

Licensed Child Care Home Advisory Committee

Meeting Minutes

Tuesday July 23, 2013

Bureau Staff Present: Melanie Brizzi and Debbie Sampson

Advisory Board Members Present: Karen Burnside Strack, Tammy Dunn, Noel Hanson, Ginny Harman, Tamela Hunt, Latrina Johanning, Rebecca Kenworthy, Coleen Land, Stephanie McKinstry, Lois Noggle, Jennifer Quartucci, Joey Scherschel-Buckles, and Eryn Wolf

Advisory Board Members Absent: Ranee Armstrong, Lena Burns, Sabrina Chase, Marci Graves, Brenda Kennedy, Tracy Renfro and Maria Wynne

Non-Members Present: Melissa Chalman, IACCRR

Old Business: Tammy made a motion to approve the minutes from the April 23, 2013 meeting, it was seconded. **Motion Carried.**

Bureau Business (Melanie Brizzi):

Melanie Brizzi informed the members of key child care laws that took affect July 1, 2013. These laws especially affect ministries, but licensed providers are impacted in some limited ways. licensed home The Interpretative Guidelines have been updated to reflect the new laws and the updates have been sent out to licensed providers and ministries. The Bureau held webinars and teleconferences to update providers on the new child care laws.

Legislative Business:

A. **House Enrolled Act 1494** – pertains to national background checks for the Provider, staff, qualifying volunteers, and family members.

1. All Providers are to have **national background checks** completed by, July 1, 2014. National background checks are approximately \$40 per person. All Provider types are required to meet national background check laws. Clients will only know that a Provider has had a clear back ground check because, the Provider has been granted an Indiana State license. Child Care Home Providers receive a letter regarding the results on all new employees. If something comes up on current employees, the provider will be notified by their licensing consultant.

- i. Required background checks are more accurate and comprehensive because now background checks will be conducted through a fingerprint search of the FBI database. National background checks will be done every three (3) years. Federal/State agencies do not keep results of fingerprint records in a database. The only fingerprints that are retained in the FBI database are those with criminal histories.
- ii. The FBI database regulations require that a organization/agency must have statutory authority to have access the results of the checks. FSSA, the Bureau of Child Care has authority to receive the results of the checks- but per statute cannot share these results with others.
- iii. The subject of the search- the individual not the hiring provider- can request the results of their own background check from the State police.
- iv. All national background checks have to be done through an L1 (MorphoTrust) agent. L1 is the contracted agency for the state of Indiana that collects the fingerprint scans. Checks must be conducted through L-1 (MorphoTrust)
- v. Providers are to make sure to specify "Family and Social Services Administration" when scheduling a background check with L1 via the FSSA website.
- vi. It is advisable that Providers start background checks now and not wait until the July 1, 2014 deadline.

2. A **volunteer** has been defined as an individual that serves at a child care without compensations for more than eight (8) hours a month. Volunteers must meet the same standards as child care staff.
 - i. An individual that serves less than eight (8) hours a month is exempt and considered a **“guest”** as long as the volunteer is not left alone with children nor counted in the staff to child ratio.
 - ii. Any individual who is left alone with children and/or counted in the staff to child ratios, regardless of the amount of time the individual works/volunteers within the child care per month, must meet all of the staff requirements including background checks.
 - iii. A volunteer/staff member between the ages of 14 – 18, must be supervised by a qualified caregiver who is at least 18 years old at all times.
 - iv. All juvenile background checks are sent to State police. Parents of juveniles that require a background check are to give permission, and results of juvenile background checks are sent to the juvenile's parents. The forms are on the Carefinder website or by contacting your licensing consultant.
3. New employees- Providers must submit a completed and legible “Consent to Release” form to BCC for all new staff and volunteers.
4. New staff and volunteers may begin working/volunteers after the Consent to Release form has been submitted **and** they have had their fingerprints taken **and** they have meet any other requirements such as drug screen, first aid training, TB testing. Providers must keep the receipt from L1 indicating that the fingerprints have been taken.
 - i. The Bureau will let the Provider know via a qualified/disqualified letter the results of a background check. This is for new employees only.
 - ii. Only new employees have to have National background checks now.
 - iii. New staff/employees must have completed the fingerprints and the provider must have submitted a legible consent to release form prior to that individual working/volunteers. If a new staff person is needed and appointment times are not available soon enough, check with another L-1 site that is nearby.
5. License home Providers **do not have to meet the additional** Child Care Development Fund (CCDF) standards found in IC12-17.2-3.5 and amended this year by Senate Enrolled Act 305 because **licensed providers are already meeting these standards by being licensed.**
 - i. Providers with a pending enforcement action- revocation or denial of their license- are ineligible to receive CCDF funding and **will not** be able to continue to receive CCDF funds during the appeal process.
 - ii. Providers with probationary licenses will no impact CCDF eligibility because probationary licenses are not enforcement actions.
 - iii. CCDF eligibility can be revoked for 2 years if a Provider has been convicted or has a substantiation of fraud, welfare fraud or CCDF fraud.
 - a. Arrests are not considered during background check- only convictions. The crimes that may prohibit an individual from working within a child care are the same for all types of Providers. The types of prohibitive crimes have changed and now include the following:
 1. Dangerous felonies as defined in IC-12-17.2-2
 2. Felonies that place an individual on the sex registry index “sex crimes”
 3. Other felonies that are less than 10 years from the date of final deposition
 4. Misdemeanor involving the health and safety of a child
 5. Conviction for operating a child care without the required license

