Inside and outside stairs with three or more steps shall be equipped with a handrail.
- (b) Inside stairs shall be equipped with nonskid surfaces.
- (c) A ramp shall be equipped with a handrail.
- (d) A porch shall be equipped with a handrail.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers).

§ 3270.81. Glass.

A visual strip or other visual identification shall be placed on glass located in a traffic area, a child care space or a play space.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers).

§ 3270.82. Toilet areas.

- (a) The following ratio of flushing toilets to toilet-trained children applies:

<i>Similar Age Levels</i>	<i>Number of Toilet-Trained Children</i>	<i>Toilets</i>
Young or older toddler and preschool	15	1
School-age	20	1

(b) The following ratio of sinks to children applies:

<i>Similar Age Levels</i>	<i>Number of Toilet-Trained Children</i>	<i>Sinks</i>
Young or older toddler and preschool	25	1
School-age	30	1

(c) A sink must be located in or near a toilet area.

(d) A training chair is not a flushing toilet. A training chair shall be emptied and sanitized after each use. An acceptable sanitizing solution is 1/4 cup of bleach combined with 1 gallon of water. A sanitizing solution shall be treated as a toxic. See § 3270.66 (relating to toxics).

(e) Toilets and sinks must be at proper heights for children using them or must be easily approached by means of platforms or steps.

(f) Toilets and training chairs may not be located in an area used for cooking or eating.

(g) Toilet areas and fixtures shall be cleaned daily and be in good repair.

(h) A facility person and an able child shall wash their hands after toileting and before eating. A sign on which this requirement is written shall be posted at each toilet, training chair, diapering area and sink in the facility.

(i) A toilet area, training chair area, diapering area and sink area shall be equipped with a clean, lidded waste receptacle.

(j) A source of running water for handwashing must be present in infant and toddler diapering areas. If the running water does not flow directly into a drain that is connected to a sewage system, a receptacle shall be provided to contain the water used for washing. The receptacle shall be emptied into an approved sewage system at least once a day.

Authority

The provisions of this § 3270.82 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.82 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial pages (204567) to (204568).

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

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FIRESAFETY**§ 3270.91. Exits.**

(a) Stairways, hallways, exits from rooms, exits from the facility and other means of egress serving as an exit shall be unobstructed.

(b) Protective gates are permitted, if they open easily and are not disapproved by building codes or local ordinances.

(c) If a door or doorway opens or exits directly into a stairwell and if there is no landing beyond the door or doorway, the door shall be restricted from opening or shall be removed and a secure barrier to prevent access to the stairwell shall be erected.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.92. Space heaters.

(a) Portable space heaters are not permitted.

(b) A fixed space heater shall be approved for use by a local firesafety professional. Written approval of the installation and written approval for use shall be on file at the facility.

(c) A fixed space heater shall be insulated or equipped with protective guards.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.93. Fireplaces and woodburning and coalburning stoves.

Fireplaces, fireplace inserts or woodburning and coalburning stoves, if allowed by local ordinance, shall be securely screened or equipped with protective guards while in use.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.94. Fire drills.

(a) A fire drill shall be held at least every 60 days. Facility persons and children in attendance shall participate in the fire drill. Facility persons and children shall exit the building, weather permitting.

(b) A written record shall be kept of the date, the time of day, the hypothetical location of the fire, the evacuation time, the names of facility persons and the number of children participating in the fire drill.

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- (c) Fire drills shall be held at different times of the day or night, or both, if applicable.
- (d) Fire drills shall be held during various program activity times.
- (e) Hypothetical locations of the fire shall be changed for each drill.
- (f) Evacuation routes shall be posted.
- (g) Evacuation plans shall provide for removal of all persons from the facility in a single trip.

Cross References

This section cited in 55 Pa. Code § 3270.27 (relating to emergency plan); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

EQUIPMENT**§ 3270.101. Type of play equipment.**

- (a) Play equipment and materials appropriate to the developmental needs, individual interests and ages of the children shall be provided in sufficient amount and variety to preclude long waits for use.
- (b) Play equipment shall facilitate the child's emotional, cognitive, communicative, perceptual-motor, physical and social development.
- (c) Play equipment and materials shall include items from the following categories:
 - (1) Materials for dramatic role playing.
 - (2) Toys and materials for cognitive development.
 - (3) Toys and materials for visual development.
 - (4) Toys and materials for auditory development.
 - (5) Toys to handle and manipulate and art materials for tactile development.
 - (6) Toys and equipment for large muscle development.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.102. Condition of play equipment.

- (a) Toys, play equipment and other indoor and outdoor equipment used by the children must be clean, in good repair and free from rough edges, sharp corners, pinch and crush points, splinters and exposed bolts.
- (b) Toys soiled by secretion or excretion shall be cleaned with soap and water, rinsed and sanitized before being used by a child.
- (c) Outdoor equipment that requires embedded mounting must be mounted over a loose-fill or unitary playground protective surface covering that meets the recommendations of the United States Consumer Product Safety Commission. The equipment must be anchored firmly and be in good repair.

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(d) Slides that are over 4 feet high must have guards along both sides of the ladder.

(e) Pea gravel and other materials with a diameter of less than 1 inch may not be used in spaces where infants or toddlers receive care.

(f) Indoor play equipment for climbing shall be installed or used over a protective surface covering which does not interfere with the stability of the equipment.

(g) Children's toys and equipment, including furniture and rest equipment, described as hazardous by the United States Consumer Product Safety Commission may not be used by children at the facility and may not be on the premises at the facility. At the time of inspection, the operator shall submit to the Department written affirmation on a form provided by the Department stating that the facility is in compliance with this requirement.

Authority

The provisions of this § 3270.102 amended under Articles IX and X of the Public Welfare Code (62 P. S. § 901—922 and 1001—1087).

Source

The provisions of this § 3270.102 amended May 23, 2008, effective September 22, 2008 except for §§ 3270.102(c) and (e) which shall take effect September 22, 2010, 38 Pa.B. 2437. Immediately preceding text appears at serial page (230396).

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); 55 Pa. Code § 3270.233 (relating to play surfaces); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.102a. [Reserved].

Source

The provisions of this § 3270.102a adopted June 13, 1997, effective June 14, 1997, 27 Pa.B. 2827; reserved May 23, 2008, effective September 22, 2008, 38 Pa.B. 2469. Immediately preceding text appears at serial page (230396).

§ 3270.103. Small toys and objects.

Toys and objects with a diameter of less than 1 inch, objects with removable parts that have a diameter of less than 1 inch, plastic bags and styrofoam objects may not be accessible to children who are still placing objects in their mouths.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers).

§ 3270.104. Furniture.

(a) Furniture must be durable, safe, easily cleaned and appropriate for the child's size, age and special needs.

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(b) Study space, tables, chairs, paper and pencils shall be provided for school-age children in care, if necessary for the program offered by the facility.

Authority

The provisions of this § 3270.104 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.104 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial pages (230396) to (230397).

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.105. High chairs.

High chairs shall have a wide base and a T-shaped safety strap.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers).

§ 3270.106. Rest equipment.

(a) Individual, clean, age-appropriate rest equipment shall be provided for preschool, toddler and infant children as agreed between the child's parent and the operator. The rest equipment must be labeled for the use of a specific child and used only by the specified child.

(b) Bed linens may not be used alone as age-appropriate rest equipment.

(c) Stacked cribs may not be used.

(d) Crib and playpen slats may be no more than 2 3/8 inches apart.

(e) Seasonal, appropriate covering, such as sheets or blankets, shall be provided as agreed between the child's parent and the operator.

(f) At least 2 feet of space is required on three sides of a bed, cot, crib or other rest equipment while the equipment is in use.

(g) Linens, blankets and rest equipment shall be cleaned monthly, at a minimum. The operator shall arrange a cleaning schedule with the parent.

(h) Soiled bedding shall be cleaned before it is reused.

(i) The upper level of double-deck beds may not be used for children 8 years of age or younger.

(j) Toys, bumper pads or pillows may not be present in a crib while an infant is sleeping in the crib.

Authority

The provisions of this § 3270.106 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

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Source

The provisions of this § 3270.106 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial page (218001).

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); 55 Pa. Code § 3270.61 (relating to measurement and use of indoor child care space); 55 Pa. Code § 3270.209 (relating to rest equipment); and 55 Pa. Code § 3270.234 (relating to stacked cribs and crib slats).

§ 3270.107. Refrigerator.

A facility shall have an operable, clean refrigerator used to store potentially hazardous foods. The refrigerator shall be capable of maintaining food at 45° F or below. An operating thermometer shall be placed in the refrigerator.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.108. Utensils.

- (a) Eating and drinking utensils shall be free from cracks and chips.
- (b) Disposable cups, plates and eating utensils may be used if discarded after each use.
- (c) Styrofoam cups and plates may not be used.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

PROGRAM

§ 3270.111. Daily activities.

- (a) A written plan of daily activities and routines, including a time for free play shall be established for each group. The plan shall be flexible to accommodate the needs of individual children and the dynamics of the group.
- (b) The written plan shall be posted in the group space.
- (c) Daily activities shall promote the development of skills, social competence and self-esteem. Daily experiences shall recognize the child as an individual and give some choice of activities that respect personal privacy, lifestyle and cultural background.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

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§ 3270.112. Infant and toddler stimulation.

Infants and toddlers shall be provided stimulation by being held, rocked, talked to, played with and carried.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers).

§ 3270.113. Supervision of children.

(a) Children on the facility premises and on facility excursions off the premises shall be supervised by a staff person at all times. Outdoor play space used by the facility is considered part of the facility premises.

(1) Each staff person shall be assigned the responsibility for supervision of specific children. The staff person shall know the names and whereabouts of the children in his assigned group. The staff person shall be physically present with the children in his group on the facility premises and on facility excursions off the facility premises.

(2) The requirement for supervision on and off the facility premises includes compliance with the staff:child ratio requirements in §§ 3270.51—3270.55 (relating to staff:child ratio).

(b) A facility person may not use any form of physical punishment, including spanking a child.

(c) A facility person may not single out a child for ridicule, threaten harm to the child or the child's family and may not specifically aim to degrade the child or the child's family.

(d) A facility person may not use harsh, demeaning or abusive language in the presence of children.

(e) A facility person may not restrain a child by using bonds, ties or straps to restrict a child's movement or by enclosing the child in a confined space, closet or locked room. The prohibition against restraining a child does not apply to the use of adaptive equipment prescribed for a child with special needs.

Authority

The provisions of this § 3270.113 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.113 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial page (218002).

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

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§ 3270.113a. [Reserved].**Source**

The provisions of this § 3270.113a adopted July 26, 1996, effective July 27, 1996, 26 Pa.B. 3552; reserved May 23, 2008, effective September 22, 2008, 38 Pa.B. 2469. Immediately preceding text appears at serial pages (218002) and (312269).

§ 3270.113b. [Reserved].**Source**

The provisions of this § 3270.113b adopted July 1, 2005, effective July 2, 2005, 35 Pa.B. 3665; reserved May 23, 2008, effective September 22, 2008, 38 Pa.B. 2469. Immediately preceding text appears at serial page (312269).

§ 3270.114. Outdoor activity.

Weather permitting, children shall be taken out doors daily.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers).

§ 3270.115. Water activity.**(a) *Swimming.***

(1) A swimming pool must conform to 28 Pa. Code Chapter 18 (relating to public swimming and bathing places).

(2) An in-ground swimming pool accessible to children must be fenced with a locked gate.

(3) An aboveground swimming pool which is not in use must be made inaccessible to children in accordance with the swimming pool barrier guidelines of the United States Consumer Product Safety Commission.

(4) An indoor swimming pool which is not in use must be made inaccessible to children.

(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

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(6) When children are swimming, supervision shall include one person certified in lifeguard training, as described in § 3270.31(e)(4)(iii) (relating to age and training).

(7) The person certified in lifeguard training may not be included in the staff:child ratio.

(8) A facility person who is counted in the staff:child swimming ratio shall annually complete water safety instruction.

(b) *Wading.*

(1) Staff persons shall supervise day care children using wading pools. Staff:child ratios in subsection (a) apply when children are wading.

(2) A sanitizing solution shall be added to water in a wading pool. An acceptable sanitizing solution is 3/4 teaspoon of bleach added to 50 gallons of water.

(3) A wading pool shall be emptied daily.

(c) *Water play tables.* A water play table or a container used for water play that contains unfiltered water shall be emptied daily.

Authority

The provisions of this § 3270.115 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.115 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial pages (312269) to (312270).

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.115a. [Reserved].

Source

The provisions of this § 3270.115a adopted July 26, 1996, effective July 27, 1996, 26 Pa.B. 3553; reserved May 23, 2008, effective September 22, 2008, 38 Pa.B. 2469. Immediately preceding text appears at serial page (312270).

§ 3270.116. School-age children.

When a facility serves a school-age child, homework supervision shall be provided in accordance with arrangements determined by the parent and the operator.

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

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§ 3270.117. Release of children.

(a) A child shall be released only to the child's parent or to an individual designated in writing by the enrolling parent. A child shall be released to either parent unless a court order on file at the facility states otherwise.

(b) In an emergency, a child may be released to an individual upon the oral designation of the parent, if the identity of the individual can be verified by a staff person.

(c) If a child is released upon the oral designation of the parent, the following information shall be logged in the child's record:

- (1) The name of the parent making the request.
- (2) The date and time of the request.
- (3) The name of the individual to whom the child is to be released.
- (4) The name of the staff person taking the call.
- (5) The name of the staff person releasing the child.

Authority

The provisions of this § 3270.117 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.117 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial page (312270).

Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.123 (relating to agreement).

§ 3270.117a. [Reserved].**Source**

The provisions of this § 3270.117a adopted December 17, 1999, effective September 7, 1999, 29 Pa.B. 6341; reserved May 23, 2008, effective September 22, 2008, 38 Pa.B. 2469. Immediately preceding text appears at serial page (312270).

§ 3270.118. Pets.

(a) A pet or animal present at the facility, indoors or outdoors, shall be in good health and known to be friendly to children.

(b) Contact with pets by the children is permitted only when a staff person is physically present.

(c) A veterinarian's certificate of current rabies immunization is required for a cat or dog at the facility. The certificate shall be on file when the cat or dog is present.

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Cross References

This section cited in 55 Pa. Code § 3270.13 (relating to waivers); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.119. Infant sleep position.

Infants shall be placed in the sleeping position recommended by the American Academy of Pediatrics unless there is a medical reason an infant should not sleep in this position. The medical reason shall be documented in a statement signed by a physician, physician's assistant or CRNP and placed in the child's record at the facility.

Authority

The provisions of this § 3270.119 adopted under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.119 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437.

PROCEDURES FOR ADMISSION**§ 3270.121. Application.**

(a) The operator shall review with the parent, at the time of application, the facility's general daily schedule, hours for which care is provided, fees, responsibilities for meals, clothing, health policies, supervision policies, night care policies, dismissal policies, transportation and pick-up arrangements.

(b) At the time of enrollment, a parent shall receive in writing the information described in subsection (a).

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.122. Admission interview.

A child shall be interviewed or observed by the operator and when possible shall have the opportunity to visit the facility prior to being admitted for care. The child shall be told as much about the service being planned as he can understand. If the parent indicates that the child has a special need, the operator shall discuss the condition with the parent, refer to § 3270.4 (relating to definitions), and comply with §§ 3270.17, 3270.124 and 3270.131 (relating to service to a child with special needs; emergency contact information; and health information).

Authority

The provisions of this § 3270.122 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

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Source

The provisions of this § 3270.122 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial page (228699).

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.123. Agreement.

(a) An agreement signed by the operator and the parent must specify the following:

- (1) The amount of the fee to be charged per day or per week.
- (2) The date on which the fee is to be paid.
- (3) The services to be provided to the family and the child, including the Department's approved form to provide information to the family about the child's growth and development in the context of the services being provided. The operator shall complete and update the form and provide a copy to the family in accordance with the updates regarding emergency contact information in § 3270.124(f) (relating to emergency contact information).
- (4) The child's arrival and departure times.
- (5) The persons designated by a parent to whom the child may be released as specified in § 3270.117 (relating to release of children).
- (6) The date of the child's admission.
- (7) The services which are to be considered as extra.

(b) A parent shall receive the original agreement. The facility shall retain a copy of the agreement.

Authority

The provisions of this § 3270.123 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.123 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial pages (228699) to (228700).

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.124. Emergency contact information.

(a) Emergency contact information is required for each enrolled child. Emergency contact information must reference who shall be contacted in an emergency.

(b) Emergency contact information must include the following:

- (1) The name and birth date of the child.

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- (2) The name, address and telephone number of the child's physician or source of medical care.
- (3) The home and work addresses and telephone numbers of the enrolling parent.
- (4) The written consent signed by a parent for emergency medical care.
- (5) Information on the child's special needs, as specified by the child's parent, physician, physician's assistant or CRNP, which is needed in an emergency situation.
- (6) Health insurance coverage and policy number for a child under a family policy or Medical Assistance benefits, if applicable.
- (7) The name, address and telephone number of the individual designated by the parent to whom the child may be released.
- (c) When children are in the facility, emergency contact information must be present in a child care space for children receiving care in the space.
- (d) When children leave the facility on walking and riding excursions, emergency contact information specific to each child on the excursion accompany a staff person on the excursion.
- (e) A written plan identifying the means of transporting a child to emergency care and staffing provisions in the event of an emergency shall be displayed conspicuously in every child care space and accompany a staff person who leaves on an excursion with children.
- (f) The parent shall update in writing emergency contact information once in a 6-month period or as soon as there is a change in the information.

Authority

The provisions of this § 3270.124 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.124 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial page (228700) and (312151).

Cross References

This section cited in 55 Pa. Code § 3270.122 (relating to admission interview); 55 Pa. Code § 3270.123 (relating to agreement); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

CHILD HEALTH

§ 3270.131. Health information.

- (a) The operator shall require the parent of an enrolled child, including a child, a foster child and a relative of an operator or a facility person, to provide an initial health report no later than 60 days following the first day of attendance at the facility.

