

# CHILD CARE FAQs

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## Q1. What programs are regulated by OSSE

Anyone who intends to provide child care for children must obtain a license.

## Q2. What programs are exempt from licensing?

The following programs and activities are exempt from licensing: :

- a) Occasional babysitting in a babysitter's home
- b) for the children of one family;
- c) Informal parent-supervised neighborhood play groups;
- d) Care provided in places of worship during religious services;
- e) Care by a related person, as defined in section 399 of this Chapter; and
- f) (e) 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 District of Columbia regulatory authority.

## Q3. Where can a child center or child care home operate?

- **Child development homes** can operate within a residential property. The provider must reside in the home. You must obtain a Home Occupation Permit.
- **Child development centers** must be located in buildings approved by local zoning authorities for use as a child development program. You must obtain a Certificate of Occupancy.

## Q4. How do I get a license?

1. Register for Child Development Center or Home Licensing Orientation (You will receive information about the licensing procedure and an application at the orientation)
2. Obtain a Home Occupation Permit or Certificate of Occupancy from The Department of Consumer Affairs (DCRA)

## Q5. How many children may I provide child care for?

- A Child Development Home may be licensed to provide care for up to six (6) children depending upon the number of children residing in the home.
- An Expanded Child Development Home may be licensed to provide care for more than six (6) children, up to a maximum of twelve (12) children based on square footage.

- The number of children that you may be licensed for in a Child Development Center is based on square footage and floor level.

**Q6. What do I do after the orientation?**

1. Submit to the Child Care Licensing Unit (CCLU)
  - a completed application
  - the fee
  - Certificate of Occupancy or Home Occupation Permit
  - A copy of Orientation Certificate
2. A Child Care Licensing Specialist will call you within ten (10) business days of receiving the application to schedule an appointment to conduct the initial inspection.
3. Develop the following documents to submit to your Child Care Licensing Specialist:
  - Program Policy Statement
  - A sample 5-day menu
  - An Emergency Contingency Plan
5. After your first inspection, the Child Care Licensing Specialist will make a referral to the DCRA, Fire Protection Branch. A DCRA representative will call you to set up an appointment for the fire inspection and fire evacuation review. Also a referral will be made to the Department of the Environment for you lead inspection.
6. Call your Child Care Licensing Specialist when all requirements have been met for your final inspection.

**Q7. How much does it cost to become a licensed child care provider?**

- Initial Application Fee \$75.00
- Annual License Fee for Child Development Home - \$75.00
- Center fees are based on capacity: Annual Fee:

1 – 50 children	\$200.00
51-100 children	\$300.00
101-175 children	\$400.00
Over 175 children	\$500.00

**Q8. What are the adult/child ratios for centers?**

The adult/child ratios for centers, out of school time and in expanded child development homes are:

AGE OF CHILDREN	ADULT/CHILD RATIO	MAXIMUM SIZE OF GROUP
0 – 12 months	1:3	9
0 – 12 months	1:4	8
12 – 24 months	1:3	9
12 – 24 months	1:4	8
24 – 30 months	1:4	12
30 months through 3 years	1:8	16
4 – 5 years	1:10	20

(b)For Centers providing out-of-school-time care to children of legal school age:

AGE OF CHILDREN	ADULT/CHILD RATIO	MAXIMUM SIZE OF GROUP
Under 6 years	1:12	24
6 years and older	1:15	30

**Q9. Can a license be transferred to another address?**

The license or registration to operate a child development facility is non-transferable. If the provider moves to another address, he/she will have to notify the Child Care Licensing Unit no less than ten (10) days before the change, submit a new application and follow the instructions necessary for the location change. If a child development center or child development home changes location, the applicant must obtain a Home Occupation Permit or Certificate of Occupancy before submitting a new application.

**Q10. When do I have to renew my license?**

All Child development facility licenses must be renewed **annually**. You must submit your renewal application 90 days prior to the expiration of your current license with the application fee.

**Q11. I am a licensed Child Development Home provider and I will be moving into another home in a couple of months. What must I do in order to continue offering child care?**

Prior to your move you should contact your child care licensing specialist and let him or her know your plans. You will need to: submit a new application, a new home occupation permit and a new fire evacuation plan; get new lead and fire inspections; and provide the tentative moving date. As you move into your new location you need to make sure that all Child Development Home requirements are met so that when the pre-inspection visit is made, there will be no delays in processing your license.

