



Licensing Orientation for New Child Development Homes and Expanded Homes



Introduction



Introduction

Welcome to the Office of the State Superintendent of Education's (OSSE) child development licensing online orientation for child development homes and expanded homes.

Licensed child development Child Care Home Caregivers offer safe, healthy and nurturing care to children in the District of Columbia. We thank you for your interest in becoming a licensed provider.

This orientation will take approximately one hour to complete. This is an overview of the licensing requirements and the licensing process. It does not include all regulations or child development home requirements; therefore it is important that you also review the full licensing regulations.

At the end of this presentation, you will be asked to complete a brief online quiz about the information in this presentation.



Purpose of the New Regulations

- On Dec. 2, 2016, the Office of the State Superintendent (“OSSE”) published a Notice of Final Rulemaking in the DC Register (63 DCR 50) updating the regulations governing the licensure of child development facilities throughout the District of Columbia.
- The purpose of the Final Rulemaking is to ensure that care and education provided in a licensed Child Development Facility in the District is safe and supports children’s healthy development and future academic achievement and success by establishing the minimum requirements necessary to protect the health, safety, welfare, and positive development of children in care.



Orientation Agenda

Orientation Agenda

1. About OSSE's role in licensing
2. Definition of a child development home
3. Licensing regulations
4. Licensing exemptions
5. General requirements
6. Space requirements
7. Supervision requirements
8. Staff qualifications
9. Health, safety & welfare
10. Resources and supports
11. Licensing timeline
12. Licensing process
13. Orientation questionnaire



OSSE's Role



Child Development Facility License

Child development facility licenses in the District of Columbia are issued by OSSE's Division of Early Learning.

OSSE is the regulatory authority for child care licensing in the District and is responsible for licensing and monitoring child development facilities to ensure the health and safety of children in facilities.



Child Development Home Definition



Child Development Home Definition

A child development home or expanded home is defined as a private residence which provides a child development program for children.

A child development home may be licensed to provide care for up to six children. The total number of six children in the care of a Child Development Home does not include those of the caregiver who are six years or older; provided, that the total number of children of the caregiver between age 6 and 15 shall not exceed three, and of those three children, no more than two shall be age 10 years or younger.



Child Development Home Definition

The restrictions on the number of children who may be cared for in a child development home also include care given to a child by a caregiver related to the child. The term "related" means any of the following relationships by marriage, blood, or adoption: grandparent, parent, brother, sister, step-sister, step-brother, uncle, or aunt.



Licensing Regulations



Licensing Regulations

The District of Columbia's Child Development Facility Regulations are listed in the District of Columbia Municipal Regulations (DCMR), Title 5A ,Chapter 1.

Prior to beginning the licensing application process, review DCMR, Title 5A, Chapter 1. Understanding the regulations are an important part of successfully navigating the licensing process and ensuring successful completion facility licensing.

A summary of the licensing regulations is available at the following link: <https://osse.dc.gov/publication/summary-and-overview-final-rulemaking-licensing-child-development-facilities>.



Licensing Exemptions



Licensing Exemptions

The following child development services shall be exempt from obtaining a license to operate a facility:

- Occasional babysitting in a babysitter's home or a child's home for the children of one (1) family;
- Care provided in a child's home by a caregiver paid for by a child's family;
- Care provided for more than one child in a Nanny Share, as defined in this chapter;
- Informal or occasional parent-supervised play groups;
- Adult gyms or clubs that provide temporary babysitting as a benefit in order for members to utilize services;
- Adult education programs that provide child care services while parent(s) are on the same campus as the child attending a class or education program for a temporary period of time;



Licensing Exemptions

The following child development services shall be exempt from obtaining a license to operate a facility:

- Child-centered businesses that solely provide sessions, classes or activities including, but not limited to, tutoring, music, dance, sport, or art, while parent(s) or guardian(s) remain on the business' premises;
- Care provided in places of worship during religious services;
- Care provided by a related person, as defined in this chapter;
- Facilities operated by the federal government on federal government property, except that a private entity utilizing space in or on federal government property is not exempt unless federal law specifically exempts the facility from the District of Columbia's regulatory authority;



Licensing Exemptions

The following child development services shall be exempt from obtaining a license to operate a Facility:

- A District of Columbia public school or public charter school providing education services to children in grades pre-K-3 through grade 12 during a full school day;
- A private school providing education services to children in grades pre-K- through grade 12 during the a full school day; and
- A community based organization providing only pre-K education services to pre-K age children pursuant to the Pre-K Act and funded by OSSE;
- Facilities that provide only before school care, only after school care, or only summer camp to school age children; and
- Facilities otherwise exempted by law.



