

## R430-90-11: 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 child care. 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 caregivers to monitor what children are doing and talking about, and intervene when necessary. *CFOC 3<sup>rd</sup> ed. Standard 2.2.0.1. p. 65.*

Supervision rules apply to all children in care. This includes the provider's and employees' children younger than 4 years old when those children are with other qualifying children while on the premises, being transported, or participating in offsite activities.

Rule	Child's Age	Unrelated Child	Provider's Own Child	Caregiver's Own Child	Other Related Child
Do supervision rules apply to the child?	0-3 Years	Yes	Yes	Yes	Yes
	4 Years & older	Yes	No <sup>1</sup>	No <sup>1</sup>	Yes

<sup>1</sup> The supervision rules do not apply to the provider's and caregivers' children who are 4 years old and older as long as the provider or caregiver is working at the facility or performing work-related duties.

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 caregiver-to-child ratio is responsible for the supervision and security of the children.
- All supervision rules apply to the provider's and caregivers' qualifying children while in care at the facility, during transportation, and during offsite activities.
- It is not a lack of supervision if the provider or caregiver gives permission for their own children to leave the premises in the company of another person (including a sibling).

- (1) The provider shall ensure that caregivers provide and maintain active supervision of each child at all times:**
- (a) a caregiver shall be inside the home when any child in care is inside the home,**
  - (b) a caregiver shall be in the outdoor area when any child younger than 5 years old is in the outdoor area,**
  - (c) caregivers shall know the number of children in their care at all times, and**
  - (d) caregivers' attention shall be focused on the children and not on the caregivers' own personal interests.**

### 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 caregiver must be aware of each child at all times. *CFOC 3<sup>rd</sup> 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. *CFOC 3<sup>rd</sup> ed. Standard 2.2.0.1. p. 65.*

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

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

### Compliance Guidelines

- Actively supervising children requires that a caregiver:
  - Knows where each child is at all times.
  - Visually checks (in person) on all awake and sleeping children who are not within the caregiver's sight at least every 15 minutes. (The use of video and audio monitoring or mirrors does not replace personally checking on children.)
  - Is within hearing distance when school-age children are playing outdoors. (In this case, the outdoor area must be fully fenced.)
  - Maintains awareness of the entire group of children even when interacting with small groups or individual children.
  - Is primarily focused on the children even when performing a personal task (such as visiting with another adult, talking on the phone, text messaging, reading, lesson planning, taking a bathroom break, or performing other tasks unrelated to child care). It is a rule violation, if a personal task, such as texting or talking on a cell phone, interferes with a caregiver's active supervision of the children.
- When supervising the children, a caregiver may not engage in the following types of activities:
  - Napping, including when the children are napping
  - Taking a shower or bath
  - Leaving the home to pick up the mail or for other reasons unrelated to child care
  - Performing the tasks of a secondary business (For example a tax business, a beauty salon, a shop, etc.).
- When the children are indoors, the caregiver may briefly (5 minutes or less) go outside to perform a legitimate child care task. Legitimate child care tasks include:
  - Taking trash to the outdoors garbage bin
  - Conducting a quick observation to prevent hazards before children use of the outdoor play area
  - Emptying or filling up a wading pool after or before use
  - Situating non-stationary play equipment before children use it

The following guidelines apply to active supervision when children are outdoors:

- A caregiver must be outdoors and positioned in a place where they are able to see each child.
- Children in care may ride bikes outside of the fenced area but still on the provider's property if a caregiver is in the same area with the children. The caregiver cannot be inside a fenced area (even with the gate open) if children are outside of the fenced area.

- When children younger than 5 years old are in the outdoor area, the caregiver may leave them outside and go inside for only two reasons: 1) to help a child use the bathroom if needed, and 2) to administer first aid to an injured child. Leaving the children unsupervised for one of these reasons is allowed on condition that:
  - The caregiver takes the children who are younger than 2 years old with them inside,
  - The outdoor area is completely fenced,
  - There is no other caregiver at the facility who can remain outside with the children, and
  - The children are not left outside for longer than 5 minutes.
- It is out of compliance if children younger than 5 years old are left unsupervised outside while the caregiver answers the door (even for licensing staff).
- When there are two caregivers on the premises, at least one caregiver must be in the outdoor area with the children who are younger than 5 years old while the other caregiver is performing caregiving duties.
- When outside, children age three or older may be sent indoors to use the bathroom without the caregiver, but only one child at a time may be sent in order to prevent multiple children from being inside without supervision and to ensure that the caregiver knows where every child is.

### High Risk Rule Violation

#### Corrective Action for 1<sup>st</sup> Instance

Citation and CMP Warning when:

- 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 home without a caregiver
- An exterior door is left open without a caregiver in the room allowing children to exit the facility without supervision.
- A caregiver was unable to accurately account for all of the children, including in an emergency evacuation.
- Any child is left in the care of an individual younger than 16 years old. (Individuals who are 16 or 17 years old may be caregivers, 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 1<sup>st</sup> Instance

Citation Warning otherwise

- (2) **A caregiver may allow only school-age children to play outdoors while the caregiver is indoors when:**
- the caregiver can hear the children playing outdoors; and**
  - the children are in an area completely enclosed within a fence, wall, or solid natural barrier that is at least a 4 feet high.**

### Rationale / Explanation

When outside, children like to test their skills and abilities. For this reason, caregivers must be able to hear and quickly intervene with school-age children who are outside. *CFOC 3<sup>rd</sup> ed. Standard 2.2.0.1. pp.64-66.*

### Compliance Guidelines

- Although school-age children may be allowed to play outdoors while a caregiver is indoors, they may not be allowed to play indoors when the only caregiver is outdoors.