**Q12. If the ownership of a child development facility changes, what documents are necessary?**

You must inform the Child Care Licensing Unit, in writing, of any changes no less than ten (10) days before implementation of the change. You must submit a change in operation application. You should keep your

licensing specialist up to date so that your current license is not terminated too soon. During the transition you need to make sure that all licensing requirements are met so that when the pre-inspection visit is made, there will be no delays in processing your license. The application form is available from the Child Care Licensing Unit.

**Q13. I would like to open a Summer Day Camp. Do I have to be licensed?**

Seasonal recreational programs are not regulated by the child care regulations at this time. However, if you want to receive payment through the Child Care Subsidy Program, then you will need to be licensed and enter an agreement with the OSSE ECE.

**Q14. What are the center staff qualifications?**

Prior to licensure: the following staff must qualify per the DCMR 29 §332 for Center director; 334 for Teacher; § 345 for Out of School Time Director; and §346.2 Group Leader. Please see the Qualification chart

Note: First Aid & CPR training are required prior to licensure.

**Q15. What are the home provider licensing qualifications?**

**Prior to licensure you must:**

- be at least eighteen (18) years of age;
- have a high school diploma or a General Education Development certificate and Sudden Infant Death Syndrome training and a First Aid and CPR for children certificate; and
- a physical examination by a licensed health care practitioner; be free of tuberculosis and other diseases in communicable form, and is physically capable of caring for children;

**Q16. How do providers find approved training?**

Approved trainers and training classes can be found on this website on the OSSE.dc.gov page.

**Q17. How and where can the Child Development Associate (CDA) credential be obtained?**

For information regarding the CDA credential, please refer to the Council on Professional Recognition website.

<http://www.cdacouncil.org/> or call 800-424-4310 202-265-9090

**Q18. Are all teachers at a child development facility required to have a Criminal Background Check (CBC) and Child Protection Register Check (CPRC)?**

All staff employed at a child development center must complete a criminal background check and must also satisfactorily complete a child protection registry check, before he or she can be unconditionally employed. Staff is defined as teachers, administrative staff, bus or van drivers and cooks. In a Child Development Home, the provider, as well as any household members over 15 who are present when children are in care, must also complete a criminal records check.

<p><b>Q19. Are annual TB tests required of all providers in a Child Care Center or Child Development Home?</b></p>
<p>TB tests are required of all providers at job entry or within one (1) year prior to job entry. Repeat every two (2) years, if previous test was negative. Staff with positive tests should have additional evaluation by a physician promptly and yearly. (A test performed within one (1) year is acceptable).</p>
<p><b>Q20. Are annual physical examinations required of all providers in a Child Care Center or Child Development Homes?</b></p>
<p>All child development facility staff and child development home providers, substitutes each person residing in the home is required to have a physical examination by a licensed health care practitioner at least annually and is certified to be free of communicable disease.</p>
<p><b>Q21. I am planning on buying new playground equipment for my program. Are there any guidelines?</b></p>
<p>The District of Columbia follows the guidelines established by the <a href="http://www.cpsc.gov/cpsc/pub/pubs/playpubs.html">Consumer Products Safety Commission</a> (<a href="http://www.cpsc.gov/cpsc/pub/pubs/playpubs.html">http://www.cpsc.gov/cpsc/pub/pubs/playpubs.html</a> ) web site and the web site for <a href="http://www.uni.edu/playground/">the National Program for Playground Safety</a> <a href="http://www.uni.edu/playground/">http://www.uni.edu/playground/</a> .</p>
<p><b>Q22. Does the "Americans with Disabilities Act" -- or "ADA" -- apply to child care facilities?</b></p>
<p>Privately-run child care facilities -- like other public accommodations such as private schools, recreation centers, restaurants, hotels, movie theaters, and banks -- must comply with title III of the ADA. Child care services provided by government agencies, such as Head Start, summer programs, and extended school day programs, must comply with title II of the ADA. Both titles apply to a child care center's interactions with the children, parents, guardians, and potential customers that it serves.</p> <p><b>For more information about the ADA and employment practices, please click on <a href="http://www.ada.gov/childq%26a.htm">http://www.ada.gov/childq%26a.htm</a></b></p>
<p><b>Q23. Where do I find information about participating in the Pre-K or Head Start programs?</b></p>
<p>For information about Pre-K and Head Start please call 202-727-1839. (Link to pre- K and head start on providers page <a href="http://osse.dc.gov/service/providers-pre-kindergarten">http://osse.dc.gov/service/providers-pre-kindergarten</a> )</p>
<p><b>Q24. Where do I find information about the Child and Adult Food Program and Summer Food Service Programs?</b></p>
<p>For information on applying for Child and Adult Food Program and Summer Food Service Program, please call</p>