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- (1) The initial health report for an infant must be dated no more than 3 months prior to the first day of attendance at the facility.
- (2) The initial health report for a young toddler must be dated no more than 6 months prior to the first day of attendance at the facility.
- (3) The initial health report for an older toddler or preschool child must be dated no more than 1 year prior to the first day of attendance at the facility.
- (4) The initial health report for a school-age child must be dated in accordance with the requirements for medical examinations for school attendance in 28 Pa. Code § 23.2 (relating to medical examinations).
- (b) The operator shall require the parent to provide an updated health report in accordance with the following schedules:
 - (1) At least every 6 months for an infant or young toddler.
 - (2) At least every 12 months for an older toddler or preschool child.
- (c) A health report must be written and signed by a physician, physician's assistant or a CRNP. The signature must include the individual's professional title.
- (d) The health report must include the following information:
 - (1) A review of the child's health history.
 - (2) A list of the child's allergies.
 - (3) A list of the child's current medication and the reason for the medication.
 - (4) An assessment of an acute or chronic health problem or special need and recommendations for treatment or services, including information regarding abnormal results of screening tests for vision, hearing or lead poisoning.
 - (5) A review of the child's immunized status according to recommendations of the ACIP.
 - (6) A statement of the child's medical information pertinent to diagnosis and treatment in case of emergency.
 - (7) A statement that the child is able to participate in child care and appears to be free from contagious or communicable disease.
 - (8) A statement that age-appropriate screenings recommended by the American Academy of Pediatrics were conducted since the time of the previous health report required by this section.
- (e) The facility may not accept or retain an infant 2 months of age or older, a toddler or a preschool child at the facility for more than 60 days following the first day of attendance at the facility unless the parent provides written verification from a physician, physician's assistant, CRNP, the Department of Health or a local health department of the dates (month, day and year) the child was administered immunizations in accordance with the recommendations of the ACIP.
- (1) The facility shall require the parent to provide updated written verification from a physician, physician's assistant, CRNP, the Department of Health

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or a local health department of ongoing vaccines administered to an infant, toddler or preschool child in accordance with the schedule recommended by the ACIP.

(2) Exemption from immunization must be documented as follows:

(i) Exemption from immunization for religious belief or strong personal objection equated to a religious belief must be documented by a written, signed and dated statement from the child's parent or guardian. The statement shall be kept in the child's record.

(ii) Exemption from immunization for reasons of medical need shall be documented by a written, signed and dated statement from the child's physician, physician's assistant or CRNP. The statement shall be kept in the child's record.

(3) The facility shall implement dismissal policies in accordance with the Department of Health regulation in 28 Pa. Code § 27.77 (relating to immunization requirements for children in child care group settings).

(4) The facility shall comply with the annual immunization reporting requirements in accordance with the Department of Health regulation in 28 Pa. Code § 27.77.

Authority

The provisions of this § 3270.131 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.131 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial page (312151).

Cross References

This section cited in 55 Pa. Code § 3041.46 (relating to immunization); 55 Pa. Code § 3270.122 (relating to admission interview); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.131a. [Reserved].

Source

The provisions of this § 3270.131a adopted March 28, 1997, effective March 29, 1997, 27 Pa.B. 1579; reserved May 23, 2008, effective September 22, 2008, 38 Pa.B. 2469. Immediately preceding text appears at serial page (312152).

§ 3270.132. Emergency medical care.

(a) If emergency medical care is needed for a child, the parent shall be contacted as soon as practical in the best interest of the child. If the parent cannot be reached, the operator shall record in writing the reason emergency care was required and the attempts made to inform the parent.

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(b) A staff person shall accompany a child to a source of emergency care and shall remain with the child until the parent assumes responsibility for the child's care.

(c) An operator shall document the manner in which emergency treatment was sought and obtained. File documentation shall include information referenced at § 3270.20(c) (relating to reporting injury, death or fire).

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.133. Child medication and special diets.

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. When medication or special diets are administered, the following requirements apply:

- (1) A prescription or nonprescription medication may be accepted only in an original container. The medication must remain in the container in which it was received.
- (2) A staff person shall administer a prescription medication only if written instructions are provided from the individual who prescribed the medicine. Instructions for administration contained on a prescription label are acceptable.
- (3) The label of a medication container must identify the name of the medication and the name of the child for whom the medication is intended. Medication shall be administered to only the child whose name appears on the container.
- (4) Medication shall be stored in a locked area of the facility or in an area that is out of the reach of children.
- (5) Medication shall be stored in accordance with the manufacturer's or health professional's instructions on the original label.
- (6) A parent shall provide written consent for administration.
- (7) An operator is responsible to establish and maintain a medication log if prescription or nonprescription medication is administered. A log must include the following minimum information:
 - (i) The name of the medication.
 - (ii) The name of the child receiving the medication.
 - (iii) A requirement for refrigeration.
 - (iv) The amount of medication administered.
 - (v) The date of administration.

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- (vi) The time of administration.
- (vii) The initials of the staff person who administered the medication.
- (viii) Special notes related to problems of administration.
- (8) If a special diet is prescribed for a child and if the diet is administered to the child, written instructions and the parent's written consent shall be retained in the child's file.

Authority

The provisions of this § 3270.133 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.133 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial pages (312152) and (228703).

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.134. Child hygiene.

- (a) A staff person shall ensure that a child's hands are washed before meals and snacks, after toileting and after being diapered.
- (b) Cloth towels and washcloths shall be labeled with the child's name, used by only the named child and laundered weekly. The director shall arrange a laundry schedule with the parent.
- (c) Paper towels may be used as towels and washcloths. Paper towels shall be discarded after each use.
- (d) Liquid or powdered soap shall be used for handwashing.
- (e) A child shall have a labeled toothbrush if brushing teeth is a program activity.
- (f) Toothbrushes shall be stored with the bristles up and exposed to circulating air.
- (g) Paper cups, discarded after one use, or water fountains shall be used for between-meal drinking by children who are not bottle-fed.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.135. Diapering requirements.

- (a) When children are diapered, the facility shall use disposable diapers, a diaper service or arrange with the parent to provide a daily diaper supply.
 - (1) If nondisposable diapers are provided by a parent, a soiled diaper shall be placed in an individual, securely-tied plastic bag and returned to the parent at the end of the day.

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(2) If nondisposable diapers from a diaper service are provided by a facility, a soiled diaper shall be placed in the container provided by the service or in a securely-tied plastic bag.

(3) If disposable diapers are provided by a parent or by a facility, a soiled diaper shall be discarded by immediately placing the diaper into a plastic-lined, hands-free covered can.

(4) A soiled diaper that is not in a tied bag may not be placed in an unlined outdoor trash container.

(b) Diaper changing surfaces shall be cleaned after each use by wiping the surface with a sanitizing solution or by changing a pad or other surface covering.

(c) The diapering area may not be used for food preparation or food service.

(d) Cloth and paper materials used as diapering aids shall be stored in a manner that prevents cross-contamination from a soiled diaper, contaminated hands or other changing materials.

(e) A staff person shall check a child's diaper at least every 2 hours and whenever the child indicates discomfort or exhibits behavior that suggests a soiled diaper. A staff person shall change a child's diaper when the diaper is soiled.

Authority

The provisions of this § 3270.135 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.135 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial page (228704).

§ 3270.136. Reporting diseases.

(a) If an operator allows admission of an ill child, the operator shall receive instructions from the parent for care of the child to assure that the child's needs for rest, attention and administration of medication are met.

(b) The operator shall inform parents of enrolled children when there is a suspected outbreak of a communicable disease or an outbreak of an unusual illness that represents a public health emergency in the opinion of the Department of Health.

(c) If a child becomes ill at the facility, the operator shall notify the child's parent as soon as possible.

(d) A facility person who knows of a communicable disease for which 28 Pa. Code Chapter 27 (relating to communicable and noncommunicable diseases) requires reporting, or who knows of a group expression of an illness which may be of public concern, whether or not it is known to be of a communicable nature, shall report it promptly to the appropriate division of the Department of Health as specified in Chapter 27, or to a local department of health.

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Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.137. Children with symptoms of disease.

An operator who observes an enrolled child with symptoms of a communicable disease or infection that can be transmitted directly or indirectly and which may threaten the health of children in care shall exclude the child from attendance until the operator receives notification from a physician or a CRNP that the child is no longer considered a threat to the health of others. The notification shall be retained in the child's file. Diseases and conditions which require exclusion are specified in 28 Pa. Code Chapter 27 (relating to communicable and noncommunicable diseases). The Department of Health will provide, upon request, a list of communicable diseases.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.138. Discrimination based on illness.

Before, during and after the admission process, an operator or facility person may not discriminate against serving a child who has an illness which is not transmitted by casual contact.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

ADULT HEALTH**§ 3270.151. Health assessment.**

(a) A facility person providing direct care who comes into contact with the children or who works with food preparation shall have a health assessment conducted within 12 months prior to providing initial service in a child care setting and every 24 months thereafter. A health assessment is valid for 24 months following the date of signature, if the person does not contract a communicable disease or develop a medical problem.

(b) A health assessment shall be conducted and a report shall be written and signed by a physician, physician's assistant or CRNP. The signature must include the individual's professional title.

(c) The health assessment must include the following:

(1) A physical examination.

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(2) Tuberculosis screening by the Mantoux method at initial employment. Subsequent tuberculosis screening is not required unless directed by a physician, physician's assistant, CRNP, the Department of Health or a local health department.

(i) If a person's medical record demonstrates a positive tuberculin skin test, that record shall be placed on file at the facility.

(ii) A record of a person with a positive tuberculin skin test must include the results of a chest X-ray and evaluation for chemoprophylaxis.

(iii) A person with a positive tuberculin skin test and a negative x-ray is not required to have further tuberculosis testing, unless one of the following occurs:

(A) The person is exposed to an active case of tuberculosis.

(B) The person develops a productive cough which does not respond to medical treatment within 14 days.

(3) Examination for communicable diseases and the results of that examination.

(4) Information on medical problems that might threaten the health of the children or prohibit a staff person from providing adequate care to children.

(5) The physician's or CRNP's assessment of the person's suitability to provide child care.

(d) An adult individual who is employed by a facility and who provides children with social, medical, psychological or psychiatric services in addition to this chapter is required to have a current health assessment on file at the facility. An adult individual or an employee of an agency who provides those services by contract with the child's parent or the facility is not required to have a current health assessment on file at the facility.

Authority

The provisions of this § 3270.151 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.151 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial pages (204581) to (204582).

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.152. Adult hygiene.

A facility person shall wash his hands before meals and snacks, and after toileting and after diapering a child.

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Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.153. Facility persons with symptoms of disease.

A facility person with symptoms of a communicable disease or infection that can be transmitted directly or indirectly and which may threaten the health of children in care shall be excluded from attendance until the facility operator receives notification from a physician or CRNP that the person is no longer considered a threat to the health of others. The notification shall be retained in the facility person's file. Exclusion from the facility is required for diseases and conditions specified in 28 Pa. Code Chapter 27 (relating to communicable and non-communicable diseases). The Department of Health will provide, upon request, a list of communicable diseases.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.154. Facility persons with skin disorders.

(a) A facility person with a discharging or infected wound, sore or lesion on the hands, arms or an exposed portion of the body shall be excluded from child care and food preparation activities until the operator receives written notification from a physician or CRNP that the person may return to child care or food preparation. The notification shall be retained in the person's file.

(b) A facility person with a herpes infection may not be present with infants younger than 3 months of age.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.155. Discrimination based on illness.

A facility person or an individual seeking employment or placement who has an illness that is not transmitted by casual contact shall be permitted the right to continued employment, placement, employment opportunity or placement opportunity to the extent of the person's ability to perform the stated job function.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

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NUTRITION**§ 3270.161. Food.**

(a) Food stored, prepared or served shall be clean, wholesome, free from spoilage, free from adulteration and safe for human consumption.

(b) Food handling practices shall conform to the requirements of the Department of Health or the Department of Environmental Resources or its delegate agency where the day care facility is located.

(c) Food that has been previously served to a person or returned from a table shall be discarded.

(d) Potentially hazardous food brought from the child's home or provided by the facility shall be refrigerated.

(e) Fresh fruits and vegetables that are not used on the day of purchase shall be refrigerated.

(f) The only canned foods permitted for children's consumption are those commercially preserved in airtight jars or cans.

(g) A facility shall provide a sufficient number of refrigerators to contain foods which require refrigeration.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.162. Meals.

(a) If a child receives care for 4 or more consecutive hours, nutritional, appropriately-timed meals and snacks shall be served.

(b) Meals and snacks may be provided by the parent, upon agreement between the parent and the operator.

(c) Food may not be withheld from a child for purposes of discipline.

(d) A child may not be forced to eat food.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.163. Food groups.

(a) A lunch or dinner prepared at the facility for children of toddler age or older shall have at least one item from each of the following food groups:

(1) Dairy products—milk, milk products and cheese.

(2) Protein group—meat, fish, poultry, eggs, cheese, peanut butter, dried beans, peas and nuts.

(3) Fruits and vegetables—including a wide variety of green, white, yellow, red vegetables and fruits.

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(4) Grain group—whole grain and enriched products, such as breads, cereals, pastas, crackers and rice.

(b) Breakfast prepared at the facility for children of toddler age or older shall have at least one item from three of the four food groups listed in subsection (a).

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.164. Food servings.

Food servings shall be portioned suitably for the size and age of the children in care. Additional food in reasonable amounts shall be made available to children upon the request of the parent or child.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.165. Menus.

An operator shall conspicuously post the menu at least 1 week in advance or provide a menu to each family.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.166. Meals for infants.

Meals for infants shall be provided in accordance with the following requirements:

- (1) A written statement giving formula and feeding schedule shall be obtained from the parent.
- (2) New foods shall be introduced only after consultation with the child's parent.
- (3) Disposable nursers shall be used unless bottles are provided by the parent or unless a commercial dishwasher is used by the facility.
- (4) Disposable nursers and bottles shall be labeled with the child's name.
- (5) An infant 6 months of age or younger shall be held while being bottle fed.
- (6) Neither an infant nor a toddler is permitted to sleep with a bottle in his mouth.
- (7) Bottled formula may not be heated in a microwave oven.

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TRANSPORTATION**§ 3270.171. Pick-up and drop-off points.**

(a) An operator shall notify local traffic safety authorities annually in writing of the location of the facility and the program's use of pedestrian and vehicular routes around the day care facility.

(b) Safe pedestrian crossways, pick-up and drop-off points and bike routes shall be appropriately determined in the vicinity of the facility and communicated to the children and parents in writing.

(c) Written notification of safe routes shall be posted by the operator at a conspicuous location in the child care facility.

(d) Children shall be picked up and discharged only at locations specified by the facility as safe locations.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.172. Consent.

(a) Transportation by the facility requires written parental consent, except for transportation of school-age children who are transported to or from a child care facility in vehicles owned or operated by the school district. See § 3270.241(b)(13)(i) (relating to requirements specific to school-age programs).

(b) If a child has a problem 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.

(c) Written information required in subsections (a) and (b) shall be given to the operator or attendant of a vehicle transporting the child.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.173. Transportation ratios.

(a) The staff-child ratios specified in §§ 3270.51 and 3270.52 (relating to similar age level; and mixed age level) apply when infant, young or older toddler and preschool children are transported. The maximum group size requirements in §§ 3270.51 and 3270.52 do not apply during transportation.

(b) The driver may not be considered part of the staff-child ratio when infant, young or older toddler or preschool children are transported.

(c) When school-age children are transported, the driver may be considered part of the staff-child ratio required in § 3270.51.

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Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.174. Age of driver.

The operator of the vehicle shall be 18 years of age or older and shall have a valid operator's license.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.175. Safety restraints.

(a) 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).

(b) Safety restraints installed in the vehicle at the time of manufacturing shall be used by all occupants.

(c) Manufacturers' instructions for use of safety restraints shall be kept in the vehicle at all times.

(d) A school bus with a seating capacity of 16 or more children used in transporting preschool or school-age children is exempt from the requirements established under subsections (a)—(c).

Authority

The provisions of this § 3270.175 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.175 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial page (204586).

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.176. Vehicles.

(a) A vehicle shall be insured in accordance with 75 Pa.C.S. §§ 1701—1799.7 (relating to the Motor Vehicle Financial Responsibility Law).

(b) The doors on a vehicle shall be locked whenever the vehicle is in motion.

(c) No more than three persons may occupy the front seat of an automobile.

(d) The back of a pick-up truck may not be used to transport children.

(e) The cargo area of a station wagon may not be used to transport children.

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(f) 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.

Authority

The provisions of this § 3270.176 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.176 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial page (204586) to (204587).

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.177. Supervision.

- (a) Children may not be left unattended in a vehicle.
- (b) Children shall be supervised during boarding and exiting vehicles by an adult who remains outside the vehicle.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.178. Transportation first-aid kit.

A first-aid kit, including the contents as specified in § 3270.75 (relating to first-aid kit) shall be in the vehicle when children are being transported. The kit may be the same kit described in § 3270.75.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

CHILD RECORDS

§ 3270.181. Individual records.

- (a) An operator shall establish and maintain an individual record for each child enrolled in the facility.
- (b) Information in a child's record shall be kept current by the operator.
- (c) A parent is required to review and update the emergency contact information and the financial agreement at least once in a 6-month period or as soon as there is a change in the information.
- (d) Following review, a parent shall attest to the accuracy of information in subsection (c) by affixing a dated signature to the record.

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(e) If emergency information is updated in a master file, it shall be updated accordingly in other facility records.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.182. Content of records.

A child's record must contain the following information:

- (1) Initial and subsequent health reports.
- (2) The dates of application, admission and withdrawal of the child.
- (3) Signed parental consent for emergency medical care for the child. Written consent is required prior to admission.
- (4) Signed parental consent for administration of medications or special dietary needs.
- (5) Signed parental consent for administration of minor first-aid procedures by facility staff. Written consent is required prior to admission.
- (6) Signed parental consent for transportation, walking excursions, swimming and wading.
- (7) Reports of accidents, injuries and illnesses involving a child in care at the facility. The original report shall be given to the parent on the day of the incident. The second copy of the report shall be retained at the facility in an accident file. The third copy of the report shall be retained at the facility in the child's file.
- (8) A copy of the initial agreement and subsequent written agreements between the parent and the operator. The parent shall receive the original agreement.

Authority

The provisions of this § 3270.182 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.182 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial pages (204587) to (204588).

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.183. Confidentiality of records.

- (a) Child records are confidential and shall be stored in a locked cabinet.
- (b) A facility person may not disclose information concerning a child or family, except in the course of inspections and investigations by agents of the Department.

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Cross References

This section cited in 55 Pa. Code § 3270.184 (relating to release of information); and 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.184. Release of information.

- (a) The parent shall have access to the child's complete child day care record.
- (b) Except as provided in § 3270.183(b) (relating to confidentiality of records), release or dissemination of information in a child's record may be made by the operator and only with written parental consent. When file material is released, the person who authorized the release shall record the following information in the child's file:
 - (1) The name and position of the individual to whom the information was released.
 - (2) The date the information was released.
 - (3) The portions of the record that were released.
 - (4) The purpose of the release.
 - (5) The signature of the person who authorized the release.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.185. Record retention.

A copy of the child's record shall be retained at the facility for at least 1 year after termination of service, unless the entire record is transferred by the operator to the parent or guardian or to another agency at the request of the parent or guardian.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

ADULT RECORDS

§ 3270.191. Individual records.

An individual record is required for each facility person.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.192. Content of records.

A record shall include a copy of the following information:

- (1) The name, address and telephone number of the facility person.

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(2) Verification as follows:

- (i) Verification of age.
- (ii) Verification of child care experience, education and training prior to service at the facility.
- (iii) Verification of child care experience, education and training following the outset of service at the facility.
- (iv) Acceptable verification of experience, education or training is a transcript or a diploma or a letter signed by a representative of the experiential, educational or training entity.