Interpretative Guidelines:

The Interpretative Guide have been updated and sent out. The Guide has been updated and posted online with full guidelines and clarifications added, and new specifics and changes pertaining to child

care facilities.

A. Melissa Chalman gave updates for infant **Safe Sleep practices**. Safe Sleep refresher courses are available online through IACCRA for on hour.

1. Folding a pack n' play down should not form a "V" shape, it should form a "U" and it shouldn't pinch an infant's neck. Infants should not sleep in a broken crib/pack n' play.
2. There should be nothing in the crib/pack n' play while an infant is sleeping. Infants, newborn – twelve (12) months old are not allowed to sleep with blankets. All blankets are to be removed from the crib/pack n' play. Infants should not sleep with their heads covered with a blanket. Even infants that are swaddled cannot have a blanket or have the swaddling so tight so that the infants cannot move its arms. Infants cannot be swaddled with regular blankets, they must use the items developed specifically for swaddling.
3. Children over two (2) years old are allowed to sleep with a blanket.
4. Do not cover the face of any sleeping child- regardless of the age.
5. All sleeping areas should not be so dark that the Provider, staff or volunteer cannot see the child is in distress. The door to the sleeping area should be kept completely open.
6. crib/pack n' play sheets should be cleaned/ sanitized daily if more than one child is using any one particular crib/pack n' play.
7. Infants/children with delays should not be discriminated against, but the Provider should use discretion when placing them in a crib/pack n' play. Providers should ask the child's parents for a doctor's statement outlining the child's delay and reason for deviating from the safe sleep requirements.

B. **Transportation** - There has to be a written Field Trip or Transportation permission form on file whenever a Provider takes the children off child care property or outside the fence boundaries. Child care children are to be within sight and/or sound of the Provider at all times.

C. **Fire Prevention** - There should be two (2) means of escape out of every room used for child care. Doors and windows counted as a means of escape cannot be covered with plastic or barred. Windows with screens should be easily popped out.

D. **Hand washing**- Child care children should have access to running water, soap, and paper towels. They should be able to reach these items and wash their hands themselves.

E. **Diapering** – Diaper changing pads should be covered by water proof paper such as wax paper. The diaper changing pad should be longer than the child. Dirty gloves should be taken off before the new diaper is touched so as not to contaminate the clean diaper. The wax paper should be folded down so as not to contaminate the clean diaper.

F. **Smoking** – As of July 2012 a State law was passed that banned smoking in public and work areas. Smoking is banned at all times within eight (8) feet of any and all child care facilities. There is to be two (2) NO SMOKING signs posted in the child care facility. NO SMOKING WITHIN 8 FEET OF THIS FACILITY signs have to be posted at both exits and noticeable to your child care clients. Websites to use as references:

Breatheasyindiana.com

Compliancesigns.com

G. **Health and Safety** – if a Provider is using a bounce house, the bounce house has to be kept clean. A bounce house should be anchored into the ground. The bounce house has to be set up within the fenced in area of the daycare facility. The Provider should use discretion with the amount of children inside the bounce house at one time. A separate form should be kept on file for the use of a bounce house or outside equipment. Children must be properly supervised at all times.

Other Business:

- Stephanie McKinstry asked if there were any grants available to home child care providers that offer a preschool curriculum. Melanin Brizzi stated that there were none available from the Bureau at this time.
- If anyone knows of any workshop or training class, please share them on the Committee Facebook page. The Committee Facebook page can be found at:

Adjournment:

A motion was made by Tammy Dunn to end the meeting, it was seconded. The meeting started at 1:00 p.m. The meeting was adjourned at 3:03 p.m.

Note: Additional information on the new child care laws including the answers to frequently asked questions can be found on the BCC website:

<http://www.in.gov/fssa/2552.htm>