General Requirements



Caregiver

The following requirements apply to all child development homes and expanded homes:

- A licensee shall live on the premises and work at the facility located in the home.
- Child development home caregivers shall be physically present at the facility during the facility's hours of operation and maintain, on the premises, a record of days and actual hours at work at the facility.
- When the child development home caregiver is not physically present at the facility due to caregiver's attendance at a professional development event or performance of other caregiver related responsibilities, the child development home caregiver shall designate a qualified back-up caregiver, who meets the requirements and qualifications of a caregiver as set forth in Section 168.1(a) and (c) and criminal background checks as set forth in Section 133, , to assume full responsibility for the facility's operations in the absence of the child development home caregiver.



The following requirements apply to all child development homes and expanded homes:

- Child development home caregivers shall ensure that qualified back-up personnel are available during all hours of the facility's hours of operation and that the engagement of back-up personnel does not create a violation of this chapter. If a child development home caregiver utilizes another licensed child development home caregiver as a back-up, the back-up site shall not be responsible for more children than indicated on his or her license.



Food Handling

The following requirements apply to all child development homes and expanded homes:

- A licensee who stores, prepares, handles and serves food shall be responsible for following the requirements consistent with the District of Columbia Municipal Regulations, including obtaining all requisite certifications or licenses as required under the applicable laws and regulations of the District of Columbia.



Foster Care

A licensed child development home or expanded home shall not provide foster care, for either children or adults, on the same premises, without the prior written approval from OSSE. This written approval shall be maintained at the Facility at all times that the caregiver provides foster care.



Health Requirements

The following requirements apply to all child development homes and expanded homes:

- A licensed child development home shall obtain, maintain, and provide to OSSE upon request, documentation establishing that each person living at the home that houses the facility has, within the preceding 12 months, been examined by a licensed health care professional and certified by that professional to be free of communicable diseases.



The following requirements apply to all child development homes and expanded homes:

- A licensed home shall ensure that licensed firearm, shotguns, rifles or other licensed weapons and ammunition are inaccessible to children served in a child development home or expanded home; unloaded, secured with an appropriate trigger locking device; and stored in a safe storage depository which, when locked, is incapable of being opened without the key, combination or other unlocking mechanism and is capable of preventing an unauthorized person from obtaining access to and possession of the weapon or ammunition contained therein.



Firearms

The following requirements apply to all child development homes and expanded homes:

- Ammunition shall also be stored in a safe storage depository.
- A Licensed Home shall ensure that parent(s) or guardian(s) of children served in a child development home or expanded home with licensed firearm, shotguns, rifles or other licensed weapons and ammunition are provided notice that a licensed firearm, shotguns, rifles or other licensed weapons and ammunition are on the premises of the child development home or expanded home.



Space Requirements



Program Space Requirements

The following requirements apply to all child development homes and expanded homes:

- Child development homes and expanded homes shall obtain approval from OSSE for the use of all program space, and may only offer child care in approved space.
- The Caregiver(s) of a child development home or expanded home shall arrange the play space and the furniture in the approved program space within the child development home or expanded home to allow adequate room for active and quiet play and for individual and group activities.



Indoor Space

Indoor program space must be kept clean, sanitary, safe and in good repair. All space must be free from hazardous material, and storage for poisonous material (i.e. paint, cleaning supplies, etc.) must be locked at all times.

Space will be inspected and approved by the Department of Consumer and Regulatory Affairs (DCRA) and OSSE.



Outdoor Space

Child development homes and expanded homes shall provide a sufficient amount, as determined by OSSE, of developmentally appropriate toys, games, equipment, books, and other materials to meet the needs of enrolled children at the facility.