(3) A written report of initial and subsequent health assessments, including the results of initial and subsequent tuberculin skin tests, x-rays or other medical documentation necessary to confirm freedom from communicable tuberculosis.

(4) A copy of requests for the criminal history record and child abuse registry clearance information, a copy of the disclosure statement and a copy of the completed clearance information required under the CPSL.

(5) Two written, nonfamily references from individuals attesting to the person's suitability to serve as a facility person.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.193. Confidentiality of records.

(a) Facility persons' records are confidential and shall be stored in a locked cabinet.

(b) A facility person may not disclose information concerning another facility person or adult providing a service at the facility, except in the course of investigations or inspections by agents of the Department.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.201—3270.210. [Reserved].**Source**

The provisions of these §§ 3270.201—3270.210 reserved May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial pages (204590) to (204592).

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HEAD START PROGRAMS**§ 3270.221. Certificate of compliance.**

Child day care programs that meet the requirements of this chapter are issued a certificate of compliance. When child day care services are operated before or after the Head Start Program, that portion of the extended day which meets the definitions of this chapter shall receive a certificate of compliance.

SPECIAL EXCEPTIONS**§ 3270.231. Staff qualifications.**

(a) Staff persons employed in a day care center prior to April 2, 1978, permanently qualify for their position, as long as the staff qualifications in effect as of September 1, 1977 are met.

(b) Promotions prior to July 1, 1978 are permitted according to the staff qualifications in effect as of September 1, 1977, for Director, Group Supervisor, Assistant Group Supervisor and Aide. If promoted prior to July 1, 1978, according to the staff qualifications in effect as of September 1, 1977, these staff permanently qualify for their promoted position.

(c) A staff person previously granted a waiver of staff qualification is permanently qualified at the position level specified by the waiver.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.232. Indoor and outdoor space and capacity.

(a) Facilities licensed or approved prior to April 2, 1978, that comply with the indoor space requirements effective September 1, 1977, permanently satisfy the indoor space requirements specified in § 3270.61 (relating to measurement and use of indoor child care space).

(b) Infant and toddler indoor or outdoor play space capacity established prior to April 4, 1992, shall remain in effect.

(c) A facility certified by the Department which does not provide play space as described at § 3270.62(a) (relating to measurement and use of play space) as of April 4, 1992, is exempt from the requirement, if the facility location remains unchanged.

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

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§ 3270.233. Play surfaces.

(a) A facility lawfully operating as of September 22, 2008, has until September 22, 2010, to comply with the protective surface requirement described in § 3270.102(c) (relating to condition of play equipment).

(b) A facility lawfully operating as of September 22, 2008, which has a play surface not in compliance with § 3270.102(e) has until September 22, 2010, to comply with the requirement described in § 3270.102(e).

Authority

The provisions of this § 3270.233 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.233 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial page (204593).

Cross References

This section cited in 55 Pa. Code § 3270.241 (relating to requirements specific to school-age programs).

§ 3270.234. Stacked cribs and crib slats.

A facility certified by the Department as of April 4, 1992, will be permitted until April 4, 1993, to comply with requirements relating to stacked cribs and crib slats, as described at § 3270.106 (relating to rest equipment).

SCHOOL-AGE PROGRAMS**§ 3270.241. Requirements specific to school-age programs.**

(a) If a child is required to be enrolled in public or private school under the Public School Code of 1949 (24 P. S. §§ 1-101—27-2702) and if the child is not enrolled and if the child is not exempted from enrollment under the Public School Code, a child day care facility may not admit the child for care during the hours when the child is required by law to attend public or private school.

(b) A facility or a space in a facility in which care is provided exclusively to school-age children shall comply only with the following sections:

(1) *General provisions.* Sections 3270.1—3270.4 (relating to general provisions).

(2) *General requirements.* Sections 3270.11—3270.27 (relating to general requirements).

(3) *Staff persons and volunteers.* Sections 3270.31, 3270.32 and 3270.33(a), (b) and (d) (relating to age and training; suitability of persons

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in the facility; and general requirements for facility persons). Special requirements for director, group supervisor and assistant group supervisor are set forth in subsection (c).

(4) *Staff-child ratio.* Sections 3270.51, 3270.53 and 3270.54 (relating to similar age level; children of an operator or a staff person; and minimum number of facility persons in the child care facility).

(5) *Physical site.*

(i) Physical site requirements do not apply for a school-age program located in a school building that is under section 776.1 of the Public School Code of 1949 (24 P. S. § 7-776.1); specifically, a program operated for school-age children in a public or private school building, a building used by an intermediate unit, or an area vocational-technical school building which meets the physical site requirements acceptable to the Department of Education.

(ii) A school-age program not located in a school building referenced in subparagraph (i) must comply with requirements in §§ 3270.61, 3270.62, 3270.64, 3270.67, 3270.69, 3270.72(a), 3270.73, 3270.74, 3270.76, 3270.78, 3270.79 and 3270.82(a), (b) and (h).

(6) *Fire safety.* Sections 3270.91(a), 3270.92—3270.94 (relating to fire safety).

(7) *Equipment.* Sections 3270.101, 3270.102(a)—(c) and (g), 3270.104, 3270.107 and 3270.108.

(8) *Program.* Sections 3270.111, 3270.113, 3270.115(a) and (b), 3270.116 and 3270.118.

(9) *Procedures for admission.* Sections 3270.121—3270.124 (relating to procedures for admission). When a school-age child attends the facility 15 hours or less per week, the operator is not required to complete the Department's approved form to provide information to the family about the child's growth and development in the context of the services being provided referenced in § 3270.124(a)(3).

(10) *Child health.* Sections 3270.131—3270.134(a) and 3270.136—3270.138. An equivalent health report completed by a school is acceptable as documentation of child health for a school-age child.

(11) *Adult health.* Sections 3270.151—3270.154(a) and 3270.155.

(12) *Nutrition.*

(i) In a facility operating a school-age program for fewer than 4 consecutive hours, none of the nutrition requirements applies.

(ii) If a program operates for 4 or more consecutive hours or if a program provides meals or snacks, the facility director shall comply with §§ 3270.161—3270.165.

(13) *Transportation.*

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(i) A facility is exempt from transportation requirements when children attending care at the facility are transported in vehicles owned and operated by the school district in which the facility is located.

(ii) A facility not operating under the provisions referenced in subparagraph (i) shall comply with §§ 3270.171—3270.178 (relating to transportation).

(14) *Child records.* Sections 3270.181—3270.185 (relating to child records).

(15) *Adult records.* Sections 3270.191—3270.193 (relating to adult records).

(16) *Special exemptions.* Sections 3270.231—3270.233 (relating to staff qualifications; indoor and outdoor space and capacity; and play surfaces).

(17) *Telephone.* Staff persons shall have immediate access to a working telephone on the facility premises. If a land-line telephone is not accessible to staff persons during the hours of facility operation, a wireless telephone is acceptable.

(c) Special requirements for staff persons in school-age programs or in school-age spaces.

(1) *Director.*

(i) In a program operating 30 or fewer hours a week, a director or director/group supervisor shall be present at a facility as required at § 3270.34 (relating to director qualifications and responsibilities) at least 20% of the program's operational hours.

(ii) In a program operating 31 to 45 hours a week, a director or director/group supervisor shall be present at a facility site at least 35% of the program's operational hours.

(iii) In a program operating 46 or more hours a week, a director or director/group supervisor shall be present at a facility site as described at § 3270.34(c) and (d).

(iv) A responsible designee shall be appointed by a director as described at § 3270.34.

(2) *Group supervisor.* In a program in which 46 or more school-age children are enrolled, a group supervisor shall be present at a facility site as described at § 3270.35 (relating to group supervisor qualifications and responsibilities).

(3) *Assistant group supervisor.*

(i) In a program in which 45 or fewer school-age children are enrolled, assistant group supervisors shall be present at a facility site during the program's operational hours.

(ii) In a program in which 45 or fewer school-age children are enrolled, one assistant group supervisor is required to be present at a facility site for each group of 12 young school-age or 15 older school-age children in attendance.

(iii) In a program of 45 or fewer enrolled children, an assistant group supervisor is responsible for the following minimum duties:

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(A) Planning and implementing, with the director, daily program activities.

(B) Coordinating activities with other assistant group supervisors.

(C) Assisting the director as needed.

(4) *Aides*. In a program in which 46 or more school-age children are enrolled, the responsibility of an aide is described at § 3270.37 (relating to aide qualifications and responsibilities).

Authority

The provisions of this § 3270.241 amended under Articles IX and X of the Public Welfare Code (62 P. S. §§ 901—922 and 1001—1087).

Source

The provisions of this § 3270.241 amended May 23, 2008, effective September 22, 2008, 38 Pa.B. 2437. Immediately preceding text appears at serial pages (204593) to (204596).

Cross References

This section cited in 55 Pa. Code § 3270.3 (relating to applicability); and 55 Pa. Code § 3270.172 (relating to consent).

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Appendix H
Core Standards
For Philadelphia's Youth
Development Programs

A. Human Relationships

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A-1 Staff relates to all youth in positive ways.

X			a. Staff makes youth feel welcome and comfortable.
X			b. Each youth has consistent, ongoing access to at least one staff member who tracks his/her progress and plans over time.
	X		c. Staff treats youth with respect, listens to what they say and responds to youth with acceptance.
	X		d. Staff is engaged with youth.

A-2 Staff responds appropriately to the individual needs of each youth.

X			a. Staff provides activities that are well suited to the age range of youth in the program.
		X	b. Staff recognizes the range of each youth's abilities, valuing special interests and talent.
	X		c. Staff is sensitive to and respects a youth's culture, religion, home language, and the values of the family.
		X	d. Staff responds to the range of youth's feelings and abilities.

A-3 Staff encourages youth to make choices and to develop personal responsibility.

		X	a. Staff offers assistance in a way that supports a youth's initiative.
		X	b. Staff gives youth many choices regarding what they will do, how they will do it, and with whom.
		X	c. Staff helps youth make informed and responsible choices.
		X	d. For programs serving older youth, staff provides information for decision making on issues related to sexuality, pregnancy, family planning, sexually transmitted diseases, and intimacy.

A-4 Staff interacts with youth to help them learn.

X			a. Staff varies the approaches they use to help youth learn.
X			b. Staff helps youth develop conversational skills by creating opportunities for frequent conversations and exercises that build verbal competency.

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	X		c. Staff asks questions that encourage youth to think for themselves.
	X		d. Staff shares skills and resources to help youth gain information and solve problems.
	X		e. For programs serving older youth, staff provides opportunities for youth to explore their perceptions and concerns with regard to personal, racial and ethnic identity, and methods of dealing with all types of discrimination including race, gender, national origin, class background, and sexual orientation.

A-5 Staff uses positive techniques to guide the behavior of youth.

X			a. Staff uses no corporal punishment or harsh discipline methods.
X			b. Staff does not tolerate violence and intervene appropriately when youth resort to violence.
X			c. Confidentiality guidelines are made clear and all commitments of confidentiality made by staff are scrupulously kept.
	X		d. Staff sets appropriate limits for youth.
	X		f. Staff serves as a mediator and encourages youth to resolve their own conflicts without resorting to violence.
	X		g. For younger youth, staff gives attention to youth when they cooperate, share, care for materials, or join in activities. For older youth, staff reward examples of mutual assistance, respect, patience, and high expectations. Staff encourage youth to encourage and support each other.
		X	h. A contract between the program and each youth governs behaviors, expectations, and consequences for violating these agreements.
		X	i. A system of bonuses, awards, or other incentives (recognition) for good performance is systematically and consistently implemented.
		X	j. Youth usually cooperate and work well together, discussing their differences and resolving problems as they arise.

A-6 Staff promotes positive youth interactions with other youth.

X			a. There are regular opportunities for quiet activities and socializing.
	X		b. Staff promotes an experience where youth are involved with each other.
	X		c. Youth show respect for each other.

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	X		d. Staff provide youth with opportunities to explore different life situations, viewpoints, and other cultures to better understand and to appreciate their peers.
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A-7 There is a strong focus on communication with parents/guardians.

X			a. The views of parents and guardians are solicited regularly concerning content and delivery of activities and services, and the needs of participating youth.
	X		b. The program issues effective regular communications with parents and guardians concerning program activities, as well as strategies that promote positive youth development, e.g., newsletters, orientations, open houses, phone calls and, where appropriate, home visits.
	X		c. Staff is sensitive to the cultures of the families they serve and the communities in which they live, and to the extent possible, communicates in the languages of parents.

A-8 Parents are invited to become active partners in the life of the program.

X			a. Staff encourages families to feel welcome and comfortable at the program site.
X			b. Family members may observe anytime during hours of operation.
X			c. The program maintains an "open-door" policy, e.g., staff are available at times accessible to parents to discuss the individual concerns of children and youth in the program.
		X	d. Staff and families work together as a team to set goals for each youth.
		X	e. Well-defined and meaningful volunteer opportunities are made available to parents, e.g., as aides, mentors, and chaperones, as well as in other key roles such as members of boards and committees that address important aspects of the program's operations and work.

B. Program Planning

Level 1	Level 2	Level 3
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B-1. Program planning is comprehensive in scope.

X			a. The program's daily activities are consistent with its mission and philosophy.
	X		b. Staff and youth work together to plan suitable activities, which are consistent with the program's philosophy and reflect youth's interests.
	X		c. Staff documents activity planning and keeps the documentation on file.
	X		d. Staff plans activities that reflect the cultures of the families in the program and the broad diversity of human experience.

B-2 All program elements are asset-based and holistic.

		X	a. Staff and youth are engaged as both teachers and learners in all program activities and are encouraged to use their skills and talents to enhance program activities.
		X	b. Program assessments and activities are designed to engage youth through their skills and talents and identify their strengths as well as their needs.
		X	c. Community assets and resources are utilized to strengthen and enhance the program.
		X	d. The program is designed to address the complex and multi-faceted needs of youth including personal, social, recreational, and academic.
		X	e. The program utilizes learning strategies that engage the creativity of youth.

B-3. Programs engage in efforts to promote customer satisfaction and continuous improvement in quality and range of services provided.

X			a. A plan for monitoring and assessing the program, and determining how well it reaches its goals, is designed and implemented.
X			b. The program has procedures for tracking enrollment and participation of youth. Tracking shall apply to drop-in, as well as enrollment programs.

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	X		c. An anonymous annual satisfaction and interest survey of children and youth, as well as families, is conducted to assess the program and to ensure a fit between the program and identified needs. The results are used to help strengthen the quality of the program and inform program planning and implementation.
	X		d. Program improvements are made based on the outcomes of agency evaluations and assessments.
	X		e. Administrators assist with ongoing evaluation. They aim for improvement in all areas of the program.
		X	f. An appeal process is defined for youth wanting to file a complaint or resolve conflict with fellow participants and program staff.

C. Program Implementation

C-1. The daily schedule is flexible, offering security, independence, and stimulation to meet the needs of all youth.

X			a. Program staff regularly rewards youth's achievements and positive behaviors, particularly in front of their peers.
	X		b. Individual youth move smoothly from one activity to another.
	X		c. When it is necessary for youth to move as a group, the transition is smooth.
X			d. Each youth is consistently called by his/her name.
		X	e. The routine provides stability without being rigid. For programs serving older youth in particular, programs should be more individualized.

C-2. There are sufficient and appropriate materials to support program activities.

	X		a. Materials are complete, current and in good condition.
	X		b. There are enough materials for the number of youth in the program.
	X		c. Materials are developmentally appropriate for the age range of youth in the program.
		X	d. Materials promote the program's mission.
		X	e. Materials are engaging and reflective of youth's interests.

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C-3. The program communicates high standards and expectations for all participating youth.

X			a. Program activities are designed to realize quantifiable improvements in performance.
X			b. The program regularly recognizes and rewards individual youth achievements.
	X		c. Programs have a plan in place to conduct an initial assessment of participants' skill levels.
	X		d. Programs measure, document, communicate, and celebrate participating youths' mastery of skills and competencies.
		X	e. Programs promote and reinforce the connection between hard work, high expectations for oneself, and productive citizenship.

C-4. The Program builds links to the community.

X			a. Program has plan in place to build links to the community.
X			b. Staff and families are encouraged to communicate with schools that the youth attend.
		X	c. The program develops a list of community resources, particularly those that can help to meet the needs of youth and families. Staff draws from these resources to enhance program offerings.
		X	d. The staff plans and implements activities to help youth get to know the larger community.
		X	e. Program staff will follow up with clients and referral agency to ensure services were provided.
		X	f. Staff and families are encouraged to actively partner with the schools that the youth attend.

D. Activities

This section describes categories of activities for youth of varying ages that are consistent with quality out-of-school time programs. The sections describe specific kinds of activities that are required or encouraged. However, regardless of the specific activity, certain principles are expected to be present in all programs. These include:

- Significant opportunities for reading and writing
- Multiple approaches to stimulate and reinforce learning
- High standards and expectations for all youth
- Asset-based programming that enables youth to identify and appreciate their individual interests, talents and skills
- Violence prevention and conflict resolution, with a focus on honoring the viewpoints of others
- Opportunities to learn the values of community involvement and service
- Connections to caring adults

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D-1. Programs must offer at least two activities in the four areas of: academic assistance, service learning, enrichment, and physical activity.

		X	a. Academic assistance is designed to promote mastery of School District of Philadelphia academic standards and crosscutting competencies, and Commonwealth of Pennsylvania academic standards. Academic assistance includes homework help, tutoring, reading and literacy programs, learning about and experiencing technology, and related activities that are designed to help youth meet SDP academic standards. Academic enrichment should also assist youth in the development of critical thinking, written, verbal and mathematical skills, and should include both individual and group learning opportunities.
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		X	b. <u>Service learning</u> includes civic and community engagement by youth in the program in aid of the larger community in which they reside, that serves to reinforce and build academic skills. Youth have opportunities to perform service to their communities, and to reflect on the work they have done through writing and speaking. For in-school youth, and to the extent possible, projects should relate to School District of Philadelphia service learning-related promotion and graduation requirements. • Service learning opportunities are developed by staff with significant input from youth and from local community leadership. • Youth are encouraged to identify their own contribution and service goals in the development of service learning activities and programs. • Services provided by youth are recognized and documented. • Activities should be planned to address an authentic community need and to encourage civic education, leadership development, and citizenship activities that link youth to their neighborhood and communities. • The program involves local community leadership in planning for service learning.
		X	c. <u>Enrichment activities</u> can include visual, performing, or mural arts; skill development in technology (e.g., computers, etc.); life skills learning and activities; content-rich curriculum (e.g., environmental or science education, filmmaking, sign language classes); conflict resolution curriculum; challenge and/or strategic learning through activities such as spelling bees or chess tournaments; cooking and nutrition awareness; cultural or scientific trips. • Programs encourage youth to practice these skills both during and outside of the program. • Opportunities are built into programs for each child and youth to demonstrate progress in enrichment activities. Arts-based enrichment activities should include regular opportunities for performance or the creation of shows for work. • Activities should include field trips and/or interactions with skilled, competent people in the areas of enrichment that are offered. • Programs include and promote fun through a variety of learning approaches (e.g., games, recreation, etc.).

