



ANNOUNCEMENT: C-17 #05
OFFICE OF CHILD DEVELOPMENT AND EARLY LEARNING
BUREAU OF CERTIFICATION

ISSUE DATE: May 12, 2011
REISSUE DATE: September 29, 2017
EFFECTIVE DATE: Immediately
SUNSET DATE: Ongoing

SUBJECT:	Emergency Temporary Relocation of a Child Care Facility
TO:	Child Care Operators and Employees The Pennsylvania Key The Regional Keys Office of Child Development and Early Learning Staff
FROM:	Suzann Morris Deputy Secretary, Office of Child Development & Early Learning

A handwritten signature in black ink, appearing to read "Suzann Morris", is written over the signature line of the form.

PURPOSE:

To establish a statewide protocol to manage situations in which a child care facility must relocate all or part of its operation due to an emergency.

BACKGROUND:

A child care facility may be impacted by an unforeseen event that causes all or part of the building to be uninhabitable or unsuitable for child care services to continue at that location. The facility may need to find an alternative, temporary location in which to operate in order to continue to serve children and families with as little disruption as possible.

The Bureau of Certification Services (Bureau) strives to work with the child care facility operator in the event of an emergency to assist the facility in resuming operation. At the same time, the Bureau needs to be sure that children in care are safe and that the location does not present a health and safety risk.

This announcement was originally issued on May 12, 2011 and is being reissued to include family child care homes. This protocol outlines the responsibilities of the child care facility operator and the Bureau staff in the event that a facility sustains building damage and the facility must temporarily and quickly relocate to an alternative location.

PROTOCOL:

1. Definitions: The following words used in this protocol have the following meanings:

Emergency - an unforeseen combination of circumstances or the resulting state that calls for immediate action (Merriam-Webster Online Dictionary, <http://www.merriam-webster.com/>).

Temporary - lasting for a limited time (Merriam-Webster Online Dictionary, <http://www.merriam-webster.com/>). For the purpose of this announcement, temporary will be defined as **60 days or less**.

2. Regional Office Notification

- The operator shall immediately contact the regional office regarding the emergency at the facility. In the event of a facility fire, the operator must follow the requirements at 55 Pa. Code §3270.20, §3280.20, and §3290.17 relating to reporting injury, death or fire.
- The operator must inform the regional office of the status of the building and the need to relocate.
- If part of the child care space was not affected by the emergency and the building is deemed safe for occupancy by a code enforcement officer, child care may resume in the unaffected space. The operator must provide documentation of building safety to the regional office.
- The legal entity or the legal entity representative is responsible to inform the regional office of the following:
 - Returning to the original location within 60 days;
 - Converting the current temporary location into a permanent location; or
 - Plans to move to another permanent location within 60 days.

3. Initial Move to Temporary Location

- If the operator is moving to a temporary location, the operator must obtain a certificate of occupancy within five business days following the temporary relocation.
- Certification staff will conduct an initial inspection of the temporary location within five business days of the relocation.
- Certification staff will take an application for the LE to complete and give to the certification representative for the new location.
- The initial inspection is limited to high risk items using the temporary relocation checklist.
- If the facility is in compliance with the regulations on the temporary relocation checklist, the certification staff will issue an initial provisional certificate of compliance for 60 days.
- If there are violations of the regulations on the temporary relocation checklist, the certification staff will assist the provider in developing an acceptable plan of correction and a schedule for verifying correction of these violations as soon as possible.
- If the facility has a current STARS rating the legal entity will contact the Regional Key to provide an update on the temporary relocation the location.
- Certification staff will also contact a STARS representative to provide an update on this temporary relocation.
- The regional office will maintain the existing certificate of compliance for the original location.
- If the provider is currently under a negative sanction, the sanction will follow the relocation. Nothing will disrupt the negative sanction process.

4. Returning to the Original Location

- The legal entity must inform the regional office prior to returning to the original facility location.
- If the facility sustained structural damage the legal entity must contact their local municipality to determine if an updated certificate of occupancy is required. If one is required, the legal entity must have the certificate of occupancy prior to the inspection noted below. If the local municipality determines that an updated certificate of occupancy is not required, the legal entity should request this in writing.