Child development homes and expanded homes serving infants, toddlers, or preschoolers shall provide suitable age-appropriate outdoor place space. This play space shall be at:

- An enclosed yard on the Facility premises;
- A nearby park or playground; or
- A rooftop play space that meets the licensing requirements
- Child development homes and expanded homes shall provide a minimum of sixty square feet (60 ft²) of outdoor play space per child, based on the maximum number of children scheduled to play outdoors at any one time.



Supervision Requirements



Supervision

Adult-to-child ratios and group sizes are established to ensure the health and safety of all children.

Children shall be supervised while at the facility by responsible staff and volunteers who can see and hear the children at all times including, but not limited to, when they are napping or sleeping, on the playground, on field trips, on vehicular and non-vehicular excursions, and during all water activities and water play activities.

Except as otherwise provided for in this section, volunteers shall not be used to meet adult-to-child ratio requirements. Only employees responsible for directly providing care of, or supervision or guidance to, children shall be counted in the adult-to-child ratios.



Supervision Requirements

Child development homes and expanded homes serving infants, toddlers, and/or preschoolers, and providing out-of-school-time care to school-age children shall maintain the adult-to-child ratios and group sizes as specified herein:

AGE OF CHILDREN	ADULT-TO-CHILD RATIO	MAXIMUM NUMBER OF CHILDREN ENROLLED
1 child under 2 years of age and 1 to 11 children over 2 years of age	1:6	12
2 children under 2 years of age and 1 to 4 children over 2 years of age	1:6	6
3 children under 2 years of age and 1 to 6 children over 2 years of age	1:3 (but at least 2 Caregivers)	9
4 children under 2 years of age and 1 to 8 children over 2 years of age	1:3 (but at least 2 Caregivers)	12
5 children under 2 years of age and 1 to 4 children over 2 years of age	3 Caregivers	9
6 children under 2 years of age and 1 to 3 children over 2 years of age	3 Caregivers	9



Staff Qualifications



Staff Suitability

A licensee shall maintain a qualified workforce comprised of individuals who are committed to promoting and ensuring the health, safety, and welfare of the children in their care.

- Drug and alcohol testing program that conforms to the requirements, set forth in this chapter pursuant to Sections 2031 *et seq.* of CYSHA (D.C. Law 15-353; D.C. Official Code §§ 1-620.31 *et seq.*).
- Traffic records check through the applicable Department of Motor Vehicles (if applicable)
- Criminal background checks and suitability determination process through OSSE (FBI, state police, National Sex Offender Registry, and child abuse and neglect registries)



Drug and Alcohol Testing

A licensee shall establish mandatory drug and alcohol testing policies and procedures that provide the following:

All testing programs shall conduct tests:

- Prior to employment;
 - Upon an employee's reasonable suspicion referral; and
 - Post-accident, as soon as reasonably possible after the accident.
- Compliance with other District and federal rules specifically applicable to employees of a child development facility.



Criminal Background Checks

The suitability of current or prospective staff member of a licensee shall be assessed through completion of fingerprinting and a criminal history check through OSSE.

Criminal background checks include:

- A FBI fingerprint check using Next Generation Identification;
- A search of the National Crime Information Center's National Sex Offender Registry; and
- Search registries, repositories, or databases in the state where the staff member resides and each state where such staff member resided during the preceding five years.



Home Caregiver Qualifications

A child development home caregiver shall be at least 18 years of age and shall:

- Have earned a high school diploma or its equivalent and a Child Development Associate (CDA) credential within two years of the effective date of these regulations December 2020.
- Attend at least four child development-related training courses, approved by the District of Columbia Government, per year, for a total of at least 12 hours of professional development annually.
- Successfully completes all required health and safety training requirements.



Expanded Home Caregiver Qualifications

An expanded child development home caregiver shall be at least 18 years of age and shall:

a) Have earned at least one of the following:

- 1) An associate's or more advanced degree from an institution accredited by an agency recognized by the US Secretary of Education or the Council for Higher Education Accreditation, with a major in early childhood education, early childhood development, child and family studies or a closely related field.
- 2) A high school diploma or its equivalent, and a current Child Development Associate (CDA) credential provided that he or she earns an associate's or more advanced degree as described in Subsection 170.2(a)(1) within three years of the effective date of these regulations.



Expanded Home Caregiver Qualifications

Have successfully completed one of the following:

- 1) At least one year of operating as the caregiver in a licensed District of Columbia child development home or its equivalent in another jurisdiction; or
- 2) At least one year of supervised occupational experience in a licensed child development center, or its equivalent in another jurisdiction, as a center director or teacher.