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		X	d. Physical Activity includes organized games, indoor & outdoor play, fitness and dance, outdoor play, active games, sports and athletic activities, and indoor active games. • Athletic and sports programs provide both competitive and non-competitive opportunities. • Physical activity is long and intense enough to provide an opportunity for youth to unwind from the school day. • Physical activity facilitates positive peer influence, bonding with a coach/leader, and mastery of new skills. • Physical activity provides opportunities for competition and participation on a team. • Standards for participation in physical activity are defined and communicated to the children/youth (e.g., attendance requirements, participation in academic assistance activities, improved school performance, meeting reading requirements)

D-2. Youth have opportunities to learn in real-world contexts.

		X	a. Academic and other program materials relate to individual participants' interests, e.g., career options, hobbies, and/or sports.
		X	b. Youth have opportunities to visit and/or to hear presentations about workplaces, colleges and universities, community organizations, and institutions that help them to understand the value and relevance of education.
		X	c. Programs engage youth in project-based experiences that promote application of academic knowledge and critical thinking skills to real world and community problems and situations.
		X	d. The program is fun for children and youth, and offers experiential learning opportunities.

D-3. Programs provide opportunities for leadership development.

		X	a. Youth learn and practice skills through multiple learning strategies associated with leading, managing and participating effectively in meetings and groups.
		X	b. Youth have opportunities to learn and practice public speaking skills.
		X	c. Youth work in teams, sharing responsibilities and roles for accomplishing tasks and solving problems.

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		X	d. Staff facilitates youth leadership without assuming control, consistent with appropriate supervision.
		X	e. There are roles/opportunities in the program's structure for youth to serve as leaders and to participate in the governance and decision making structure of the youth-serving agency.
		X	f. There are role/opportunities for youth to be assigned administrative responsibilities and to participate in the implementation of the program.
		X	g. Youth learn the importance of both their individual contribution and the importance of being part of a team via peer leadership opportunities and positive expressions of individuality.

D-4. Programs provide personal counseling and emotional support designed to assist youth to develop a sense of purpose and direction.

		X	a. Youth have opportunities to establish and revisit regularly personal goals with measurable objectives and timelines.
		X	b. Youth participate in activities that promote a positive sense of self, as evidenced in behaviors such as decision making.
		X	c. Programs promote a positive sense of identify in relation to youths' family, peers, school, and community organizations.
		X	d. Programs take appropriate steps if/when youth are in crisis providing needed services, referrals, and follow-up to ensure the safety and stability of youth.
		X	e. Programs assist youth to understand the relationship between their goals and actions.
		X	f. Programs support the development of self-esteem and other building blocks of positive identify.

D-5. For programs that offer adult mentoring for children and youth, programs are well organized, select mentors carefully, and provide thorough training for mentors.

		X	a. The program provides mentoring opportunities through internal and external resources (e.g., college students, volunteers).
		X	b. Mentors are trained and mentoring sessions take place consistent with research findings concerning effective practice, e.g., screening, training, and staff monitoring.
		X	c. Expectations are clear both for mentors and program participants.
		X	d. Mentors reflect the diversity of program participants.

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D-6. For youth 14-21, programs provide activities that demonstrate connections to employers and provide opportunities for employment.

		X	a. Programs demonstrate clear and defined mechanisms for employer engagement, e.g. commitments to work-based learning, participation as mentors and tutor, and through participation as board and/or advisory group members.
		X	b. Activities and competencies are relevant to workforce opportunities and to the needs of employers.
		X	c. Employment-focused programs will emphasize work-based learning, and will provide continuing support and follow-up to help youth succeed in the workplace.
		X	d. Program providers will arrange for training and coaching of partner employers in dealing with youth.
		X	e. Older youth participate in co-op type experiences to gain an authentic sense of real world contexts.
		X	f. Programs provide paid opportunities for youth employment.
		X	g. Youth receive regular performance evaluations that are kept on file at the program.
		X	h. Programs track subsidized and unsubsidized job placement and retention.
		X	i. All work activities are in full compliance with Child Labor Laws.

D-7. For youth 14-21, programs provide participating youth with career exploration, counseling and planning.

		X	a. Participating youth are exposed to educational and career options.
		X	b. Program activities and services promote attainment of work readiness competencies, including interviewing skills, resume preparation, job search, career exploration and planning, workplace expectations, and appropriate workplace behavior.
		X	c. Activities and services promote the essential connections between and among academic success, ongoing training and career advancement.
		X	d. Curriculum includes basic preparation for seeking and keeping a job and for handling conflicts and difficult situations that are likely to come up on a job.

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D-8. For youth 14-21, programs ensure access to technology including computers and the Internet, and promote understanding of information access. Programs of this type are also recommended, though not required, for younger children.

		X	a. To the extent possible, programs use the most advanced technological tools available for participating youth.
		X	b. Computers and related technology are employed to promote academic achievement.
		X	c. Programs will appropriately incorporate experiences in web design and creation, videoconferencing, and electronic communication as natural everyday skills.
		X	d. Students will learn common software applications and basic computer skills.

D-9. For programs providing drop in services to youth and in addition to other appropriate Core Standards:

		X	a. Hours are flexible and designed to meet the needs of youth and their families.
		X	b. Confidentiality and participation policies are made clear.
		X	c. The program is well advertised throughout the community.
		X	d. Services provided at the site are posted and accessible for youth and parents.
		X	e. The program environment is inviting and engaging.
		X	f. Staff are welcoming and encouraging in compliance with all Human Relationship Standards.
		X	g. The program provides a safe space for children and youth in compliance with all Minimum Health and Safety Standards.
		X	h. There are a variety of resources and services provided an/or the program connects youth to necessary resources and services.
		X	i. Staff-child ratios meet administrative standards and are adjusted based on cycles of participation.
		X	j. If appropriate, crisis intervention counselors are available to youth.
		X	k. Activities are engaging and centered around growth and progress for youth based upon the program mission.

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D-10. For programs providing services to out of school/older youth and in addition to other appropriate Core Standards:

		X	a. An orientation process is conducted, focusing on engagement and clearly outlining program expectations with an emphasis on goal setting, overcoming obstacles, and team building.
		X	b. A student handbook is provided including all the information about the program expectations/practices, rules, and objectives.
		X	c. A plan is developed with the youth identifying goals and strategies for achieving goals.
		X	d. The plan is owned by the member and kept on file at the organization and is revisited and updated regularly.
		X	e. Programs include life skills training dealing with issues that would prevent youth from succeeding. These issues include but are not limited to: health education and decision making model, emotional and social well-being, depression, grief, suicide, relationships and sexuality, reproduction and birth control, sexually transmitted disease, consumer health, nutrition and fitness, alcohol and other drugs of abuse.
		X	f. Peer group support, counseling, and rap groups, or other modes for developing interpersonal support among the students are an ongoing part of the program.
		X	g. Issues related to parenting are given special attention and support in finding good child care is provided.
		X	h. Special attention is paid to the housing needs of youth/program participants, such as being homeless or living in unworkable situations.
		X	i. Training in management of personal finances is provided, including budgeting, handling bank accounts, taxes, credit, and simple investments.
		X	j. Program provides viable connections to alternative educational programs and employment as appropriate.
		X	k. Program offers or can provide referrals to skills based training in line with participant's needs and goals (e.g., driver education training).

E. Program Administration

Level 1	Level 2	Level 3
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E-I. Minimum staff-youth ratios permit the staff to meet the needs of youth and to provide appropriate supervision.

X			a. For programs serving children 1st grade and above, a staff: youth ratio -- 1st to 3rd grade: 1:12 4th to 12th grade 1:15. For programs that include children with special needs, it is recommended the staff-child/youth ratios be further improved. The adjustment depends on the special needs of the children included.
X			b. When two or more children or youth are in attendance at the program, or in the building that is used, at least two staff members shall be present.
X			c. There is a plan to provide adequate staff coverage in case of emergencies and when regular staff is absent.
X			d. Substitute staff is used to maintain ratios when regular staff is absent.
X			e. Staff has a written plan for changes in child-staff ratio when the level of risk in an activity increases or decreases.
X			f. Children and youth are not left unattended.
X			g. Youth's arrivals and departures are supervised. Staff note when youth arrive, when they leave and with whom they leave.
X			h. Staff has a system for knowing where youth are at all times.
X			i. For programs that enroll youth, the program shall maintain documentation from the parent regarding how the child/youth will travel to and from the program. Staff will adhere to the parents designated instructions.

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E-2. All staff is professionally qualified to work with youth.

X			a. At least one person with a current first aid certificate, including CPR, is present at all times in the program.
X			b. All paid and volunteer staff are screened for prior criminal records and child protective services findings (using Pennsylvania child day care standards) and, when appropriate, subject to a FBI clearance. ▪ A copy of the request for the criminal history record and the disclosure statement shall be on file. ▪ A copy of the request for child abuse registry clearance information and the completed clearance information shall be on file. ▪ When appropriate, a copy of the FBI request and clearance shall be on file.
	X		c. The following position classifications should be filled by paid or unpaid staff in all after-school programs, except for those serving 30 or fewer children: Program Administrator, Site Director, Senior Group Leader, Group Leader. For programs serving 30 or fewer children, the senior group leader position does not need to be filled. One individual may serve as both Program Administrator and Site Director. Youth who are 14 years of age and over, but who have not yet completed their GED or high school education, may serve in a program as a "Youth Leader."
	X		d. Unpaid staff may be used as a substitute for paid staff, but must meet the educational and experience requirements, and must undergo the required background checks and obtain the required annual continuing education. Youth leaders shall not be included in the mandated staff-youth ratios as either staff or youth. They must always be supervised.
	X		e. Youth Leaders should be paid for their participation in the program or should be participating in an experiential learning program that is clearly educationally based.
		X	f. All staff (paid or unpaid) have physicals and are tested for drug use.
		X	g. Volunteers not used to meet the required staff:youth ratios, and other staffing requirements of the program, are not subject to the educational, experience, or other qualifications. They are required to have a child abuse and criminal history check.

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E-3 Staff members (paid, volunteer, Youth Leader, and substitute) are provided orientation to the job before working with youth. The orientation includes:

X			a. A written job description that outlines responsibilities to youth, families, and the program is reviewed with each staff member (paid or unpaid), volunteer or substitute.
X			b. Written personnel policies are reviewed.
X			c. Written program policies and procedures, including emergency procedures and confidentiality policies are reviewed with staff.
X			d. New staff is given a comprehensive orientation to the program philosophy routines, and practices. They are personally introduced to the people with whom they will be working.
X			e. The core standards are introduced and provided to the staff.

E-4 The training needs of the staff are assessed, and training is relevant to the responsibilities of each job. The program is responsible for assuring that staff meets the continuing education requirements.

X			a. A minimum of 15 hours of continuing education is required on an annual basis for each staff person (paid or unpaid).
	X		b. All staff receives training in the following three areas: 1) youth and child development (e.g., developmental stages, how to relate to children and youth in ways that promote their development, mediation and conflict resolution, effective teaching techniques, knowing when and how to make referrals for youth with special needs), 2) curriculum and activity planning and implementation (e.g., setting up and designing activities to support program goals) and 3) the core standards, including relevant health and safety information, and how to use and implement the standards.
	X		c. Program Administrators and Site Directors shall also have training in program and financial management and staff supervision as part of their annual continuing education.
X			d. The program is responsible for assuring that staff meets the continuing education requirements.
	X		e. Program staff is trained in crisis intervention and are adept in facilitating the provision of necessary services to youth.

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E-5. Staff receives appropriate support to make their work experience positive.

X			a. The program has a plan in place to offer the best possible wages and working conditions in an effort to assure continuity of the staff.
X			b. Full-time paid staff receives benefits, including health insurance and paid leaves of absence.
X			c. Staff is given paid breaks and paid preparation time.
X			d. Staff is given ample time to discuss their own concerns regarding the program.
X			e. Staff receives supervision and feedback. This includes at least one annual written performance review.

E-6 The administration provides sound management of the program.

X			a. The financial management of the program supports the program's goals.
X			b. The administration oversees and documents the recruitment, dates of application, commencement, termination, and retention of program staff.
		X	c. The program involves staff, board, families, and youth in both long-term planning and daily decision-making.

E-7. For programs that enroll youth, emergency information for each child is on file and accessible.

X			a. A current, confidential file on each youth shall be maintained by the program. The parent shall have access to the complete file; a copy of the record shall be maintained by the program for at least 1 year after the child/youth is no longer enrolled, unless otherwise requested by the parent.
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X			b. All files should include: ▪ Emergency contact information. ▪ Initial and subsequent health assessments provided by the parents/youth. ▪ Signed parental consent for emergency medical care for the child/youth, administration of medications or special dietary needs, administration of minor first-aid procedures by program staff, transportation, walking excursions, swimming and wading. ▪ Reports of accidents, injuries, and illnesses involving a youth in care at the program. ▪ A copy of the initial agreement and subsequent written agreements between the parent and the program. For older youth these agreements may be between the youth and the program.
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E-8 Program policies and procedures are responsive to the needs of youth and families in the community.

X			a. A written mission statement sets forth the program's philosophy and goals.
X			b. A confidentiality policy is established and consistently enforced.
		X	c. The program makes itself affordable to all families by seeking and using all possible community resources and sources of subsidy.
		X	d. The program's hours of operation are based on families' needs.
		X	e. It is the program's policy to enroll youth with special needs. ▪ When programs enroll youth with special needs, the program administration staff shall ensure that staff members have been oriented in understanding children and youth with special needs and in ways of working with these children/youth in group settings. ▪ Staff in programs who offer care for one or more children/youth with special needs shall participate in an orientation about the child's special needs and how these needs may affect his/her developmental progression or relationships with other children.

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		X	f. Program should be open at a minimum, 3 hours a day, 5 days a week, during the school year. [Note: It is understood that some programs that operate in a larger institutional setting may be unable to meet the required 3 hours of daily programming; programs may also combine with other agencies to offer a 5 day a week program.]
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F. Indoor Environment

F-1 The program's indoor space meets the needs of youth.

X			a. There is enough room for all program activities. If necessary, study space with tables and chairs is provided.
	X		b. The space is arranged for the range of activities planned and offered in the program.
	X		c. The space is arranged so that various activities can go on at the same time with limited disruption.

F-2. The indoor space allows youth to take initiative and explore their interests.

		X	a. Younger youth can get materials out and put them away by themselves with ease.
		X	b. Youth can arrange materials and equipment to suit their activities.
		X	c. The indoor space reflects the work and interests of youth. Note: It is understood that programs that are located in facilities in which their program is not the primary use may be unable to meet this standard.
		X	d. Some areas have soft, comfortable furniture on which youth can relax.

F-3. The program's indoor space meets the needs of staff.

X			a. There is enough room in the indoor space.
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Level 1	Level 2	Level 3
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X			b. The work environment includes a place for adults to take a break or work away from youth, an adult-sized bathroom, a secure place for staff to store their personal belongings, and an administrative area that is separated from the youth's areas for planning or preparing materials.
X			c. Staff has access to adequate and convenient storage.
		X	d. The work environment for staff, including activity rooms for youth and staff rooms is comfortable, well-organized, and in good repair.

G. Outdoor Environment

NOTE: These standards apply only to programs that include an outside component.

			G-1. The outdoor play area meets the needs of younger youth, and the equipment allows them to be independent and creative.
X			a. Each youth has an opportunity to participate in outdoor activities on a daily basis for at least 30 minutes, subject to weather conditions.
X			b. If the program does not have access to its own dedicated outdoor space, nearby public space is available and it is safe.
X			c. Permanent playground equipment is suitable and large enough for the sizes and abilities of all youth.
X			d. Appropriate safety matting is in place under and surrounding outdoor equipment to meet national playground safety standards.
		X	e. Staff uses outdoor areas to provide new experiences.
		X	f. Outdoor space shall have sufficient space for youth to engage in large muscle activity, e.g., running, jumping, climbing.
		X	g. Youth can use a variety of outdoor equipment and games for both active and quiet play.
		X	h. The space is suitable for a wide variety of activities.

H. Safety, Health, and Nutrition

Level 1	Level 2	Level 3
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H-I. The safety and security of youth are protected, providing an environment that protects and enhances the health of the youth.

X			a. There are no known health or safety hazards in the program space. For example: • All toxic material are kept in original, labeled containers and that are inaccessible to youth; arts and crafts materials shall be nontoxic. • Trash shall be removed from the facility each day and from the facility grounds at least once per week. • At a minimum, floors, walls, ceilings and other surfaces, including the outdoor entry, exit and (if applicable) play space, shall be kept clean, in good repair and free from known hazards. • Peeled or damaged paint or damaged plaster is not permitted on indoor, outdoor surfaces or in the facility. Removal, clean-up and disposal of leaded paint dust and debris shall be accomplished in a manner that avoids dispersal of dust and debris into the environment. • All areas shall be lighted by artificial or natural light to a level suitable to its usage. • Inside and outside stairs, ramps, and porches shall be equipped with a handrail; inside stairs shall have non-skid surfaces. • There is at least one flushing toilet for every 20 youth. • There is at least one sink for every 30 youth. • Stairways, hallways, and exits shall be unobstructed. • Portable space heaters are not permitted. • Weapons, firearms, and ammunition are prohibited. • Fireplaces and wood-burning and coal-burning stoves shall be securely screened or equipped with protective guards while in use.
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Level 1	Level 2	Level 3
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X			b. The indoor and outdoor facilities are clean.
X			c. The indoor and outdoor space meets or exceeds local health and safety requirements.
X			d. There are adequate supplies and facilities for hand washing.
X			e. Systems are in place to protect youth from harm, especially when they move from one place to another or use the restroom.
	X		f. Equipment for active play is safe. • All play equipment is in good working order and is kept clean. • Furniture should be in good condition and should be the appropriate size for the youth.
X			h. The heat, ventilation, noise level, and light in the indoor space are comfortable. • Indoor temperature should be kept between 65 and 85 degrees. • Natural or mechanical ventilation shall be provided. • Hot water pipes and other sources of heat exceeding 110 degrees F that are accessible to youth shall be equipped with protective guards or shall be insulated to prevent direct contact.
	X		i. Written guidelines are prepared and followed regarding the use and maintenance of the indoor and outdoor areas of a program facility, including a procedure for regularly checking safety and maintenance.
X			j. Unsafe areas shall be fenced off and inaccessible to youth.
X			k. Outside walkways shall be free from ice, snow, leaves, equipment, and other hazards.
	X		l. A consistently enforced code of conduct is publicly displayed and is enforced.
X			m. Cigarettes, pipes, or cigars may not be smoked when children and youth are present, and shall not be smoked in program space or food preparation area.
		X	n. Where appropriate, security staff, and/or police are present.

