

R381-70-11: CHILD SUPERVISION AND SECURITY

This section explains the rules regarding the supervision and security of the children.

Supervision is basic to maintaining the health and safety of children and providing quality services. Children must be supervised not only to protect them from physical injury, but from harm that can occur from topics discussed by children or by inappropriate behavior. It is the responsibility of staff to monitor what children are doing and talking about, and intervene when necessary. *CFOC 3rd ed. Standard 2.2.0.1. p. 65.*

Supervision rules apply to all qualifying children while on the premises, being transported, or participating in offsite activities.

Refer to the following guidelines:

- Supervision means having awareness of and responsibility for each child, and being near enough to intervene as needed.
- Any individual who counts in the staff-to-child ratio is responsible for the supervision and security of the children.
- It is a lack of supervision if any child is left solely in the care of an individual younger than 18 years old. Individuals who are 16 or 17 years old may be staff members, but may not be left alone with a child in care on the premises, in vehicles, or during offsite activities.

- (1) The provider shall ensure that staff provide and maintain active supervision of each child at all times.**

Rationale / Explanation

Supervision of children is essential in the prevention of harm. Parents have an expectation that their children will be supervised when in the care of the provider. To be available for supervision as well as rescue in an emergency, a staff member must be aware of each child at all times. *CFOC 3rd ed. Standard 2.2.0.1. pp. 64-66.*

Children like to test their skills and abilities. This is particularly noticeable around playground equipment. Serious injuries can happen if children are left unsupervised when children are outdoors. *CFOC 3rd ed. Standard 2.2.0.1. p. 65.*

Young children and those with special needs require the constant and close presence, guidance, and protection of an adult. Children who are engaged in a quiet activity still require active supervision.

Compliance Guidelines

These compliance guidelines apply to both R381-70(11)(1) and R381-70(11)(2)(a)-(f).

Actively supervising children requires that staff members:

- Supervise children both inside the facility and in the outdoor area.
- Can hear children and are close enough to intervene.
- Know how many children are in care. (Constantly counting the number of children in care and checking attendance logs will help staff verify how many children they are responsible for.)
- Focus their attention on the children rather than on personal tasks such as visiting with

another adult, talking on a cell phone, text messaging, reading, lesson planning, or performing tasks unrelated to the children. It is a rule violation, if a personal task, such as texting or talking on a cell phone, interferes with a staff member's active supervision of the children.

- Are positioned to be aware of and actively supervise each child in the group.

Inside Supervision

Active supervision is assessed based on the following descriptions of a "room," which affect a staff member's ability to see and/or hear children and intervene when necessary.

When a large room is divided into smaller rooms/areas with barriers such as furniture or with half walls, the room/area will be considered:

- One room, when the room is divided by a solid barrier that is 24 inches or less, whether the barrier is movable or immovable.
- One room, when the room is divided by a solid barrier that is between 25 and 40 inches in height and there is an opening in the barrier through which staff and children can move freely.
- Two rooms, when the room is divided by a solid barrier that is between 25 and 40 inches in height and there is no opening in the barrier through which staff and children can move freely, or there is an opening between the two sides but the opening is blocked such as with a child safety gate.
- Two rooms, when the room is divided by a solid barrier that is over 40 inches in height and there is no opening in the barrier through which staff and children can move freely, or there is an opening between the two sides but the opening is blocked such as with a child safety gate. If there is an opening through which staff and children can move freely and if the opening is not blocked, refer to the instructions below for a large opening, archway, or doorway.

When two rooms/areas are connected by a large opening, archway, or doorway, the rooms/areas will be considered:

- One room, when the width of the opening or archway is equal to or greater than the combined width of the walls on each side of the opening or archway (in the larger of the two rooms/areas), and there is no furniture or other dividers blocking the opening or archway. Otherwise, this will be considered two rooms.
- Two rooms, when the width of the opening or archway is smaller than the combined width of the walls on each side of the opening or archway (in the larger of the two rooms/areas).
 - If one of the two rooms is a bathroom for children, one staff member (or more, depending on the number of children present) may supervise both rooms.

Outside Supervision

For supervision to be in compliance, there must be a staff member (or more, depending on the number of children) in each outdoor area. Staff may not supervise children from outside of a fence.