Associate Home Caregiver Qualifications

An associate caregiver in an expanded home shall be at least eighteen (18) years of age and shall:

- a) Have earned a high school diploma or its equivalent, and a current CDA credential, except that an Associate Caregiver currently working in a licensed expanded home on the effective date of these regulations shall have two (2) years from that date within which to obtain the CDA credential.



Associate Home Caregiver Qualifications

An associate caregiver in an expanded home shall be at least 18 years of age and shall:

- b) Have successfully completed at least one of the following:
 - a) At least one year of operating as the caregiver in a District of Columbia licensed child development home, or its equivalent in another jurisdiction.
 - b) At least one year of supervised occupational experience in a District of Columbia licensed child development center, or its equivalent in another jurisdiction, as a center director, teacher, or assistant teacher.



Effective Dates and Implementation Timeline

Staff Qualifications: New staff qualifications for center directors, teachers, assistant teachers, and caregivers have varying compliance deadlines depending on the position and current level of staff education:

- **Center Directors*:** BA in early childhood education or a BA with at least 15 semester credit hours in early childhood by December 2022
- **Teachers*:** AA in early childhood education or an AA with at least 24 semester credit hours in early childhood by December 2020
- **Assistant Teachers:** Child Development Associate by December 2018
- **Home Caregivers:** Child Development Associate by December 2018
- **Home Associate Caregiver:** Child Development Associate by December 2018
- **Expanded Home Caregiver:** AA in early childhood education or an AA with at least 24 semester credit hours in early childhood by December 2019

*The regulations provide a waiver option for directors and teachers that have been in this type of position consecutively for the past 10 years.



Health, Safety and Welfare Requirements



Health, Safety and Welfare Requirements

- The child development child care home caregiver shall ensure that no person, including staff, parents, and visitors, smoke or use tobacco products within the program space.
- During hours of operation, all tobacco products must remain out of the reach of children at all times.
- When children are in the care of the facility, or off-site, no staff member shall consume or be under the influence of alcoholic beverages or use illegal drugs.



Health, Safety and Welfare Requirements

Each child development home shall establish, implement, and display a written policy regarding hand washing, which addresses:

- When hand washing is required for staff and for children
- Specific hand washing procedures



5A DCMR, Chapter 1, 144



CPR and First Aid Requirements

- Each child development child care home caregiver shall have, at all times, at least two staff members who possess current certification in CPR and First Aid for children and the prevention, recognition and management of communicable diseases.
- Each facility shall obtain and maintain a sufficient quantity of required first aid supplies.



5A DCMR, Chapter 1, 150



Health, Safety and Welfare Requirements

Each child development home shall locate its diaper-changing area so that it is in close proximity to a source of warm running water and soap and is not in or near the facility kitchen area.



5A DCMR, Chapter 1, 145



Transportation Requirements

Each child development facility that owns, operates, or maintains one or more motor vehicles used for transporting children shall comply with all applicable federal and District of Columbia laws and regulations governing the maintenance and operation of motor vehicles and the transportation of children.



5A DCMR, Chapter 1, 158



Licensing Regulations

Please remember, this orientation offers highlighted information and requirements but you must read the DCMR Title 5A ,Chapter 1 carefully to understand all of the applicable regulations.

<https://osse.dc.gov/service/early-learning-regulations-and-policies>



Resources and Support



Resources and Support

Once you have submitted an application for licensing, you will be assigned to a licensing specialist.

The licensing specialist will:

- Answer questions regarding documents and processes required when applying for a license;
- Provide you information regarding other agencies needed to complete the child care licensing application; and
- Provide guidance and technical assistance prior to and after you receive your license.

Licensing Unit Contact number: (202) 727-1839



Resources and Support

Forms and additional information can be found on the OSSE website.