Level 1	Level 2	Level 3
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H-2 Program policies and procedures are in place to protect the safety of youth.

X			a. The program has established procedures to prevent accidents and manage emergencies. - Plans are in place and staff and youth know how to proceed in case of emergency, e.g. fire, illness, accidents, etc. - A fire drill is held at least every 60 days.
X			b. For programs that provide transportation, there are established policies to ensure the safety of youth; the program complies with all legal requirements for vehicles and drivers. - Transportation by the facility requires written parental consent, except for transportation of school-age youth who are transported to or from a facility in vehicles owned or operated by the school district. - If a child has a problem 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 youth being transported. - Written information required above shall be given to the operator or attendant of a vehicle transporting the youth. The ratios of 1:15 apply when transporting youth. The driver may be considered part of the staff-youth ratio. - The operator of a vehicle shall be 18 years of age or older and shall have a valid operator's license. - Safety restraints installed in the vehicle at the time of manufacturing shall be used by all occupants. Manufacturers' instructions for use of safety restraints shall be kept in the vehicle at all times. - A vehicle shall be insured in accordance with the requirements of Pa.C.S. 1701-1799.7 (relating to the Motor Vehicle Financial Responsibility Law.) - The doors on a vehicle shall be locked whenever the vehicle is in motion. - No more than three persons shall occupy the front seat of an automobile. - The back of a pick-up truck may not be used to transport youth.

Level 1	Level 2	Level 3	
X			- The cargo area of a station wagon may not be use to transport youth. - Youth may not be left unattended in a vehicle. - Youth shall be supervised during boarding and exiting vehicles by an adult who remains outside the vehicle. - A first-aid kit shall be in the vehicle when youth are being transported
X			c. A system is in place to prevent unauthorized people from taking youth from the program.
		X	d. The program has established policies to ensure safe pick-up and drop-off of youth. - The program shall notify local traffic safety authorities annually in writing of the location of the facility and the program's use of pedestrian and vehicular routes around the facility. - Safe pedestrian crossways, pick-up, and drop-off points and bike routes shall be appropriately determined in the vicinity of the facility and communicated to youth and parents in writing. - Written notification of safe routes shall be posted by the program at a conspicuous location in the facility. - Youth shall be picked up and discharged at locations designated by the program.
X			e. For programs employing older youth (14-21), all program activities are in full compliance with child labor laws.

H-3. The program staff seeks to protect and enhance the health of youth.

X			a. There are written policies and procedures to ensure the health and safety of youth. - Where appropriate and mandated, staff must report suspected child abuse. - In case of illness or medical emergency, a parent or other designee shall be contacted.
X			b. Staff is responsive to the individual health needs of youth.
X			c. Staff protects youth from communicable disease by separating youth who become ill during the program.

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Level 1	Level 2	Level 3
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			d. Staff protects youth from potential hazards such as the following: caustic or toxic art materials and cleaning agents, medications, hot liquids, and over-exposure to heat or cold.
			e. Staff and youth wash hands frequently, especially after using the toilet and when preparing food.
			f. The program has met applicable state and/or local health and safety guidelines and/or regulations.
X			g. For programs that enroll youth, parents provide program staff with a statement confirming that the enrolled youth has had a physical within the past twelve months and that immunizations are current. Emergency contact information, including the primary care provider, shall also be provided.

H-4 The program serves foods and drinks that meet the needs of youth.

X			a. The program shall serve a daily snack.
X			b. The program serves healthy foods.
X			c. Drinking water is readily available at all times. Running water and a safe and adequate supply of drinking water shall be available.
X			d. If meals are served, they shall have at least one item from each of the following food groups: Dairy, Protein, Fruit & vegetables, and Grains.
X			e. The amount and type of food offered is appropriate to the ages and sizes of youth.
X			f. Meals and snacks are provided on a regular schedule.
X			g. Provision is made for proper food storage and disposal.
X			h. Children's allergies and other food restrictions are considered in food preparation and service.
X			i. Food is eaten under sanitary conditions.
X			j. Staff members sit with youth and provide a pleasant social environment during meals and snacks.
X			k. Small group sizes at tables is provided during snack and meals in order to encourage conversation and socializing.
X			l. A sufficient amount of food is provided for youth (e.g., second servings, supplementary snacks for those who may have forgotten to bring food from home and extra snacks at the end of the day are available).

Level 1	Level 2	Level 3
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X			m. Where appropriate, eating times are planned as a learning experience and discussion time (e.g., youth are included in the preparation, cooking and serving of food).
X			n. Food may not be withheld from a youth for purposes of discipline nor may a child be forced to eat food.
	X		o. Menus for meals and snacks are posted for parents' information.

Core Standards
Table 1-Staff Roles, Definitions, and Qualifications

Staff Position	Definition of Role	Previous Experience	Education
Program Administrator	Overall direction of the program • Development of mission, goals, and policies for the program • Program implementation and evaluation • Administration • Fiscal Management • Organizational development, including human resources	Option 1 1 year (2080 hours) work with youth in recreation, fine arts, camping, or academic setting Option 2 2 years (4160 hours) work with youth in recreation, fine arts, camping, or academic setting	Option 1 Associate or Bachelor's Degree in Related Field Option 2 Bachelor's Degree in Unrelated Field
Site Director	Daily operation of the program • Staff supervision • Communication with families • Relationships with community • Oversight of all program activities, including planning & implementation	Option 1 6 months (1040 hours) work with youth in recreation, fine arts, camping, or academic setting Option 2 1 year (2080 hours) work with youth in recreation, fine arts, camping, or academic setting Option 3 18 months (3120 hours) work with youth in recreation, fine arts, camping, or academic setting	Option 1 Bachelor's Degree in Related Field Option 2 Bachelor's Degree in Unrelated Field Option 3 Associate's Degree or 2 years college in related area

Staff Position	Definition of Role	Previous Experience	Education
Senior Group Leader	Supervision & guidance of youth in the program • Program planning & implementation • Communicating with families • Supervising support staff • Relating to the community	Option 1 No experience Option 2 3 months (520 hours) work with youth in recreation, fine arts, camping, or academic setting Option 3 6 months (1040 hours) work with youth in recreation, fine arts, camping, or academic setting Option 4 1 year (2080 hours) work with youth in recreation, fine arts, camping, or academic setting	Option 1 Bachelor's Degree in related field Option 2 Bachelor's Degree in Unrelated Field Option 3 Associate's Degree or 2 years college in related area Option 4 Associate's Degree or 2 years college in unrelated area
Group Leader	Supervision & guidance of youth in the program under the direction of a Senior Group Leader • Program planning & implementation • Communicating with families • Supervising support staff • Relating to the community	Option 1 None Option 2 3 months (520 hours) work with youth in recreation, fine arts, camping, or academic setting Option 3 6 months (1040 hours) work with youth in recreation, fine arts, camping, or academic setting	Option 1 Bachelor's Degree in Unrelated Field Option 2 Bachelor's Degree in Unrelated Field Option 3 Associate's Degree in Related Field

Staff Position	Definition of Role	Previous Experience	Education
Group Leader (cont.)		Option 4 9 months (1590 hours) work with youth in recreation, fine arts, camping, or academic setting Option 5 18 months (3180 hours) work with youth in recreation, fine arts, camping, or academic setting	Option 4 Associate's Degree or 2 years college in any area Option 5 High School Diploma or GED
Youth Leader	Youth, age 14 or older, without a high school diploma or GED • Should be paid or participating in a formal experiential learning program • Supervision & guidance of youth under the direct supervision of a group leader or senior group leader • Not counted in staff:youth ratios as either staff or youth	None	None

Appendix I
Core Standards
For Philadelphia's Youth
Development Programs
- Implementation Guide

Acknowledgements

The *Core Standards for Philadelphia's Youth Programs* were developed by representatives from a wide variety of Philadelphia youth-related organizations with strong interest and expertise in positive youth development and youth workforce development. The Standards are grounded in a youth development framework that encourages a comprehensive asset-based approach to program planning and implementation.

Members of the public-private working group represented the following organizations:

- Archdiocese of Philadelphia
- ASPIRA, Inc. of PA
- Boys & Girls Clubs of Metropolitan Philadelphia
- City of Philadelphia, Division of Social Services, Office of Children's Policy
- City of Philadelphia, Department of Human Services
- Congreso de Latinos Unidos
- Drexel University
- Exploring Programs
- Fairmount Park Commission
- Foundations, Inc.
- Free Library of Philadelphia
- Greater Philadelphia Federation of Settlements
- Indo-Chinese American Council
- Lincoln Family Center
- Montgomery Early Learning Centers, Southeastern Pennsylvania School Age Child Care Project
- New Frankford Community Y
- Pennsylvania School for the Deaf
- Philadelphia Citizens for Children and Youth
- Philadelphia Department of Recreation
- Philadelphia Futures
- Philadelphia Reads
- Philadelphia Safe and Sound
- Philadelphia Workforce Development Corporation
- Philadelphia Workforce Investment Board
- Philadelphia Youth Council
- Philadelphia Youth Network
- School District of Philadelphia, Comprehensive Day Care

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- School District of Philadelphia,
Family Resource Network
- Temple University
- Tilden Middle School
- United Way of Southeastern
Pennsylvania, After-School
Initiative
- United Way of Southeastern
Pennsylvania, Center for Youth
Development
- Universal Homes/University
Center for Employment Training
- Youth Empowerment Services

Roberta L. Newman, author

Roberta L. Newman is a child care and youth program training and development consultant with over 35 years of experience in child care and education. She has provided training and consulting services to state and local government agencies, military child and youth programs, corporations, school systems, parent organizations, and other child and youth programs across the nation. Ms. Newman is a frequent presenter of keynote addresses at national, regional, and state conferences on issues related to out-of-school programs for youth and general topics related to leadership and management of a variety of child and youth programs and systems.

Roberta is the author of a number of publications including: *Keys to Quality in School-Age Child Care* a video and training series; a training guide for use with *The Activities Club Program* developed by Dr. Joan Bergstrom; *Building Relationships with Parents and Families*; and *Real World Connections: Theme-Based Activities for Working with 9 to 12 Year Olds*. She is also co-author of *Caring for Children in School-Age Programs*, a series of 13 training modules and the basis for the U.S. Army Child and Youth Services credentialing program for school-age staff; and co-author of *PAY ATTENTION!!! Answers to Common Questions About the Diagnosis and Treatment of Attention Deficit Disorder*;

Roberta was a founding board member of the National School-Age Child Care Alliance (now NSACA), was founder and director of the American Child Care Foundation, a member of the National Advisory Panel of the Child Care Action Campaign, and is a member of the NSACA Board. She holds both a bachelor's and master's degree in music education from the American Conservatory of Music, Chicago, Illinois.

Diane P. Barber, contributor

Diane Barber is the Project Director of the Southeastern Pennsylvania School Age Child Care Project, a training and technical assistance center for school-age practitioners. She has over twenty years of experience developing and directing both educational and recreational programs for school-age and middle-school youth.

Diane Barber was a founding member and the first chairperson of the Pennsylvania School-Age Child Care Alliance (PENN SACCA). She served as Treasurer of the National School-Age Care Alliance (NSACA) Board of Directors from 1994-1999. Diane is an Endorser for the NSACA Program Improvement and Accreditation System and co-chair of the **School-Age Review**, NSACA's professional journal. She is frequently called upon to present at local, state, and national conferences on out-of-school time program planning and development.

Introduction

"Our children are our greatest hope and most meaningful legacy. Our children's promise and potential rests firmly in our willingness and ability to protect them, provide for them, and prepare them for productive lives."

Mayor John F. Street

For John F. Street, Mayor of the City of Philadelphia, the best interests of Philadelphia's children and youth are a number one priority for his administration. The *Core Standards for Philadelphia's Youth Programs* is just one component of an overall strategy to impact and improve the safety, well-being, and advancement of ALL Philadelphia children.

A *Children's Investment Strategy* is being developed by the City of Philadelphia in response to the *Children's Report Card* and *Children's Budget 2000* and *2001*. These two documents, which look at the status of Philadelphia's children, indicate both progress and room for improvement. The Mayor has targeted, for improved outcomes, the areas of academic achievement, youth violence prevention, STD's and child abuse and neglect. The *Children's Investment Strategy* intends to use out-of-school time as its point of entry: to fill children's unstructured time with

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activities that promote health, well-being, and achievement. A major priority for the City of Philadelphia is to improve the coordination, capacity, and quality of after-school and youth development services delivered or funded by city agencies in Philadelphia.

Background

Research indicates that children who attend high quality (after-school) programs have better peer relations, emotional adjustments, conflict resolution skills, grades, and conduct in school compared to their peers who are not in after-school programs.

(Baker and Witt, 1996; Kahn, Nagaokqa and Brown, 1999; Posner and Vandell, 1999)¹

After-school programs have come to the social forefront in the last few years. National polls indicate that American taxpayers are willing to pay more in taxes to support activities for youth. Millions of dollars in public and private funding are being invested on national, state, and local levels to insure that creative, supportive, and constructive programs for youth during their out-of-school hours are available.

In Philadelphia, youth programs are provided through a diverse network of organizations. These diverse organizations provide a wide range of services and a variety of experiences for young people. Some of Philadelphia's after-school and youth development programs focus on the arts, job readiness, academic enrichment, life skills, sports, or a combination of them all.

Over the past 10 years, we have seen increased emphasis on program standards throughout education, health, and human service disciplines. Most recently, attention has been focused on setting standards for various kinds of youth programs and measuring the impact of those programs on youth through performance indicators and outcomes.

¹ National Institute on Out-of-School Time. *Fact Sheet on School-Age Children's Out-of-School Time*. NIOST: Wellesley, MA. (www.niost.org)

In response, various initiatives across the country are customizing existing standards to provide guidance and assistance to youth serving programs, especially those serving older youth. Public and private funders are beginning to use standards as base criteria for the programs they support.

Philadelphia's Story ...

The standards planning and development process began in Philadelphia in 1999 under the administration of Mayor Edward G. Rendell. The Mayor's Children and Families Cabinet and its Executive Director, Jean Hunt, provided significant leadership to a movement designed to increase partnerships between government, the private sector, and community organizations to improve outcomes for children. The Children and Families cabinet included top level officials from nearly every city government department.

On January 6, 2000, representatives from the National Institute on Out-of-School Time and Baltimore Safe and Sound spoke to a group of key stakeholders at the forum "*Are Our After-School Programs Good Enough*". The forum was convened by Mayor's Children and Families Cabinet, Philadelphia Citizens for Children and Youth, Philadelphia Safe and Sound, the School District of Philadelphia, and the United Way's Center for Youth Development.

The National Institute on Out-of-School Time described the nearly ten years of research, development, and testing that resulted in the National School-Age Care Alliance's (NSACA) *Standards for Quality School-Age Care*. The representative from Baltimore Safe and Sound spoke of that city's efforts to adapt the NSACA standards to be more inclusive of older youth and youth development principles. The Baltimore standards were

being used in conjunction with a capacity building effort to increase the number and quality of out-of-school time programs in the city.

Following the January meeting, the Center for Youth Development convened a group of public and private sector stakeholders to draft a set of standards that could be used to guide out-of-school programs in Philadelphia.

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With the inauguration of Mayor John F. Street, the process moved quickly forward. The City of Philadelphia's, Division of Social Services, new Child Policy Unit, convened a group of representatives from the majority of city government departments and agencies to continue the work begun on these draft standards for use in a new funding initiative designed to expand the quality and quantity of after-school opportunities for Philadelphia's Youth.

Simultaneously, another standards identification and development process was in process. The Philadelphia Youth Council was also undergoing a process to identify standards and indicators for use by their constituency, many of whom served older youth in youth workforce programs.

The work and interests of the groups were merged and together they worked to develop *The Core Standards for Philadelphia's Youth Programs*. Representation on this Joint Standards Committee is diverse, and includes individuals from city-sponsored agencies, the school district, small and large private youth-serving agencies, and sponsors of youth employment programs.

In the summer of 2000, this group issued *The Core Standards for Philadelphia's Youth Programs*. The Core Standards are designed to assist in the development and implementation of high quality after-school and youth development programs. The Core Standards are based on the work of a number of national youth advocacy organizations such as the National School-Age Care Alliance, the National Youth Employment Coalition's Promising Practices Network, the Sar Levitan Center for Social Policy Studies, the American Youth Policy Forum, YouthBuild, and Job Corps.

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The Core Standards also reflect standards developed by Baltimore Safe and Sound, the U.S. Department of Labor's regulations on the provision of the Workforce Investment Act, and the Pennsylvania Department of Public Welfare child care licensing regulations.

The Core Standards

The *Core Standards for Philadelphia's Youth Programs* describe best practices for youth first grade to young adulthood in organized out-of-school time programs. They provide a foundation for program quality and a benchmark for professionalism in the service delivered.

The Core Standards are divided into eight categories that represent the critical structural elements of youth programs. Each category contains a series of "keys to quality" for that category. Under each key is a standard that is a measure of the key to quality.

Core *n.* The inner most or most important part of anything; the heart; center; essence.

Stan-dard *n.* 1. A flag, banner, or ensign. 2. An acknowledged measure of comparison; criterion; norm. 3. A degree or level of requirement, excellence, or attainment. 4. A pedestal, stand, or base.

The categories include:

A. Human Relationships

The keys contained in human relationships are designed to help guide the interactions between staff, youth, and their families.

B. Program Planning

Program planning is rooted in a program's philosophy and mission. The keys in this category can guide the creation of programs to meet the needs of children, youth, their families, and the community.

C. Program Implementation

The program implementation category describes the tools and structures needed to move planning into action.

D. Activities

If we visited the program, what would we see? The keys in activities describe the kinds of opportunities high quality programs provide for youth.

E. Program Administration

Program policies and procedures provide the infrastructure to quality programs. This section includes policies for the supervision and guidance of youth; guidelines for staff qualifications and training; and policies for program management.

F. Indoor Environment

Environment, a place to be, is a critical program element. The three keys in this category describe effective use of indoor space.

G. Outdoor Environment

Not all programs have access to outdoor space, but for those that do, this chapter describes considerations for outdoor environments.

H. Safety, Health, and Nutrition

Fundamental policies and procedures are outlined in this key. Guidelines include policies and procedures for health and safety hazards; risk management; transportation of youth; and snacks.

Meeting the Standards

The *Core Standards for Philadelphia's Youth Programs* can assist organizations in developing new programs and increase the quality of existing programs. The *Core Standards for Philadelphia's Youth Programs* identifies which standards need to be in place at the start of a program; the standards that should be accomplished within the first year; as well as those standards that should become a part of an organization's plan for continuous improvement.

Level 1: Minimum Standards

The Level 1 standards are the minimum standards that should be in place at the start of the program. In certain circumstances, and in collaboration with the funding agency, agencies may have up to three months to fully comply with the standards in Level 1.

Level 2: First Year Standards

Level 2 standards are considered critical to providing effective youth programs. Level 2 standards should be fully implemented by the end of the program's first year of operation.