When determining the number of staff required for supervision in outdoor areas separated by interior fences, consider it:

- One area – when the interior fence is 24 inches or lower in height, whether or not the fence has an opening.
- One area – when the interior fence is 40 inches or lower in height with an opening through which staff and children can move freely.
- Two areas – when the interior fence is higher than 24 inches and there is no opening.
- Two areas – when the interior fence is higher than 40 inches whether or not the fence has an

opening.

OUTDOOR AREA SEPARATED BY INTERIOR FENCE IS CONSIDERED ONE AREA



Interior fence is 24" or lower



Interior fence is 40" or lower

OUTDOOR AREA SEPARATED BY INTERIOR FENCE IS CONSIDERED TWO AREAS



Interior fence is higher than 24"



Interior fence is higher than 40"

The following guidelines apply to the assessment of this rule both indoors and outdoors.

- Children may be allowed to leave the room or playground by themselves to use the bathroom or get a drink from an indoor drinking fountain, except when the area they are going is shared by the public (such as a bathroom in a gym, rec center, or park). This practice is allowed as long as the provider has and follows a written policy that includes the following:
 - Only one child at a time from each group may be allowed to go to the bathroom or to get a drink from an indoor drinking fountain. Another child cannot be allowed to leave until the previous child has returned.
 - The staff member must track the time each child is gone, to make sure each child returns in a reasonable amount of time.
 - Building exits must be effectively monitored to ensure that a child who is sent inside to use the bathroom or get a drink does not leave the building from another exit.

It is not out of compliance if:

- There is a staff member in the room but their back is turned to the children.
- Staff send a child on a brief errand out of the classroom (for example, to take something to the office) except when the area the child is going is shared by the public.
- Staff are positioned in an open doorway, opening, or archway between two rooms and can see and hear all the children in both rooms as long as ratios are maintained.
- During an inspection, the licenser takes the staff member to show or explain a rule violation.
- If the provider or staff member gives permission for their own children to leave the premises in the company of another person (including a sibling).

High Risk Rule Violation

Corrective Action for 1st Instance

Citation and CMP Warning when:

- A staff member was unable to accurately account for all of the children, including in an emergency evacuation.
- Lack of supervision results in:
 - A lost child

- A child being left on an offsite activity
- A child being left unattended in a vehicle
- A child is left unsupervised at a pool
- A child being left at the facility after closing hours
- An exterior door is left open without a staff member in the room allowing children to exit the facility without supervision.
- A child is left in the care of an individual younger than 16 years old. (Individuals who are 16 or 17 years old may be staff members, but may not be left alone with a child in care on the premises, in vehicles, or during offsite activities).

Moderate Risk Rule Violation

Corrective Action for 1st Instance

Citation Warning when:

- Children are unsupervised (any lack of supervision that is not listed as high risk).
- A staff member leaves the children unsupervised to open the front door. (This violation is considered moderate risk only when the children are on the same floor and the room is in close proximity to the door. Otherwise, it is considered high risk.)
- The staff member’s attention is not on the children but on the staff member’s personal interests.

(2) Active supervision shall include:

- (a) staff shall be able to hear the children and be close enough to intervene,**
- (b) staff shall know the number of children in their assigned group at all times;**
- (c) staff’s attention shall be focused on the children and not on staff’s personal interests;**
- (d) staff shall be aware of the entire group of children even when interacting with a smaller group or an individual child; and**
- (e) staff shall position themselves so all children in their assigned group are actively supervised.**

Rationale / Explanation

Supervision of children is basic to the prevention of harm. Adults who are involved, aware, and responsive to children’s behaviors are in the best position to safeguard their well-being. *CFOC 3rd ed. Standard 2.2.0.1. pp. 64-66.*

To confirm the safe whereabouts of every child at all times, there should be a system in place where staff regularly account for each child. For example, staff should count children (name to face) at every transition, whenever leaving one area and arriving at another, and when going indoors or outdoors. *CFOC 3rd ed. Standard 2.2.0.1. pp. 64-66.*

Compliance Guidelines

- Refer to R381-70(11)(1) above for compliance guidelines and corrective actions.

(3) Whenever a child is participating in program services, the child’s parent shall have access to their child and the areas used to serve their child.