- Licensing <https://osse.dc.gov/service/licensing-and-compliance>
- Forms <https://osse.dc.gov/service/early-learning-services-providers-forms>
- Regulations and policies <https://osse.dc.gov/service/early-learning-regulations-and-policies>
- Summary of licensing regulations <https://osse.dc.gov/publication/summary-and-overview-final-rulemaking-licensing-child-development-facilities>
- Professional development <https://osse.dc.gov/service/early-learning-services-providers-professional-development>
- Healthy Tots <https://osse.dc.gov/node/1132611>
- Subsidy program <https://osse.dc.gov/page/subsidy-program>



Licensing Timeline



Licensing Timeline

The licensing process takes approximately 1-3 months. The timeframe in which an applicant receives a license varies based on the applicant's availability and the timeframe it takes for the applicant to correct any identified deficiencies.

The licensing process and timeline can be found at

https://osse.dc.gov/sites/default/files/dc/sites/osse/page_content/attachments/Early%20Learning%20Licensing%20Process%20Flow.pdf



Navigating the Licensing Process



Overview

The licensing process consists of the following steps:

- Complete orientation
- Obtain permits and certificates
- Submit application and fees
- Prepare for initial inspection
- Initial inspection
- Prepare for follow-up inspection (if needed)
- Validation visit
- Issuance of child development facility license



Step 1: Complete Orientation

Complete orientation and review of the licensing regulations.

- View the online licensing webinar.
- Successfully complete the orientation questionnaire.
- Print orientation completion certificate (submit with initial application).
- Begin the application package for child development facility licensing.

*Please note, in-person licensing orientations are available upon request.



Step 2: Obtain Permits and Certificates

Homes and expanded homes must obtain a **Home Occupancy Permit (HOP)**.

An HOP or other succeeding form of equivalent proof is required that verifies the premise(s) complies with all applicable federal and District of Columbia building, fire-safety, construction, and zoning laws, regulations and codes and that the premise(s) are fit and suitable for the operation of a Child Development Facility, issued by the District of Columbia Department of Consumer and Regulatory Affairs (“DCA”).



Obtain Permits and Certificates

An HOP can be obtained from:

Department of Consumer and Regulatory Affairs (DCRA)
Building and Land Regulation Administration
Zoning Division
1100 Fourth St. SW, Second Floor
Washington, DC 20024

www.dcrd.dc.gov/service/get-home-occupation-permit

Attach a copy of your HOP to your child development facility licensing application.



Obtain Permits and Certificates

Fire Safety Inspection Certificate

The fire safety inspection certificate must be obtained from the Department of Consumer and Regulatory Affairs (DCRA), Fire Protection Branch, and Building and Land Regulation Administration.

1100 Fourth St. SW, Second Floor
Washington, DC 20024

A DCRA representative will contact you to schedule a full on-site fire prevention inspection and fire evacuation plan review.

Attach a copy of your final inspection approval and fire evacuation plan to your child development facility licensing application.



Obtain Permits and Certificates

Lead Certification

A certification or clearance report issued by a DC Department of Energy and Environment (DOEE) certified lead-based paint inspector, risk assessor, or dust sampling technician confirming that the facility does not contain any lead-based paint hazards, issued no more than 30 days prior to the date of application.

A list of Certified Lead Risk Assessors can be found at:

District Department of the Energy and Environment

1200 First Street NE, Fifth Floor

Washington, DC 20002

<http://www.ddoe.dc.gov>

Attach a copy of your Lead Certification to your child development facility licensing application.



Obtain Permits and Certificates

Clean Hands Certificate

A clean hands certification that the applicant satisfies the requirements that must be met in order to obtain a license or permit from the District government, set out in DC Official Code § 47-2862, issued by the District of Columbia Office of Tax and Revenue within 30 days of the date the application is submitted.

www.otr.cfo.dc.gov

Attach a copy of your clean hands certification to your child development facility licensing application.



Obtain Permits and Certificates

Insurance

Proof of insurance, which includes a reasonable coverage amount, as determined by the District of Columbia Office of Risk Management, for the following types of coverage:

- Commercial General Liability;
- Umbrella “Follow Form” Liability;
- Sexual Abuse & Molestation Liability; and
- Vehicle liability covering every vehicle that will be used to provide transportation services to children at the facility.

Attach a copy of your Insurance certification to your child development facility licensing application.



Obtain Permits and Certificates

Building Use Agreement

A current, valid, and notarized building use agreement that identifies a contingency location that may be used if the primary location of operation ceases to be available and includes, but is not limited to, the following:

- Contact information for the owner of the building;
- The purpose of the use;
- General guideline and requirements;
- Proof of appropriate insurance coverage;
- Proof of valid certificate of occupancy;
- Proof of updated safety inspections that are required specific for a child development facility;
- User responsibilities; and
- User restrictions; and Facility usage fee, if any.