### High Risk Rule Violation

#### Corrective Action for 1<sup>st</sup> Instance

Citation and CMP Warning

- (3) **A caregiver shall monitor each sleeping infant by:**
- (a) **placing each infant to sleep within the sight and hearing of the caregiver, or**
  - (b) **personally observing each sleeping infant at least once every 15 minutes.**

### Rationale / Explanation

Generally, infants do not require a dark and quiet place for sleep, and are able to sleep in places with light and noise. Placing infants within the sight and hearing of the caregiver is best practice in monitoring sleeping infants, and allows for a safer and faster evacuation in case of an emergency. If a caregiver cannot remain in the same room with sleeping infants, then they must do visual checks every fifteen minutes. The caregiver must be able to see each infant's face, to view the color of the infant's skin, and to check on the infant's breathing. *CFOC 3<sup>rd</sup> ed. Standard 1.1.1.1. p. 3; Standard 3.1.4.1. pp. 96-98.*

Because infants are at increased risk for dying from SIDS while in child care and because caregivers are liable for their actions, they must err on the side of caution and must provide the safest sleep environment for the infants in their care. *CFOC 3<sup>rd</sup> ed. Standard 3.1.4.1. p. 97.*

### Compliance Guidelines

- When checking on a sleeping infant, the caregiver must:
  - Ensure the child is breathing.
  - Remove and/or correct any potential hazards to ensure the child's safety, such as adjusting a blanket from covering an infant's head.
- A caregiver may use an enclosed porta-crib as long as the porta-crib window and top remain open so that the child can be visually checked.

### High Risk Rule Violation

#### Corrective Action for 1<sup>st</sup> Instance

Citation and CMP Warning

- (4) **A child may participate in supervised offsite activities without the provider if:**
- (a) **the provider has prior written permission from the child's parent for the child's participation, and**
  - (b) **the provider has clearly assigned the responsibility for the child's whereabouts and supervision to a responsible adult who accepts that responsibility throughout the period of the offsite activity.**

### Rationale / Explanation

Parents have an expectation that their children will be supervised when left in the care of the provider, and that the provider will not allow their child to go offsite without the parent's knowledge and consent, and without appropriate supervision. *CFOC 3<sup>rd</sup> ed. Standard 2.2.0.1. pp. 64-66.*

### Compliance Guidelines

- To be in compliance with this rule, the provider must have the parent's prior written permission that includes:
  - A description of the specific offsite activity that the child may participate in.
  - The specific days and times when the child may participate in the offsite activity.
  - The name of the adult who will be responsible for and supervise the child while offsite.
  - A statement releasing the provider from liability while the child participates in an offsite activity.
- Examples of supervised offsite activities include music or dance lessons, or playing at a friend's house.

### High Risk Rule Violation

#### Corrective Action for 1<sup>st</sup> Instance

Citation and CMP Warning when:

- The provider allows a child to leave without parental permission.
- The provider did not assign responsibility for the child to a responsible adult.

### Low Risk Rule Violation

#### Corrective Action for 1<sup>st</sup> Instance

Warning otherwise.

- (5) **Whenever a child is in care, the child's parent shall have access to their child and the areas used to care for their child.**

### Rationale / Explanation

Allowing parents unrestricted access to their children and all areas of the facility that are used for child care is one of the most important methods of preventing abuse and maltreatment of children in care. When access is restricted, areas observable by parents may not reflect the care that children actually receive. *CFOC 3<sup>rd</sup> 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 child care 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 1<sup>st</sup> Instance

Citation Warning

- (6) 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 school-age 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 caregivers know which children are in care, and helps ensure that all individuals in the building are evacuated in case of an emergency. *CFOC 3<sup>rd</sup> 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 3<sup>rd</sup> ed. Standard 9.2.4.8. pp. 371-372.*

Keeping accurate records of arrivals and departures is critical in establishing which children are in care 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 caregiver-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 3<sup>rd</sup> 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 child care has the parent's written authorization. This authorization is not required when signing a child into the child care 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 caregiver 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 caregiver 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.
- Providers and employees must sign in and out their own qualifying children who are in care.

### High Risk Rule Violation

#### Corrective Action for 1<sup>st</sup> Instance

Citation and CMP Warning when:

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

**Low Risk Rule Violation**  
**Corrective Action for 1<sup>st</sup> Instance**

Warning otherwise.

- (7) **In an emergency, the caregiver shall accept the parent’s verbal authorization to release a child when the caregiver can confirm the identity of:**
- (a) the person giving verbal authorization, and**
  - (b) the person picking up the child.**

**Rationale / Explanation**

In case of an emergency, it may be necessary for a caregiver 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 caregiver can confirm the sender’s identity.

**Low Risk Rule Violation**  
**Corrective Action for 1<sup>st</sup> Instance**

Warning

- (8) **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 in care at the home at any given time, and how many caregivers are needed for appropriate supervision. *CFOC 3<sup>rd</sup> ed. Standard 9.2.4.10. pp. 372-373.*

**Low Risk Rule Violation**  
**Corrective Action for 1<sup>st</sup> Instance**

Warning