



DISTRICT OF COLUMBIA

OFFICE OF THE STATE SUPERINTENDENT OF

EDUCATION

Memorandum

To: Licensed Child Development Facilities

From: Sara Mead *Sara Mead*
Assistant Superintendent, Division of Early Learning

Copy: Eva Laguerre, Director of Licensing and Compliance

Date: September 28, 2021

Subject: Required Fire Safety Inspections - Payment Process

Regulatory Applicability

All child development homes, expanded child development homes, and child development centers, (collectively, “Child Development Facilities”) are required to undergo a fire safety inspection and obtain certification from the District of Columbia (“District”) Department of Consumer and Regulatory Affairs (“DCRA”) or Fire and Emergency Medical Services Department (“FEMSD”) that the premises conform to all applicable fire safety and related codes. Contingent on a Child Development Facility’s classification (i.e., child development home, expanded child development home, or child development center), a fire safety inspection is required upon annual application for license renewal and/or initial application for a license to the Office of the State Superintendent of Education (“OSSE”).¹ (5A DCMR 103.5 (b) and 5A DCMR 104.5 (a))

Memorandum of Understanding

OSSE, DCRA, and FEMSD (collectively, “the Agencies”) are committed to ensuring that all children enrolled at a licensed Child Development Facility, or planning to enroll at a proposed Child Development Facility, have access to a safe environment that meets all applicable fire safety and related codes. In order to coordinate and clarify roles of the respective Agencies regarding Child Development Facilities’ compliance with fire safety requirements, the Agencies have entered into a Memorandum of Understanding, which will serve to alleviate some of the financial and scheduling obstacles associated with the out-of-pocket expense and wait time for a fire safety inspection.

Fire Safety Inspection Payment

Effective immediately and until Sept. 30, 2022, OSSE will continue to pay for the fire safety review and inspection services provided by DCRA and FEMSD in connection with the initial licensing and license renewal of a child development home, expanded child development home, and child

¹ In addition to an annual and/or initial fire safety inspection, a Child Development Facility is required to undergo a fire safety inspection if it modifies or alters the premises or structure, or if any portion of the premises or structure was not previously inspected and certified as conforming to the applicable fire safety and related codes.

development center, as required by 5A DCMR 103.5 (b) and 5A DCMR 104.5 (a).² These payments from OSSE to DCRA and FEMSD will be facilitated directly through an inter-district advance, so a Child Development Facility will not be responsible during the aforementioned period for the out-of-pocket expense associated with an initial or annual fire safety inspection.

Although OSSE is currently absorbing the substantial cost of the initial and annual fire inspections for all proposed and licensed Child Development Facilities in the District, OSSE is not, however, responsible for any cost associated with any finding of non-compliance or deficiency identified by DCRA or FEMSD. Any additional cost associated with complying with DCRA or FEMSD laws or regulations in pursuit of obtaining certification that the premises conform to all applicable fire safety and related codes, including the cost of a subsequent fire safety inspection within any 12-month period, is a Child Development Facility's sole responsibility.

Fire Safety Inspection Scheduling

Each Child Development Facility is responsible for scheduling at the appropriate point in time an appointment for an annual and/or initial fire safety inspection directly with DCRA or FEMSD. To ensure that a satisfactory fire safety certification is obtained prior to the submission of an annual application for license renewal and/or initial application for a license to OSSE, each Child Development Facility is strongly encouraged to submit their request for a fire safety inspection to DCRA or FEMSD at least 60 days in advance of either their current fire safety certification's expiration date or the need for an initial fire safety certification.

DCRA (Initial Fire Safety Inspection for Homes and Expanded Homes)

A child development home and expanded child development home that is applying for an initial Home Occupation Permit, which includes a review of fire safety, should contact directly DCRA. In connection with its review for a Home Occupation Permit, DCRA will inspect the premises to confirm compliance with Appendix M of the Residential Code.

Department of Consumer and Regulatory Affairs
1100 4th St., SW
Washington, DC 20024
Phone: (202) 442-4400 / Fax: (202) 442-9445
<http://dcra.dc.gov/>

FEMSD (Initial Fire Safety Inspections for Centers)

A child development center that is applying for an initial annual fire safety inspection should contact directly FEMSD. FEMSD will inspect the premises to confirm compliance with the Fire Code.³

² OSSE may extend this financial benefit to Child Development Facilities beyond Sept. 30, 2022 subject to the availability of funds.

³ Initial and annual fire safety inspection requests can be submitted online through the FEMSD website: <http://fems.dc.gov/service/inspections-and-permits>. Once at the FEMSD page, scroll down to the bottom and click on "Application for Permits and Inspections."

FEMSD (Annual Fire Safety Inspections for all Child Development Facilities)

All child development facilities (centers, homes, or expanded homes) that are applying for an annual fire safety inspection should contact directly FEMSD. FEMSD will inspect the premises to confirm compliance with the Fire Code.⁴

Fire Prevention Division
Fire and Emergency Medical Services Department
2000 14th St. NW, Suite 500
Washington, DC 20009
Fire Prevention: (202)-727-1614; Fax: (202) 462-0807
Permits: (202) 442-4447
<http://fems.dc.gov/>

If a Child Development Facility has difficulty scheduling a fire safety inspection with DCRA or FEMSD, please contact your assigned licensing specialist for assistance.

If you have any questions or require any additional information regarding this Memorandum, please do not hesitate to contact Eva Laguerre, Director of Licensing and Compliance, at Eva.Laguerre@dc.gov or Clement Idun, Program Manager for Licensing and Compliance, at Clement.Idun@dc.gov.

⁴ Initial and annual fire safety inspection requests can be submitted online through the FEMSD website: <http://fems.dc.gov/service/inspections-and-permits>. Once at the FEMSD page, scroll down to the bottom and click on “Application for Permits and Inspections.”