Level 3: Continuous Improvement

The Core Standards apply to a variety of program types for youth first grade to young adulthood. As a result, not all standards in Level 3 may be applicable to all programs. In consultation with the organization or agency to which they are responsible, youth programs should identify the Level 3 standards that apply to the type of program they conduct. Programs should then develop a technical assistance plan to aggressively work towards achieving the relevant Level 3 program standards. It is

recommended that programs be working toward at least one of the Level 3 standards at any given time.

The Implementation Guide

The purpose of this guide is to help Philadelphia's youth programs meet the Core Standards. This guide offers ideas and suggestions; resource lists and tip sheets; exercises and information. This guide includes tools to conduct a systemic self-study of how your program matches up with the Core Standards and guidelines for developing an action plan for moving your program forward towards meeting them. The materials in this manual are also designed for staff reflection and can be used for in-service training.

The Components of the Guide

The Implementation Guide is organized into three key components:

- Introduction
- *The Core Standards for Philadelphia's Youth Programs*
- The Core Standards in Action: Practical Ideas and Strategies

The heart of the Implementation Guide is Part 3: *The Core Standards in Action: Practical Ideas and Strategies*. It looks specifically at each of the eight Core Standard categories in the following ways:

<u>The Keys:</u>	Lists the keys to quality associated with the category and the results of meeting the keys.
<u>Getting Started:</u>	Provides basic information summarizing the concepts of the category.
<u>Taking the Lead:</u>	Suggests who takes leadership in implementing the keys. Describes how

the keys relate to the roles of individual staff and administrators.

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<u>Learning:</u>	Provides methods, tools, and examples for learning and teaching the concepts contained in the category.
<u>Evaluating:</u>	Describes a self-study evaluation process to determine how well the program is meeting the keys in the category.
<u>Taking Action:</u>	Describes how programs develop a plan to set priorities and organize for action in addressing the keys.

The Implementation Guide and the Core Standards are both in draft form. As programs use the guide and the standards there will be areas that need to be changed, edited, elaborated on, or eliminated. A mechanism for comment and feedback is included.

Frequently Asked Questions

The following are the most frequently asked or most commonly asked questions about the *Core Standards for Philadelphia's Youth Programs*.

- **For whom are the *Core Standards for Philadelphia's Youth Programs* designed?**

The Core Standards are designed for programs funded by the City of Philadelphia. They are also designed for use by other youth programs that are working towards meeting the *Core Standards for Philadelphia's Youth Programs*. All levels of staff and volunteers working towards increasing the quality of after-school and youth development programs for youth, first grade through young adults, should find this guide to be useful.

- **Which programs are expected to meet the Standards?**

It is our intent that all of Philadelphia's after-school and youth development programs will find the Core Standards a practical tool to help organizations improve the quality of their programs; ultimately leading to improved outcomes for our city's youth.

- **Are standards tied to funding?**

Programs receiving funding from the City of Philadelphia are expected to work towards the achievement of all of the *Core Standards for Philadelphia's Youth Programs*. The Philadelphia Youth Council is also moving towards this model.

- **How will our program be evaluated on the standards?**

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Organizations receiving funding from the City of Philadelphia are required to participate in a self-assessment process and to develop an organizational learning plan to ensure continuous improvement.

- **Does our program have to meet all of the standards right away?**

Organizations are expected to work towards the achievement of all of the *Core Standards for Philadelphia's Youth Programs*, but the minimum standards have been identified and are noted in the section listing the standards.

- **The Core Standards are called Draft documents – what does this mean?**

Over the next year, we will be collecting feedback concerning both the application of the Standards and the usefulness of the Implementation Guide to Philadelphia's after-school and youth development programs. There is an expectation, that at the end of this review period, modifications may be made to both the standards and the guide.

- **When will all programs be expected to meet standards?**

Program improvement is a developmental process. Sustainable program improvement is the result of gradual change. Change is inherent in after-school and youth development agencies as the needs of the children, youth, and families we serve change. There is an expectation that programs meet the minimum -- Level 1 standards -- immediately. Level 2 standards must be met within the year. The process to meet the entire set of Core Standards will begin with the organization's self-assessment and learning plan for improvement.

- **What if my program is not designed to meet all of the Standards?**

The Core Standards apply to a variety of program types for youth first grade to young adulthood. As a result, not all standards may be applicable to all programs. The Standards are designed to provide a foundation for program quality and a benchmark for professionalism in the service delivered. We encourage all programs serving youth, first

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grade through young adults, to read the Core Standards and reflect on how the standards could assist them in program development and improvement.

- **How do the Core Standards relate to Pennsylvania Department of Public Welfare Licensing Regulations?**

The Core Standards contain the critical health and safety requirements of the Pennsylvania Department of Public Welfare's Child Day Care Licensing regulations. The Commonwealth of Pennsylvania requires programs providing out-of-home care at any one time, for part of a 24-hour day for seven or more children, fifteen years of age or under, to be licensed. For more information or a copy of the Child Day Care Licensing regulations, contact DPW at 215.560.2541. Programs licensed by the DPW can register with the local Child Care Information Services (CCIS). Registration with the CCIS allows families eligible for subsidized child care (Child Care Works) to use this funding to pay for their child's participation in your program.

- **How are the Core Standards different from the National School-Age Care Alliance's Standards (NSACA) and used to accredit after-school programs?**

The Core Standards contain elements of the National School-Age Child Care Alliance's (NSACA) Standards for Quality School-Age Care. Programs interested in seeking accreditation from NSACA will need to comply with the NSACA Standards and its system for program improvement. For more information, visit the NSACA web-site at www.nsaca.org.

- **Are these standards connected to youth outcomes?**

The Core Standards describe best practices that lead to high quality programs for youth first grade through young adulthood. While the Philadelphia Core Standards have not been in existence long enough to assess or measure the impact on youth well-being, research suggests that participation in high quality out-of-school time programs

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increases participant's academic achievement, reduces risky behaviors, and promotes better youth leadership skills.

Glossary

The **Core Standards for Philadelphia's Youth Programs** uses or references the following words, terms, and organizations.

Administration	Program planners, directors, and supervisors who have overall responsibility of the operation of the after-school or youth development program.
After-school programs	General term used to describe programs that operate during youths' out-of-school time. This includes before-school, after-school, evenings, school vacations, summer, and weekends.
American Youth Policy Forum (AYPF)	The American Youth Policy Forum is a nonpartisan professional development organization providing learning opportunities for policymakers working on youth issues at the local, state, and national levels. (www.aypf.org)
Assets	Critical factors and benchmarks for young people's growth and development. (www.search-institute.org)
Baltimore Safe and Sound	The Safe and Sound Campaign is a unique effort to organize citizens, communities, service providers, funders and policy makers in a determined and informed way to create, implement, and support a new public framework that ensures all of Baltimore's children receive the essential supports they need to grow up safe and healthy. (www.safeandsound.org)

Core Standards for Philadelphia's Youth Programs Implementation Guide (DRAFT)

Center for Youth Development (CYD)

The Center for Youth Development is a project of the United Way of Southeastern Pennsylvania and serves as a central resource for building a youth services system based on youth development principles and practices through training opportunities and technical assistance, community education, collaboration and coordination of resources. (www.uwsepa.org)

Child Care Works

Pennsylvania's plan for improving quality and increasing availability of safe, affordable child care for children and youth age 0 through 12 years old. Primarily associated with the funding provided to eligible parents to purchase child care. Also known as the subsidized child care system.

Contextual Learning

Contextual learning enables students to uncover academic content through real-world applications.

Daily Schedule

When and what kinds of activities are conducted on a daily basis.

Department of Public Welfare (DPW)

The Pennsylvania Department of Public Welfare regulates and licenses child day care services for children and youth ages 0 through age 15 years old.

Developmentally Appropriate

Youth change greatly during the ages 6 to 21. Physical growth, cognitive abilities, social skills, and emotional development may not proceed at the same rate. Developmentally appropriate after-school and youth development programs design their programs to respond to the ages, developmental stages, and individual differences of youth.

Job Corp

Job Corps is the nation's largest and most comprehensive residential education and job training program for at-risk youth, ages 16 through 24. (www.jobcorps.org)

Core Standards for Philadelphia's Youth Programs Implementation Guide (DRAFT)

Mission	The goals and organizational vision that guide programs in the creation of activities and services for children, youth, and their families.
National School-Age Care Alliance (NSACA)	NSACA is a national membership organization representing the entire array of public, private, and community-based providers of after school programs. NSACA promotes national standards of quality school-age care for children and youth 5 - 14 years old, and grants accreditation to programs meeting the standards. (www.nsaca.org)
National Youth Employment Coalition (NYEC)	NYEC is a non-partisan national organization dedicated to promoting policies and initiatives that help youth succeed in becoming lifelong learners, productive workers, and self-sufficient citizens.
Philadelphia Youth Council	A legislatively mandated subcommittee of the Workforce Investment Board established under the 1998 Workforce Investment Act (WIA), The Youth Council is responsible for policy and oversight of WIA funded youth programs. The Youth Council's vision is the development and implementation of a citywide coordinated youth workforce development system.
Philadelphia Youth Network (PYN)	Philadelphia Youth Network (PYN) is a not-for-profit, intermediary organization developed to broker services between major stakeholders in the youth workforce development system including, employers, schools and youth serving agencies.
Philosophy	A philosophy is what an organization believes, values, and respects as

important in their work with children, youth, and their families. The philosophy states the principles, beliefs, and goals of a program.

Ratios

The number of staff at a program in relation to the number of youth. Example: for youth 4th grade and above, there should be one staff member for every 15 youth.

Family day care home household members age 18 and over who live in the home for at least 30 days in a calendar year are also required submit child abuse background checks and PSP state criminal history background checks. Effective July 1, 2008, household members must also submit FBI background checks. This requirement impacts applicants for registration certificates as follows:

- Individuals who are applying to operate new family day care homes on or after July 1, 2008 must submit along with the application for a registration certificate, FBI background checks, as well as child abuse and PSP background checks, for themselves and for each household member. Background checks do not have to be updated once submitted as long as the registration certificate is renewed timely.
- Individuals who operated a family day care home prior to July 1, 2008, and who continue to operate after July 1 are not required to submit FBI background checks for themselves. However, family day care providers whose registration certificates expire on or after July 1, 2008, and who wish to renew their registration certificates must submit FBI background checks, as well as child abuse and PSP background checks, for each household member along with the renewal application. Updated background checks are not required for household members once this information is submitted.

For future renewals, family day care providers will have to submit with renewal applications all background checks for persons age 18 and over who move into the family day care home and for household members who turn 18 years of age since the previous application was filed.

Criminal Offenses Which Prohibit Hire/Approval:

Section 6344 (c) (2) and (3) (relating to grounds for denying employment) of the CPSL contains a list of crimes that, if the applicant's criminal history background information indicated they had been convicted of one or more of the crimes, would prohibit hiring or approval. Any equivalent crime under Federal law or the law of another state would also prohibit hiring or approval. This provision relates to all individuals that have been discussed in this Bulletin.

The Commonwealth Court of Pennsylvania ruled in *Warren County Human Services v. State Civil Service Commission*, 844 A.2d 70 (Pa. Commw. 2004) (See Attachment B), that it is unconstitutional to prohibit employees convicted of the crimes listed in § 6344 (c) (2) from ever working in a child care service. DPW issued a letter, which remains in effect, on August 12, 2004 outlining the requirements agencies are to follow when considering hiring an individual who has committed one of these crimes. Agencies or facilities are permitted to employ an individual as long as it is reasonably determined that the individual has demonstrated rehabilitation. In order to demonstrate rehabilitation, the individual must meet the following requirements:

- The individual has a minimum five year aggregate work history in care dependent services since conviction of the crime or release from prison, whichever is later.

transfer. If, however, a county children and youth worker transfers to the county juvenile probation office, these two offices are not within the same organization and the worker would be required to submit their background checks as a condition of beginning employment in the juvenile probation office. If a current employee holds a position within the agency that does not require a PSP, FBI or ChildLine background check because it does not involve coming into contact with children and the employee transfers to another position within the agency that will involve working with children, the employee must obtain all three background checks as a condition of securing that new position.

New employees may be hired on a provisional basis before the results of their background checks are returned. The conditions that must be met for a provisional hire can be found in § 6344 (m) (relating to provisional employees for limited periods) of the CPSL. This provision is already in existence with regards to child abuse background checks and state criminal history background checks and will now also include the federal criminal history background checks.

For the purposes of seeking new employment or new approval as a foster, adoptive, CRR and/or respite provider parent through a different agency, the Pennsylvania child abuse background check, the PSP criminal history background check and the FBI criminal history background check are valid for one year following verification, therefore if an individual's background checks are more than one year old, new background checks are required.

Requirements for Other Persons Having Contact with Children:

Act 179 of 2006 amended § 6344.2 of the CPSL to state that prospective employees applying to engage in occupations with a significant likelihood of regular contact with children, in the form of care, guidance, supervision or training must obtain background checks as a condition of employment. These individuals, including but not limited to social service workers, psychiatrists, hospital personnel, counselors and therapists, librarians and doctors, will be required as of July 1, 2008 to obtain an FBI criminal history background check along with their PSP criminal history background check and Pennsylvania child abuse background check as a condition of initial employment. Any additional requirements surrounding provisional hiring periods or licensing implications related to the completion of background checks should be directed to the appropriate licensing entity.

Requirements for Self-Employed Family Day Care Providers and Household Members:

Self-employed family day care providers are currently required by the § 6344 of the CPSL to submit for child abuse background checks through DPW and for state criminal history background checks through the PSP. As of July 1, 2008, individuals who want to open a family day care home for the first time will be required to obtain a federal criminal history background check through the FBI in addition to the current clearance requirements.

Pursuant to § 2530 (a) of the Adoption Act (Title 23, Pa. C.S. Chapters 21-29) adoptive families are currently required to submit a pre-placement report and must update their background checks prior to a child being placed in their home if their background checks are more than a year old.

Families who are adopting internationally are required to obtain FBI fingerprint-based criminal history background checks as part of the home study approval process. The FBI fingerprinting requirement for the United States Citizenship and Immigration Services (USCIS) is in addition to the FBI fingerprint-based criminal history background check completed during the home study process.

Requirements for Child Care Service Employees and Persons Seeking to Operate Child Care Services:

As of July 1, 2008, prospective child care service employees and persons seeking to operate child care services are required to submit a federal criminal history background check through the FBI as a condition of employment and in order to obtain a certificate of compliance. Prospective employees and persons seeking to operate child care services are currently required to submit for child abuse background checks through DPW and for state criminal history background checks through the PSP.

Child care service is defined in § 6303 of the CPSL as “child-day care centers, group and family day-care homes, foster homes, adoptive parents, boarding homes for children, juvenile detention center services or programs for delinquent or dependent children; mental health, mental retardation, early intervention and drug and alcohol services for children; and other child-care services which are provided by or subject to approval, licensure, registration or certification by the DPW or a county social services agency or which are provided pursuant to a contract with these departments or a county social services agency. The term does not include such services or programs which may be offered by public or private schools, intermediate units or area vocational-technical schools.” The fingerprinting process for prospective child care service employees and persons seeking to operate child care services is as described in the Federal Fingerprint-Based Criminal History Background Check in the procedure section of this bulletin.

Persons who operated child care services prior to July 1, 2008 and who currently have certificates of compliance are not required to obtain FBI background checks in order to continue operating a child care service.

Employees of a child care service who were hired prior to July 1, 2008 are not required to obtain FBI background checks as a condition of continued employment and are “grandfathered.” Employees may transfer to another child care service within the same organization without having to obtain FBI background check as a condition of transferring. This follows the same procedures already in law for child abuse and criminal background checks in Pennsylvania and can be found in § 6344 (k) (relating to existing or transferred employees) of the CPSL. For example, if a county children and youth worker transfers to a different position within the county children and youth agency, they would not be required to submit their background checks as a condition of

These background checks would now include an FBI fingerprint-based criminal history record check.

In addition to the federal criminal history background check, if a prospective foster, or adoptive parent or any individual over 18 years of age residing in the home has resided outside of Pennsylvania at any time within the previous five-year period, they must request certification from the Statewide central registry or its equivalent in each state in which the person has resided within the previous five-year period as to whether they are named as a perpetrator of child abuse. This requirement would include any individual who lives in the home for a period of 30 days in a calendar year, but may reside for a period of time in another state. For example, a college student who attends school in another state but returns home on breaks would have to provide a child abuse clearance for the other state.

The requirements for submission of a child abuse background check from another state is also required within 30 days when any individual over 18 years of age, who has resided outside of Pennsylvania within the past five years, begins residing in the home of an approved foster family. If it is determined that the individual is named as a perpetrator of child abuse within the previous five year period and it meets the equivalent of a founded report of child abuse in Pennsylvania and does not immediately cease residing in the home, the foster child or children shall be removed from the home immediately without a hearing.

Foster families approved prior to January 1, 2008 must resubmit their background checks in accordance with § 6344 (d) (3) of the CPSL and Act 160 of 2004 which states that background checks must be resubmitted every 24 months following approval for review by the foster family care agency. These resubmitted clearances must include an FBI fingerprint-based criminal history background check. If an individual's background check reveals criminal convictions, the foster family care agency must determine the appropriateness of continued approval based on the background check and the best interests of the child(ren) served in the home.

Families who were approved specifically for foster care prior to January 1, 2008, and subsequently seek approval as adoptive parents, must submit their FBI background check as part of their new home study being completed in order to become approved as adoptive parents.

If a foster or adoptive home was not fully approved prior to January 1, 2008, all three background checks, the FBI, PSP and ChildLine, must be submitted as a condition of approval. The only exception is for those foster applicants approved as emergency caregivers in accordance with OCYF Bulletin Number 3140-04-05/3490-04-01, entitled Child Placements with Emergency Caregivers. If the placement occurred and the emergency background checks were performed prior to January 1, 2008, these individuals are not required to obtain an FBI criminal history background check as a condition of final approval. They are, however, required to submit their FBI fingerprint-based criminal history background check at the 24 month resubmission in accordance with Act 160.

respite provider home must be disqualified by the approving agency if the background check results on any family household member, age 14-17, reveal that he or she is named as a perpetrator on a founded case of child abuse or student abuse within the 5 years immediately prior to the verification request, or has a conviction on any of the offenses listed in §6344 (c) (2) of the CPSL.

All resource, CRR host homes and respite provider homes approved on or after May 28, 2007, must submit background checks for household members age 14 and older. This requirement extends to homes that were temporarily approved as of that date as well. For any home with temporary approval, which may already have had a placement of a child, the approving agency is not to include that child as a household member. As per OCYF Bulletin 3490-05-01, entitled Implementation of Act 160 of 2004 Amending the Child Protective Services Law, children under the age of 18 in the custody of a county children and youth agency are not to be registered as household members in the Resource Family Registry, and therefore, they are not to be included as household members for purposes of home approval. However, if the child in care turns 18 and continues residing in the home at least 30 calendar days a year, background checks must be obtained within 30 days following their 18th birthday.