In lieu of the building use agreement, an applicant may opt to close their facility in the event of an emergency lasting more than 24 hours by attaching a facility closure statement to the “Safe Evacuation Site” form with their application.

Attach a copy of your building use agreement to your child development facility licensing application.

5A DCMR, Chapter 1, 103.5 (g)



Step 3: Submit Application

Initial Application Submission should include the following:

- Completed application form
- Copy of orientation completion certificate
- Original home occupancy permit
- Original fire inspection certificate
- Original lead inspection certificate or report
- Clean hands act certification
- Proof of current liability insurance coverage
 - Commercial general liability
 - Umbrella “Follow Form” liability
 - Sexual abuse and molestation liability
 - Vehicle liability



Submit Application

Initial Application Submission should include the following:

- Original certificate of good standing (if incorporated)
- Initial application/pre-licensure inspection fee (made payable to DC Treasurer)
- Criminal Background Checks and Histories for Applicant, including:
 - ❖ Federal Bureau of Investigations Check Results for Applicant;
 - ❖ Criminal History (MPD) Check Results for Applicant; and
 - ❖ Child Protection Registry Checks Results (or Notarized Affidavits for Applicant pending receipt of the CPR results).
- Staff credentials (if hired at this point)



Submit Application

Licensing application packets should be submitted along with payment to:

Office of the State Superintendent of Education
Division of Early Learning
Child Development Licensing Unit
810 First Street NE, Fourth Floor
Washington, DC 20002



Initial Inspection



Step 4: Prepare for Initial Inspection

A licensing specialist will contact you within 10 business days of receipt of your application.

Prepare the following documents for review:

- Written program, policies and procedures
- Alcohol and drug policies and testing procedures
- Building use agreement or safe evacuation site form
- Sample five-day menu following USDA child and adult food care program meal pattern (if serving food)



Prepare for Initial Inspection

- Procure (purchase) developmentally appropriate materials, equipment, cots/cribs that are sufficient for the number of children enrolled.
- Designate program space(s) and set up program learning/activity areas for children.
- Complete caregiver files which include:
 - A current health certificate;
 - Employee health information form;
 - Employee appointment form;
 - Educational credentials, resume;
 - Criminal and background history checks – OSSE-issued suitability notice;
 - Drug and alcohol policies and pre-employment test results;
 - Sudden infant death syndrome (SIDS) training;
 - First aid and CPR certification; and
 - Traffic record check*.

*Only required if an employee will transport children.

5A DCMR, Chapter 1, 130, 131, 132



Step 5: Initial Inspection

During the initial inspection, the licensing specialist will:

- Inspect your home to ensure all health, and safety and licensing requirements are met;
- Review all documents submitted by applicant for initial inspection; and
- Issue a Statement of Deficiencies report with recommended plan of correction (if applicable).

Applicant must correct deficiencies (if applicable) within required timeframe as specified by OSSE, not to exceed 90 days.



Follow-Up Inspection



Step 6: Follow-Up Inspection

Contact your licensing specialist to schedule a follow up inspection, if needed. During the follow up inspection, your licensing specialist will review any deficiencies noted during your initial inspection.





Licensing Validation Visit



Step 7: Validation Visit

Your licensing specialist and program manager will visit the home for one last on-site inspection before the initial license is issued.





FIND US

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www.osse.dc.gov

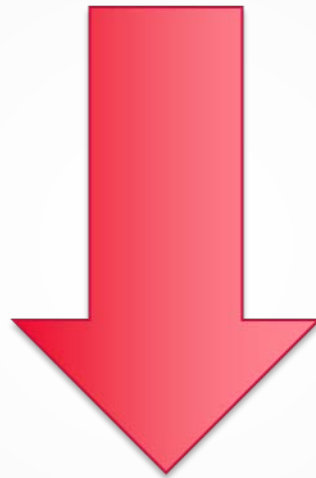


Licensing Quiz



Check Your Understanding

Access the quiz by clicking the link below:



ONLINE COMPREHENSION QUIZ



| Thank you!