Rationale / Explanation

Allowing parents unrestricted access to their children and all areas of the facility that are used for the program is one of the most important methods of preventing abuse and maltreatment of children. When access is restricted, areas observable by parents may not reflect the quality of services that children actually receive. *CFOC 3rd ed. Standard 2.3.1.2. p. 78; Standard 9.4.1.6. pp. 380-381.*

Compliance Guidelines

- If the facility's doors are locked for security reasons, the provider must have a way to allow authorized parents to enter in a timely manner.
- Although not required by CCL, three common ways of securing a facility while allowing immediate access to parents include:
 - Using a keypad system in which parents can enter a code or use a fingerprint,
 - Monitoring an entrance visually or with audio and using a wi-fi enabled lock to buzz parents in,
 - Leaving one door unlocked and having a buzzer or doorbell that rings each time someone enters the facility.

Moderate Risk Rule Violation

Corrective Action for 1st Instance

Citation Warning

- (4) **To maintain security and supervision of children, the provider shall ensure that:**
- (a) **each child is signed in and out;**
 - (b) **only parents or persons with written authorization from the parent may sign out a child;**
 - (c) **photo identification is required if the individual signing the child in or out is unknown to the provider;**
 - (d) **persons signing children in and out use identifiers, such as a signature, initials, or electronic code;**
 - (e) **the sign-in and sign-out records include the date and time each child arrives and leaves; and**
 - (f) **there is written permission from their parents if children sign themselves in and out.**

Rationale / Explanation

The provider should have a sign-in and out system to track who enters and exits the facility. This helps maintain a secure environment for children and staff, helps staff know which children are present, and helps ensure that all individuals in the building are evacuated in case of an emergency. *CFOC 3rd ed. Standard 9.2.4.7. p. 371.*

Releasing a child into the care of an unauthorized person may put the child at risk. Proper release procedures should be followed to maintain the safety and security of each child. *CFOC 3rd ed. Standard 9.2.4.8. pp. 371-372.*

Keeping accurate records of arrivals and departures is critical in establishing which children are in the facility at any given time including during an emergency. Knowing the number of children present also helps in making sure there are no missing children, maintaining the staff-to-child ratio, tracking the child care reimbursement that is owed, and provides documentation in the event of child abuse allegations or legal action involving the facility. *CFOC 3rd ed. Standard 9.2.4.10. pp. 372-373.*

Compliance Guidelines

- There must be a separate signature for each time a child is signed in and for each time a child is signed out.
- Rule requires that anyone signing a child out of the out-of-school-time program has the parent's written authorization. This authorization is not required when signing a child into the facility.
- The person signing a child out must use their own signature or identifier, not the signature of the parent.

- The provider may accept an electronic permission statement (such as an email or text message) from the parent for an individual to sign out their child as long as the staff member can confirm the sender's identity.
- An electronic computer system that uses an identification code to sign children in and out meets the intent of this rule.
- A staff member may release a child to a person younger than 18 years old as long as the person has written authorization from the child's parent to sign the child out.

High Risk Rule Violation

Corrective Action for 1st Instance

Citation and CMP Warning when:

- An unauthorized person is allowed to take a child from the facility.
- The provider allows a child to sign out of the out-of-school-time facility without having permission from the parent.

Low Risk Rule Violation

Corrective Action for 1st Instance

Warning otherwise.

- (5) **In an emergency, program staff shall accept the parent's verbal authorization to release a child when the staff can confirm the identity of:**
- the person giving verbal authorization, and**
 - the person picking up the child.**

Rationale / Explanation

In case of an emergency, it may be necessary for a staff member to release a child based on the parent's verbal rather than written authorization. For the protection of the child and the provider, this should not be a routine practice.

Compliance Guidelines

- In an emergency, a parent may use an electronic means (such as an email or text message) as authorization to release their child as long as the staff member can confirm the sender's identity.

Low Risk Rule Violation

Corrective Action for 1st Instance

Warning

- (6) **A six-week record of each child's daily attendance, including sign-in and sign-out records, shall be kept on-site for review by the Department.**

Rationale / Explanation

Keeping accurate records of arrivals and departures is critical to establishing which children are present at the facility at any given time, and how many staff are needed for appropriate supervision. *CFOC 3rd ed. Standard 9.2.4.10. pp. 372-373.*

Low Risk Rule Violation

Corrective Action for 1st Instance

Warning