Act 179 requirements relating to family day care homes require household members age 18 and over who live in the home for at least 30 days in a calendar year to submit background checks. An individual who is applying to operate a new family day care home must submit along with the application for a registration certificate, background checks for the applicant and each household member.

Family day care providers who are renewing a registration certificate on or after May 28, 2007 must submit background checks for each household member along with the application to renew the registration certificate. Background checks do not have to be updated once submitted as long as the registration certificate is renewed timely.

Requirements for Prospective Foster and Adoptive Parents and Adult Household Members:

Prospective foster and adoptive parents, along with any individual over the age of 18 residing in the home at least 30 calendar days per year, are currently required by § 6344 (d) (relating to prospective adoptive or foster parents) of the CPSL and Act 160 of 2004, to submit for child abuse background checks through the DPW and for state criminal background checks through the PSP. In addition, as of January 1, 2008, these prospective foster and adoptive parents and adult household members must submit a fingerprint-based federal criminal history background check through the FBI.

Foster parents and their adult household members are also required to resubmit their federal criminal history background checks every 24 months, pursuant to § 6344 (d) (3) of the CPSL and Act 160 of 2004 which sets forth the schedule for resubmitting background checks. In accordance with Act 160, when a household member in an already approved foster home turns 18 years of age, this individual must submit their background checks to the approving agency within 30 days following their 18th birthday.

lack of background checks for this discrete population, as long as, child abuse and criminal history background checks are obtained as soon as possible, but no later than the date of the family's next annual re-evaluation.

The requirement that resource family household members age 14 or older submit requests for child abuse and criminal history background checks will not be applied to those individuals living in resource family homes, CRR host homes and respite provider homes that were fully approved prior to May 28, 2007. Moreover, the requirement for bi-annual re-submission of background checks for household members does not apply to children under the age of 18. Foster children, children placed in a CRR host home and respite provider home are not included as household members requiring background check submission until they turn 18 years of age, and continue living in the household at least 30 calendar days a year. In addition, Federal Bureau of Investigation (FBI) background checks are not required for household members age 14-17, only those ages 18 and over.

By enacting Act 73 of 2007, the CPSL is strengthened to provide for an increased ability to protect Pennsylvania's children through enhanced screening requirements for individuals entrusted with the care of children. Prospective foster and adoptive parents, prospective CRR host home members and prospective respite provider home members as well as their adult household members are now required to complete fingerprint-based federal criminal history background checks through the FBI. These individuals are also required to submit child abuse history background checks from other states in which they resided within the previous five year period. These new requirements are in addition to current practices related to requirements regarding child abuse and Pennsylvania State Police (PSP) criminal history background checks.

Pennsylvania has taken further steps to ensure the safety of children by also requiring FBI fingerprint based criminal history background checks for prospective child care service employees, individuals applying for employment with a significant likelihood of contact with children, persons seeking to operate child care services and self-employed family day care providers and family day care home household members age 18 and over.

POLICY:

Clearance Requirements Related to Act 179 of 2006:

The Department of Public Welfare (DPW) is applying the expanded requirement for child abuse and criminal history background check submissions for household members age 14 and older to new resource family applicants *only*, including foster, formal kinship and adoptive homes, CRR host homes and respite provider homes. Any household member, age 14 or older, who resides in a prospective resource family, CRR host home and respite provider home at least 30 calendar days a year, must submit a criminal history background check from the PSP and a child abuse history clearance to the approving agency. The prospective resource family home, CRR host home and

PURPOSE:

The purpose of this bulletin is to explain and clarify new background check requirements related to Act 179 of 2006 (Act 179), as well as Act 73 of 2007 (Act 73), both of which amended the Child Protective Services Law (CPSL), (23 Pa.C.S., Chapter 63). This bulletin will also clarify how these amendments co-exist with the requirements of Act 160 of 2004.

BACKGROUND:

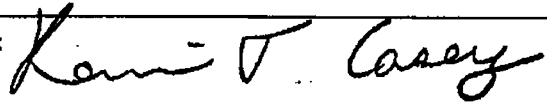
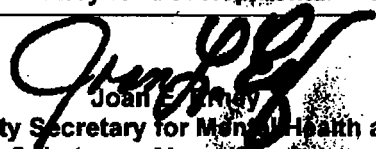
On November 29, 2006, Pennsylvania Governor Edward G. Rendell signed Senate Bill 1054, Printer's Number 2075, into law. This amendment to the CPSL, known as Act 179 of 2006, was effective May 28, 2007. Among several other significant amendments to the CPSL was the expanding of background check requirements for household members, age 14 and older, for the *initial* approval only of resource family applicants, whether foster, kinship or adoptive. In addition, Act 179 expanded background check requirements to include family day care home household members age 18 and older who reside in the family day care home for at least 30 days in a calendar year, as well as Community Rehabilitation Residential (CRR) host home families and respite provider families.

On December 18, 2007, Pennsylvania Governor Edward G. Rendell signed House Bill 1961, Printer's Number 2832 into law. This amendment to the CPSL (CPSL), known as Act 73 of 2007, was effective January 1, 2008 for prospective foster and adoptive parents and adult persons living in those homes, and July 1, 2008 for prospective child care service employees, persons seeking to operate child care services and self-employed family day care providers and family day care home household members age 18 and over. Act 73 of 2007 brings Pennsylvania into compliance with Federal legislation, the Adam Walsh Child Protection and Safety Act of 2006 (P.L. 109-248). This legislation also applies to CRR host home families and respite provider families.

This federal legislation requires additional criminal and child abuse registry background checks on certain individuals. The federal legislation was signed into law on July 27, 2006 and was effective October 1, 2006. Pennsylvania was permitted delayed implementation as state statutory amendments were necessary to comply with the requirements of the Federal Act.

DISCUSSION:

For any resource family, CRR host home family and respite provider family approved since the effective date of the legislation, May 28, 2007, which has a family member age 14 or older living in the home at the time of their initial approval, the approving agency must obtain child abuse and criminal background checks, if these were not already obtained. As the Office of Children, Youth and Families (OCYF) and the Office of Mental Health and Substance Abuse Services (OMHSAS) did not issue formal guidance regarding this requirement, the OCYF Regional Offices and OMHSAS Regional Offices will not cite agencies during annual licensing inspections for

	OFFICE OF CHILDREN, YOUTH AND FAMILIES BULLETIN		
	COMMONWEALTH OF PENNSYLVANIA * DEPARTMENT OF PUBLIC WELFARE		
NUMBER: 3490-08-03	ISSUE DATE: June 27, 2008	EFFECTIVE DATE: May 27, 2007 (Act 179 of 2006) and January 1, 2008/ July 1, 2008 (Act 73 of 2007)	
SUBJECT: Implementation of Act 179 of 2006 and Act 73 of 2007 Amending the Child Protective Services Law		BY:  Richard J. Gold Deputy Secretary for Children, Youth and Families	
BY:  Kevin T. Casey Deputy Secretary for Developmental Programs		BY:  Harriet Dichter Deputy Secretary for Child Development and Early Learning	
BY:  Joan E. May Deputy Secretary for Mental Health and Substance Abuse Services		BY:  Linda T. Blanchette Deputy Secretary for Income Maintenance	

SCOPE:

COUNTY CHILDREN AND YOUTH SOCIAL SERVICE AGENCIES
 COUNTY CHILDREN AND YOUTH ADVISORY COMMITTEES
 PRIVATE CHILDREN AND YOUTH SOCIAL SERVICE AGENCIES
 HUMAN SERVICES DIRECTORS
 COUNTY COMMISSIONERS
 PENNSYLVANIA CHILDREN AND YOUTH ADMINISTRATORS ASSOCIATION
 PENNSYLVANIA COUNCIL OF CHILDREN, YOUTH AND FAMILY SERVICES
 PENNSYLVANIA COMMUNITY PROVIDERS ASSOCIATION
 ADMINISTRATIVE ENTITY ADMINISTRATORS/DIRECTORS
 COUNTY MENTAL HEALTH/MENTAL RETARDATION ADMINISTRATORS
 SUPPORTS COORDINATION ORGANIZATION DIRECTORS
 PROVIDERS OF MENTAL RETARDATION SERVICES
 PROVIDERS OF MENTAL HEALTH SERVICES
 OTHER INTERESTED PARTIES

COMMENTS AND QUESTIONS REGARDING THIS BULLETIN SHOULD BE DIRECTED TO:
 Office of Children, Youth and Families Regional Directors

Origin: Bryle Zickler, (717) 705-5420, bzickler@state.pa.us

Appendix L
Implementation of
Act 179 of 2006
And
Act 73 of 2007
Amending Child Protective
Services Law

Increasing students' access to out-of-school time learning

Providers should be aware of the on-line resources available to students who attend many school district schools. Students can access these resources during the afterschool hours for no cost using a computer with an internet connection. These online programs allow students to practice their skills in reading, math, science and writing, and can be used to supplement the out-of-school time program.

First in Math

First in Math is an easy-to-use, educational website that gets young people excited about math. Specially-designed "games" develop and reinforce basic concepts, and allow students to have fun while learning skills that will last a lifetime. Studies show that children who use the site on a regular basis experience significant improvement in math proficiency. Content ranges from addition to algebra, and children proceed at their own pace—mastering problem-solving, computation, critical-thinking and pattern-recognition skills—as they advance through the levels of the program. There is no software to install, games play on a PC or Mac, and updates are automatic. Each child receives his or her own, personal User ID and Password, and will be able to play the games at <http://www.firstinmath.com> 24/7 at school or at home.

Study Island

Study Island is a research-based, easy-to-use, web-based program that is aligned with Pennsylvania state standards and allows students to learn at their own pace. There is no software to download or install; all that is needed is an Internet connection. A PC or Mac can be used. Study Island provides students several thousand questions in the areas of reading, math, writing and science, with questions that constantly change. Students can access the program by simply logging on to www.studyisland.com, where they will find each topic organized with a lesson, assessment questions, and explanations. Study Island helps students build confidence in their knowledge of the state standards.

Appendix K

Online Resources for Students

Setting Goals And Expectations¹

What are goals?

Goals are statements of end results expected within a specified period of time.

"S.M.A.R.T." Performance Goals

- **Specific** – define the performance goal as specifically as possible. Focus on tangible behaviors or performance areas.
- **Measurable** – Define measures for tracking progress on each performance goal. How will you know if progress is being made? Need standards by which the performance is measured.
- **Attainable** – Performance goals should be challenging (require significant effort), yet attainable.
- **Relevant** – Work to ensure each performance goal will have a positive impact on the business. Performance goals should support the key objectives of the development and/or organization.
- **Time-bound** – Develop milestones and target dates for completion for each performance goal. Timelines can be flexible.

How are goals defined?

For each goal, describe the end result and indicate quality, quantity, time frame, percentages or other specific measures. Each goal should fit into and support the overall mission and goals of the organization.

¹ Excerpt obtained from the Nonprofit Center, La Salle University, Effective Supervisory Strategies Workshop. Philadelphia, PA, 2006

Appendix J

Setting Goals and Expectations

communities. (www.youthbuild.org)

Core Standards for Philadelphia's Youth Programs Implementation Guide (DRAFT)

Sar Levitan Center for Social Policy Studies

The Sar Levitan Center conducts research, issues policy papers, and is actively involved in systems building with urban areas around issues regarding support to out-of-school youth to address their education and labor market needs. (www.levitan.org)

School-Age Child Care (SACC)

Organized and accountable programs for children and youth Kindergarten through fifteen years old operating between three and five days a week, before- and/or after-school and licensed by the Pennsylvania Department of Public Welfare.

Service Learning

A teaching and learning strategy in which students are engaged in addressing real-world issues, problems, and needs in their school and community through research, reflection, and either direct service or advocacy.

Staff

Adults employed by or who volunteer in after-school and youth development programs.

Youth

For the purposes of the Core Standards, young people aged 7 through 21 years old

YouthBuild

YouthBuild is a comprehensive youth and community development program as well as an alternative school. YouthBuild, designed to run on a 12-month cycle, offers job training, education, counseling, and leadership development opportunities to unemployed and out-of-school young adults, ages 16-24, through the construction and rehabilitation of affordable housing in their own

Care dependent services include healthcare, elder care, child care, mental health services, mental retardation services, or care of the disabled.

- The individual's work history in care dependent services may not include any incidents of misconduct.

An agency or facility must reasonably investigate the character of an individual with a previously disqualifying criminal offense by conducting interviews, obtaining references and obtaining documentation of work history. An agency or facility that hires such an individual is required to obtain specific employer-provided documentation of that individual's employment in care dependent services and retain it in the individual's personnel file.

An agency is still prohibited from hiring an individual who has been named as the perpetrator of a founded report of child abuse within the last five years, as well as those that have been convicted of a felony drug offense within the last five years.

The Warren County ruling applies only to prospective child care employees, not prospective foster and adoptive parent applicants. Agencies with questions regarding these requirements should contact their Program Representative from their respective regional office.

Impact on Volunteers for Children Act Program (VCA):

The Volunteers for Children Act (VCA), Pub. L. 105-251 (Sections 221 and 222) amended the National Child Protection Act of 1993 (NCPA), Pub. L. 103-209, by allowing States, in the absence of State statute or regulation, to access national criminal history record information to determine an individual's fitness to have responsibility for the safety and well-being of children. Pennsylvania implemented the VCA Program in March 2003.

Agencies that were approved previously as qualified entities to utilize VCA for the purposes of conducting federal criminal history background checks completed on foster and adoptive parent applicants, will no longer be able to utilize this process for this purpose. Foster and adoptive parent applicants must have their FBI background checks processed through Cogent Systems (Cogent). As of July 1, 2008, when FBI background checks are required for prospective child care service employees, VCA may be used only to process FBI background checks for volunteers.

Agencies requesting continued approval as a qualified entity in order to process FBI background checks for volunteers must be required to submit a new program application along with their agency's policy regarding the submission of FBI background check requests. Any questions regarding VCA should be directed to ChildLine at 717-783-6211.

PROCEDURE:

Child Abuse and Neglect Registry Checks From Another State:

Prospective foster, adoptive, CRR host home and respite provider parents, as well as adult household members are required to obtain certification from the Statewide central registries from any state in which they have resided within the previous five year period. DPW will be posting contact information and downloadable clearance forms for the other States on the DPW website at www.dpw.state.pa.us. This information can also be obtained by contacting ChildLine at (717) 783-6211.

The applicants and adult household members must obtain and complete the appropriate form(s) and forward the form(s) and any additionally required documentation or payment as required by the specific state(s) to ChildLine along with their submission for their Pennsylvania Child Abuse History Clearances. If the application is incomplete, it will be returned to the applicant for completion. ChildLine will then submit the completed applications to any additional state(s).

In order to ensure consistent interpretation of the results, the child abuse registry checks from the other states will be returned to ChildLine where a determination will be made regarding whether the individual's status is equivalent to a founded report of child abuse in Pennsylvania. ChildLine will then forward a letter specifying the results to the requesting applicant and/or agency.

If DPW determines that the individual is named as the equivalent of a perpetrator of a founded report of child abuse in another state within the previous five year period, then the foster or adoptive home is prohibited from being approved.

Please be advised that the requirement to check a state maintained child abuse registry only applies to a "State" as defined in 45 CFR 1355.20 as the 50 States, District of Columbia, Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam and American Samoa. It does **not** apply to any other country in which they have resided within the previous five year period.

As per OCYF Policy Clarification Number 3490-08-02, it is strongly recommended that individuals who move into a foster or adoptive home, whether prospective or already approved, secure documentation from the U.S. Embassy in their country of origin whether the issuance of their visas was dependent on the absence of any child abuse or criminal history. It is the practice of the U.S Embassy that such records are requested prior to issuing visas.

Federal Fingerprint-Based Criminal History Background Checks:

DPW will be using Cogent to process fingerprint-based FBI criminal history background checks. DPW's website www.pa.cogentid.com/dpw, will allow applicants for employment in a child care service or approval as a foster, adoptive, CRR host home and/or respite provider to apply online, as well as provide detailed information regarding the application process as outlined below.

The fingerprint based background check is a multiple step process. The applicant must first register with Cogent either through Cogent's website directly at <http://www.cogentsystems.com/>, through the DPW website, www.pa.cogentid.com/dpw, or by calling 1-888-439-2486. While telephone registration is permitted, electronic registration via the web is preferred. If registering through Cogent's direct website, select Applicant Fingerprinting on the right side of the page and select Department of Public Welfare. Only those individuals seeking FBI clearances under Act 114 of 2006 should select Pennsylvania Department of Education (PDE). Mistakes made during registration that result in incorrect personal information being contained on the background check, or the results being sent to PDE rather than DPW, are the responsibility of the applicant. If for some reason an applicant needs to be reprinted, they will incur the costs associated with re-printing. The applicant will pay a fee of \$35 for the fingerprint service and to secure their criminal history record. Consistent with what is already in place for Pennsylvania child abuse and criminal background checks, no cash transactions or personal checks are allowed. Applicants can make their payment online using a debit or credit card or can pay using a money order or business check onsite when they have their fingerprinting completed. If payment is being made at an onsite location, arrangements must be made for this when registering. Applicants will not be permitted to have fingerprinting scanned without fully completing the registration process. If the agency is paying for the background check, it must have an agency pay agreement established with Cogent. Agencies may obtain additional information on establishing an agency pay agreement on the website by selecting Agency Billing Agreement under Agency Use.

Agencies may also register with Cogent to obtain a unique identifier that can be shared with prospective employees for use at registration that will automatically populate the agency information on the registration screen. This will enable an official certification results letter, as described below, to be sent directly back to the prospective employer.

Following completion of the registration process, the applicant must appear in person at a fingerprint site that is convenient for them. Locations and hours for these sites can be found at www.pa.cogentid.com/dpw by selecting Print Locations and Hours under Print Site Locations.

The applicant will need to present an approved type of photo identification. Approved types of identification include a current, valid and unexpired picture identification document. As a primary form of picture identification, a state-issued driver's license may be presented by an applicant when being fingerprinted.

For those applicants without a driver's license, a state issued identification card may be presented if the state's identification card standards are the same as for the driver's license.

However, in the absence of a valid driver's license or state issued identification card, applicants may provide one of the following documents as proof of identification used:

- US Passport;
- Certificate of Citizenship (N560); or
- Certificate of Naturalization (N550).

In the absence of any of the above mentioned acceptable forms of identification, secondary documentation must include at least two of the following:

- State Government Issued Certificate of Birth;
- US Active Duty/Retiree/Reservist Military ID Card (000 10-2);
- Social Security Card;
- USCIS I-551 Resident Alien Card Issued Since 1997;
- USCIS I-688 Temporary Resident Identification Card;
- USCIS I-688B, I-766 Employment Authorization Card;
- Utility Bill (Address);
- Voter Registration Card;
- Vehicle Registration Card/Title;
- Paycheck Stub with Name/Address;
- Cancelled Check or Bank Statement;
- School Identification Card with Picture;
- School Records;
- Employer Identification Card; or
- Valid PA Learner's Permit.