202-442-4010. (Link to OSSE CACFP web site <http://osse.dc.gov/service/child-and-adult-care-food-program> )

**Q25. Our center specializes in "group child care." Can we reject a child just because she needs individualized attention?**

Most children will need individualized attention occasionally. If a child who needs one-to-one attention due to a disability can be integrated without fundamentally altering a child care program, the child cannot be excluded solely because the child needs one-to-one care.

**Q26. Our center has a policy that we will not give medication to any child. Can I refuse to give medication to a child with a disability?**

In some circumstances, it may be necessary to give medication to a child with a disability in order to make a program accessible to that child. While some state laws may differ, generally speaking, as long as reasonable care is used in following the doctors' and parents' or guardians written instructions about administering medication, centers should not be held liable for any resulting problems. Providers, parents, and guardians are urged to consult professionals in their state whenever liability questions arise.

**Q27. How often can I expect a visit from OSSE?**

- Initial Inspection
- Renewal Inspection (annually)
- Follow- up Inspection
- Monitoring Visit (every six months or as needed)
- Complaint Investigation

**Q28. How do I file a complaint?**

**Complaints and Unusual incidents can also be reported via the dedicated hotline at 202-727-2993; emailed to [OSSE.ChildcareComplaints@dc.gov](mailto:OSSE.ChildcareComplaints@dc.gov) or faxed to the Compliance and Integrity Division (CID) at 202 -727-7295.**

***Licensed facilities must be report Unusual incidents on the official UIR report form should be faxed to the Compliance and Integrity Division (CID) at 202-727-2993***

**Q29. Do I have to accept children with special needs?**

The ADA requires that child care providers not discriminate against persons with disabilities on the basis of disability, that is, that they provide children and parents with disabilities with an equal opportunity to participate in the child care center's programs and services. Specifically:

*Centers cannot exclude children with disabilities from their programs unless their presence*

*would pose a direct threat to the health or safety of others or require a fundamental alteration of the program.*

When a child with a special need is admitted to your program or identified as having a special need , the Facility shall promptly obtain informed written consent, from the parent(s) or guardian(s) of the child, for the implementation of any treatment or protocol ordered by the child's licensed health care practitioner.

Child development facilities have to make reasonable modifications to their policies and practices to integrate children, parents, and guardians with disabilities into their programs unless doing so would constitute a fundamental alteration

Under the federal law known as the Individuals with Disabilities Education Act, or IDEA, children with disabilities, birth through 21, are offered the right to access early intervention and special education services. Part C of IDEA addresses early intervention services, which are services and supports made available to infants and toddlers with disabilities from birth to age three. Early intervention services for infants and toddlers are provided within a natural environment for the child and services are family centered. Part B of IDEA relates to services for children with disabilities who are ages three through twenty-one. Beginning at age three, children who are eligible for special education services have the option to transition to Part B special education programs which are usually provided in a public school, Head Start center, or inclusive community early care and education center.

**For more information please contact:**

IDEA Part C services managed by the **OSSE Division of Special Education, Early Intervention.** (Link to URL: <http://osse.dc.gov/seo/cwp/view,a,1222,q,561151.asp>)

**Early Stages** (External link to URL: <http://www.earlystagesdc.org/for-professionals/links>) is a District of Columbia Public Schools initiative for children ages three through five years old. Early Stages is there to help families identify any delays children may have and provide appropriate services to help address those delays.