After the process is complete, the applicant's scanned fingerprints will be electronically transmitted to the FBI. DPW will receive the completed federal criminal history background check from the FBI and will interpret the results to determine if the applicant has been convicted of a crime that is the equivalent to a prohibitive hire as outlined in § 6344 (c) of the CPSL. ChildLine will then forward a certification results letter, including a copy of the rap sheet, to the applicant. If there is an agency identified at the time of registration and this information contains a complete address, regardless of whether or not the agency paid for the clearance, a copy of the certification results letter only will be sent directly back to the agency. The applicant is responsible for sharing the information contained in the federal criminal history background check with their employer or foster care/adoption agency.

Cogent will retain an applicant's fingerprints until it is determined that the process has been successfully completed and the applicant or appropriate prospective employer of foster care/adoption agency has the results.

It is possible that the fingerprints may be rejected by the FBI. Poor fingerprint detail may be caused by age, occupation, or some other environmental/physical condition. In the case of a fingerprint rejection by the FBI, applicants will be requested by the FBI to submit a second set of fingerprints, at no charge to the applicant. This second submission must occur before alternative means of conducting a federal background can be initiated. An applicant who receives an FBI rejection letter must be fingerprinted a second time if they wish to complete their applicant background check. Individuals should take their rejection letter and proper identification to the nearest

Pennsylvania Fingerprint location. A second fingerprint submittal will be conducted at no charge. Applicants **do not** need to re-register for their second fingerprinting session if they received an FBI rejection letter. If an applicant's fingerprints are rejected a second time by the FBI, notification will be forwarded to ChildLine by the FBI. ChildLine will then conduct a name-based check through the FBI based on the demographic information on the initial application. Results of the FBI name-based background check will be forwarded by the FBI to ChildLine for interpretation. If an applicant chooses to get re-printed without following the established procedures, they are responsible for paying the fees associated with being re-printed and will not be reimbursed by the DPW or Cogent.

There are limited situations in which applicant's cannot be fingerprinted due to extreme physical or mental disabilities. These situations should be presented to the appropriate OCYF Regional Office in order for a decision to be made regarding alternate means of processing the applicant's FBI background check. The OCYF Regional Office will consult with OCYF Headquarters on how to proceed with each specific situation.

The certification result letter will be printed on standard 8.5" X 11" watermarked paper that when copied will reveal "Void if Copied." This does not prohibit an employer from copying the applicant's results letter, it is solely a means to verify that it is an official record. Complete processing of the FBI Criminal History Record should take no longer than 4-6 weeks. If the applicant does not receive the results from DPW within this time frame, they should call (717) 783-6211. Applicants will be permitted to receive one additional results letter, free of charge, from ChildLine within one year immediately following verification. Applicants should maintain their original results letter and allow their employers to make copies as necessary for personnel files.

For the purposes of seeking new employment or new approval as a foster, adoptive, CRR host home or respite provider parent through a different agency, background checks, including the Pennsylvania Child Abuse, PSP and FBI are valid for one year following verification; therefore if an applicant's background checks are more than one year old, new ones must be obtained.

WHO	WHAT BACKGROUND CHECKS ARE REQUIRED	WHEN ARE BACKGROUND CHECKS REQUIRED	WHEN ARE BACKGROUND CHECKS UPDATED	WHAT WILL HAPPEN IF BACKGROUND CHECKS ARE NOT APPROVED OR COMPLETED
Prospective foster parents and household members ages 18+ (\$6344 (d) (2))	- PA child abuse - PSP - FBI - Out-of-state child abuse (if individual resided in another state within last 5 years)	Prior to initial approval by foster family care agency	After approval, all three background checks must be updated every 24 months	- Home cannot be approved if record prohibits approval under Section 6344 of the CPSL - Home can be approved on an emergency basis provided requirements of OCYF Bulletin 3140-04-05/3490-04-01 are followed.
Prospective adoptive parents and household members ages 18+ (\$6344 (d) (1))	- PA child abuse - PSP - FBI - Out-of-state child abuse (if individual resided in another state within last 5 years)	Prior to initial approval by adoption agency	After approval, all three background checks required to be updated before a child is placed in the home if background checks are more than a year old	Home cannot be approved if record prohibits approval under Section 6344 of the CPSL
Household members ages 14-17 residing in a prospective foster or adoptive home (\$6344 (a))	- PA child abuse - PSP	Prior to initial approval by foster family care agency or adoption agency	Not required; however, individuals who turn 18 and are in the home more than 30 days of a calendar year must obtain PA child abuse, PSP and FBI background checks within 30 days following 18th birthday	Home cannot be approved if record prohibits approval under Section 6344 (c) (1) and (2) of the CPSL

WHO	WHAT BACKGROUND CHECKS ARE REQUIRED	WHEN ARE BACKGROUND CHECKS REQUIRED	WHEN ARE BACKGROUND CHECKS UPDATED	WHAT WILL HAPPEN IF BACKGROUND CHECKS ARE NOT APPROVED OR COMPLETED
Foster parents and household members ages 18+ (including foster children over the age of 18 living in the home at least 30 days of a calendar year) of an approved foster home (§6344 (d) (3))	· PA child abuse · PSP · FBI · Out-of-state child abuse for individuals age 18+ who begin residing in the home when they had resided in another state in the preceding five years	· PA child abuse, PSP and FBI background checks required to be resubmitted every 24 months · FBI background check required when other record checks are resubmitted · Out-of-state child abuse background check required only once	All three background checks must be updated every 24 months	Foster family care agency must review the background checks in accordance with Section 6344 (c) and determine continued approval based on the nature of the record checks and the best interest of the child(ren) in the home
Adoptive parents and household members ages 18+ (including foster children living in the home 30 days of a calendar year) when pre-placement report is required pursuant to §2530 (a) of the Adoption Act	· PA child abuse · PSP · FBI	Prior to placement in the home by adoption agency or intermediary if record checks are more than a year old	No update required	· Adoption agency or intermediary may not place child in the home. · An interim placement may be permissible only in full compliance with § 2530(c) of the Adoption Act
Prospective Community Rehabilitation Residential (CRR) Host Home parents and household members ages 18+	· PA child abuse · PSP · FBI · Out-of-state child abuse (if individual resided in another state within last 5 years)	Prior to employment	No update required unless employee seeks employment elsewhere and background checks are more than a year old	Employment prohibited if record contains prohibitive hires under Section 6344 of the CPSL

WHO	WHAT BACKGROUND CHECKS ARE REQUIRED	WHEN ARE BACKGROUND CHECKS REQUIRED	WHEN ARE BACKGROUND CHECKS UPDATED	WHAT WILL HAPPEN IF BACKGROUND CHECKS ARE NOT APPROVED OR COMPLETED
Household members ages 14-17 residing in a prospective community rehabilitation residential (CRR) host home	- PA child abuse - PSP	Prior to employment	Not required; however, individuals who turn 18 and are in the home more than 30 days of a calendar year must obtain PA child abuse, PSP and FBI background checks within 30 days following 18 th birthday	Home cannot be approved if record prohibits approval under Section 6344 (c) (1) and (2) of the CPSL
Prospective Respite Care Providers and household members ages 18+ 14	- PA child abuse - PSP - FBI - Out-of-state child abuse (if individual resided in another state within last 5 years)	Prior to employment	No update required unless employee seeks employment elsewhere and background checks are more than a year old	Employment prohibited if record contains prohibitive hires under Section 6344 of the CPSL
Household members ages 14-17 residing in a prospective respite care provider home	- PA child abuse - PSP	Prior to employment	Not required; however, individuals who turn 18 and are in the home more than 30 days of a calendar year must obtain PA child abuse, PSP and FBI background checks within 30 days following 18th birthday	Home cannot be approved if record prohibits approval under Section 6344 (c) (1) and (2) of the CPSL

WHO	Prospective child care service employees (as defined in Section 6303 of the CPSL) (§6344 (a))	Prospective employees of occupations with a significant likelihood of regular contact with children in the form of care, guidance, supervision or training (§6344.2 (b))	New self-employed family day care providers and household members 18+ who reside in the home at least 30 days in a calendar year applying for a certificate of registration with the Department (§6344 (e) and §6344.1)
WHAT BACKGROUND CHECKS ARE REQUIRED	- PA child abuse - PSP - FBI	- PA child abuse - PSP - FBI	- PA child abuse - PSP - FBI
WHEN ARE BACKGROUND CHECKS REQUIRED	Prior to employment	Prior to employment	Prior to Department issuance of Certificate of Registration
WHEN ARE BACKGROUND CHECKS UPDATED	No update required unless employee seeks employment elsewhere and background checks are more than a year old	No update required unless employee seeks employment elsewhere and background checks are more than a year old	Not required for provider or household members who submit background checks if certificate is renewed timely. Required at renewal for: - New person 18+ moving into home since previous application for registration certificate. - Person residing in home who turns 18 since previous application for registration certificate.
WHAT WILL HAPPEN IF BACKGROUND CHECKS ARE NOT APPROVED OR COMPLETED	- Employment prohibited if record contains prohibitive hires under Section 6344 of the CPSL - Provisional employment is permitted if conditions under Section 6344 (m) are met	Employment prohibited if record contains prohibitive hires under Section 6344 of the CPSL	Certification is prohibited if record prohibits approval under Section 6344 of the CPSL

WHO	WHAT BACKGROUND CHECKS ARE REQUIRED	WHEN ARE BACKGROUND CHECKS REQUIRED	WHEN ARE BACKGROUND CHECKS UPDATED	WHAT WILL HAPPEN IF BACKGROUND CHECKS ARE NOT APPROVED OR COMPLETED
Family day care homes currently registered and applying for renewal - Household members 18+ who reside in the home at least 30 days in a calendar year (§6344.1)	· PA child abuse · PSP · FBI	Prior to Department Renewal of Registration Certificate	For certificates of registration expiring on or after July 1, 2008, must submit all background checks for each household member 18+ who has not submitted record checks previously.	Certification is prohibited if record prohibits approval under Section 6344 of the CPSL
Persons seeking to operate i.e., applying for a certificate of compliance (license), to operate a child care service (§6344(f)).	· PA child abuse · PSP · FBI	Prior to Department issuance of a certificate of compliance.	No update required if certificate is timely renewed.	Certification is prohibited if record contains prohibitive hires under Section 6344 of the CPSL

Clarification of Prohibiting Approval/Hiring:

Approval of foster and adoptive homes and hiring of employees impacted by Act 73 of 2007 is prohibited when any individual has been:

- Named as a perpetrator of a founded report of child abuse or founded report for a school employee within five years preceding the request for a clearance. A founded report refers to when there has been a judicial adjudication based on a finding that a child who is a subject of a report has been abused. This is different from an indicated report where the county agency or DPW determines the child who is a subject of a report has been abused.
- Convicted of a felony offense under the Controlled Substance, Drug, Device and Cosmetic Act, 35 P.S. § 780-101 et seq., within five years preceding the request for a clearance.
- Convicted of criminal homicide, aggravated assault, stalking, kidnapping, unlawful restraint, rape, statutory sexual assault, involuntary deviate sexual intercourse, sexual assault, aggravated indecent assault, indecent assault, indecent exposure, incest, concealing the death of a child, endangering the welfare of children, dealing in infant children, prostitution and related offenses, pornography, corruption of minors and sexual abuse of children. The CPSL states that approval or hiring can not occur if any individuals have been convicted of any of these offenses. However, in 2003, the Commonwealth Court of Pennsylvania ruled in Warren County Human Services v. State Civil Service Commission, 844 A.2d 70 , that it is unconstitutional to prohibit employees convicted of these offenses from ever being hired in a child care service. DPW issued a letter on August 12, 2004 (see attachment) outlining the requirements agencies are to follow when hiring an individual affected by this ruling. This ruling does not apply to prospective foster and adoptive parent applicants. Individuals are permitted to be hired when:
 - The individual has a minimum five year aggregate work history in care dependent services since conviction of the crime or release from prison, whichever is later. Care dependent services include health care, elder care, child care, mental health services, mental retardation services or care of the disabled.
 - The individual's work history in care dependent services may not include any incidents of misconduct.
 - An agency must reasonably investigate the character of an individual with a previously disqualifying criminal offense by conducting interviews, obtaining references and obtaining documentation of work history. An agency or facility that hires such an individual is required to obtain specific employer provided documentation of that individual's employment in care dependent services and retain it in the individual's personnel file.



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF PUBLIC WELFARE
OFFICE OF CHILDREN, YOUTH AND FAMILIES
P.O. BOX 2675
HARRISBURG, PENNSYLVANIA 17105-2675

AUG 12 2004

Dear Colleague:

The Commonwealth Court of Pennsylvania recently declared unconstitutional Section 6344(c) of the Child Protective Services Law, 23 Pa. C.S. § 6344(c), which bans for life persons convicted of certain crimes from employment in child care services. Warren County Human Services v. State Civil Service Commission, 376 C.D. 2003 (March 8, 2004). The Court noted; however, that less-than-lifetime bans for certain crimes may be constitutionally permissible. Id. at n.9.

Accordingly, until new regulations or statutes are enacted, the Department of Public Welfare (DPW) will enforce the requirements of the Child Protective Services Law (CPSL) on child care services as follows:

1. An employer is still required to obtain background checks for prospective child care personnel.
2. The Pennsylvania State Police will continue to process applications for state criminal history reports and provide such information to the entity requesting the criminal history report.
3. DPW will continue to process FBI criminal history reports for prospective child care personnel who are not Pennsylvania residents and for Pennsylvania residents pursuant to the Volunteers for Children's Act. Letters from DPW will continue to indicate whether no record exists for the individual or whether the individual was convicted of a crime enumerated in the CPSL.
4. Effective March 9, 2004, DPW will not cite an agency or facility for regulatory violations if the agency or facility hires or continues to employ an individual who would have been barred from employment by the CPSL as long as the agency or facility reasonably determines that the individual has demonstrated rehabilitation. In order to demonstrate rehabilitation, the individual must meet the following requirements:
 - (a) The individual must have a minimum five-year aggregate work history in care-dependent services since conviction of the crime or release from incarceration, whichever is later. The individual is responsible for providing official verification of such dates. Care-dependent services include

healthcare, eldercare, child care, mental health services, mental retardation services, or care of the disabled.

(b) The individual's work history in care-dependent services may not include any incidents of misconduct by the individual.

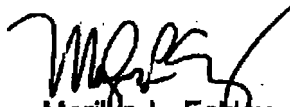
An agency or facility must reasonably investigate the character of an individual with a previously disqualifying criminal offense by conducting interviews, obtaining references and obtaining documentation of work history. An agency or facility that hires such an individual is required to obtain specific employer-provided documentation of that individual's employment in care-dependent services and retain it in the individual's personnel file.

5. The Court's ruling in no way prohibits an agency or facility from refusing to employ an individual based on information obtained in a criminal history report, even when that individual has verified completion of all the steps listed in number 4, above. Pennsylvania law, 18 Pa. C.S. § 9125, provides that an employer may consider criminal history felonies and misdemeanors, to the extent they relate to the applicant's suitability for employment in the position sought. The employer is required to notify the applicant, in writing, if the decision not to hire the applicant is based, in whole or in part, on the applicant's criminal history.
6. An agency or facility is still prohibited from hiring an individual who is named as the perpetrator in a founded report of child abuse within the last five years. See 23 Pa. C.S. § 6344(c)(1).
7. An agency or facility is still prohibited from hiring an individual who has been convicted of a felony drug offense within the last five years. See 23 Pa. C.S. § 6344(c).

Prospective foster and adoptive parent applicants are still required to submit criminal and child abuse history information. See 23 Pa. C.S. § 6344(d). The prohibition on the approval of a prospective foster or adoptive parent who has been convicted on any crime listed in section 6344 also remains in effect. See 55 Pa. Code §3490.123(d)(2).

If you have any questions, please contact your DPW licensing representative.

Sincerely,



Marilyn L. Eckley
Acting Deputy Secretary for Children,
Youth and Families

Appendix M
Summary of
Clearance Requirements
(Revised 7-1-08)

Clearance Requirements for Community-based Providers

The Child Protective Services Law (CPSL) which appears at 23 Pa. CS §6344 requires that all prospective employees of child-care services provide:

1. A report of criminal history record information from the Pennsylvania State Police or a statement from the Pennsylvania State Police that the State Police central repository contains no such information relating to that person.
2. A ChildLine clearance stating whether the applicant is named in the central register as the perpetrator of a founded report of child abuse, indicated report of child abuse, founded report for school employee or indicated report for school employee.
3. Commencing July 1, 2008, a report of Federal criminal history record information. The applicant shall submit a full set of fingerprints in a manner prescribed by the Commonwealth Department of Public Welfare. The Commonwealth shall submit the fingerprints to the Federal Bureau of Investigation in order to obtain a report of Federal criminal history record information. Note: employees hired prior to July 1, 2008 are not required to provide a Federal criminal history.

All three clearances (the Pennsylvania child abuse record check, the Pennsylvania State Police criminal record check and the FBI criminal record check) are valid for a one-year period following verification.

Applicants may not be hired if:

1. the applicant is named in the central register as a the perpetrator of a founded report of child abuse committed within the five-year period immediately preceding verification
2. the applicant is named in the central register as the perpetrator of a founded report for a school employee committed within the five-year period immediately preceding verification
3. the applicant's criminal history record information indicates the applicant has been convicted of one or more of the offenses enumerated at 23 Pa. CS §6344 (c).

There is no requirement in the CPSL that providers obtain the clearance information once the employee has been hired. In other words, there is no recertification requirement in terms of clearances. Furthermore there is no requirement in the CPSL that providers obtain clearances at any point for administrative or other support personnel unless their duties will involve direct contact with children. However, DHS General Provisions Section 3.30 does require that clearances be obtained for all present employees including executive and administrative staff.

Notwithstanding the above, applicants may be hired on a provisional basis for a single period not to exceed 30 days or, for out-of-State applicants, a period of 90 days, if all of the following conditions are met:

1. The applicant has applied for all of the above described required information and the applicant provides a copy of the appropriate completed request forms to the administrator.
2. The administrator has no knowledge of information pertaining to the applicant which would disqualify him from employment pursuant to the above described restrictions.
3. The applicant swears or affirms in writing that he is not disqualified from employment pursuant to the above described restrictions.
4. If the information obtained pursuant to the above described requirements reveals that the applicant is disqualified from employment, the applicant shall be immediately dismissed by the administrator.
5. The administrator requires that the applicant not be permitted to work alone with children and that the applicant work in the immediate vicinity of a permanent employee.

Note: the clearance requirements do not apply to "temporary employees under special programs." Temporary employees must meet the following requirements:

1. They are under 21 years of age
2. They are employed for periods of 90 days or less.
3. They are a part of a job development or job training program funded, in whole or in part, by public or private sources.

Once employment of a person who meets these conditions extends beyond 90 days, the clearance requirements take immediate effect.