- Certification staff will conduct an inspection before child care may resume in the original location. The inspection will occur within 10 business days of notification that the site is deemed acceptable for child care purposes.
- The standard cycle of inspection and certificate renewal will resume.

5. Converting the Temporary Location into a Permanent Location or Moving to Another Permanent Location

- The legal entity will submit a complete application for the site as a new location.
- The Bureau will utilize the standard inspection process to make a certification decision.

NEXT STEPS:

Child Care providers should:

1. Review this Announcement.
2. Direct questions to certification representative.

OCDEL staff should:

1. Review this Announcement.
2. Direct questions to a supervisor or regional director.
3. Find this Announcement in the certification shared folder.

Temporary Relocation Checklist

CHILD CARE CENTERS, 55 PA CODE CHAPTER 3270

If a provider is moving to a temporary location, Certification staff will conduct an initial inspection of the temporary location within five business days of the relocation. The inspection is limited to high risk items on this Temporary Relocation Checklist.

REGULATIONS TO BE REVIEWED:

- §3270.21 General health and safety
- §3270.25 Availability of certificate/posted negative sanction letter
- §3270.27 Emergency plan
- §3270.32(a) CPSL clearances
- §3270.51 Ratio requirements (similar age level)
- §3270.52 Ratio requirements (mixed age level)
- §3270.55 Ratios while napping
- §3270.61 Indoor space
- §3270.63 Unsafe areas in outdoor space
- §3270.65 Protective electrical covers
- §3270.66 Toxics
- §3270.69 Water
- §3270.71 Hot water pipes and other sources of heat
- §3270.72(d) Ventilation – above ground windows restricted to 6” opening
- §3270.76 Building surface requirements
- §3270.77 Paint
- §3270.79 Firearms
- §3270.102 Play equipment
- §3270.103 Small toys and objects
- §3270.113 Supervision of children
- §3270.115 Water activity
- §3270.133 Child medication and special diets
- §3270.173 Transportation ratios
- §3270.175 Safety restraints
- §3270.177 Supervision during transportation

Temporary Relocation Checklist

GROUP CHILD CARE HOMES, 55 PA CODE CHAPTER 3280

If a provider is moving to a temporary location, Certification staff will conduct an initial inspection of the temporary location within five business days of the relocation. The inspection is limited to high risk items on this Temporary Relocation Checklist.

REGULATIONS TO BE REVIEWED:

- §3280.20 General health and safety
- §3280.24 Availability of certificate/posted negative sanction letter
- §3280.26 Emergency plan
- §3280.32(a) CPSL clearances
- §3280.52 Ratio requirements
- §3280.61 Indoor space
- §3280.63 Unsafe areas in outdoor space
- §3280.65 Protective electrical covers
- §3280.66 Toxics
- §3280.69 Water
- §3280.71 Hot water pipes and other sources of heat
- §3280.72(d) Ventilation – above ground windows restricted to 6” opening
- §3280.76 Building surface requirements
- §3280.77 Paint
- §3280.79 Firearms
- §3280.102 Play equipment
- §3280.103 Small toys and objects
- §3280.113 Supervision of children
- §3280.115 Water activity
- §3280.133 Child medication and special diets
- §3280.173 Transportation ratios
- §3280.175 Safety restraints
- §3280.177 Supervision during transportation

Temporary Relocation Checklist

FAMILY CHILD CARE HOMES, 55 PA CODE CHAPTER 3290

If a provider is moving to a temporary location, Certification staff will conduct an initial inspection of the temporary location within five business days of the relocation. The inspection is limited to high risk items on this Temporary Relocation Checklist.

REGULATIONS TO BE REVIEWED:

§3290.18 General health and safety

§3290.22 Availability of certificate/posted negative sanction letter

§3290.24 Emergency plan

§3290.32(a) CPSL clearances

§3290.51 Maximum number of children

§3290.52 Ratio requirements

§3290.61 Unsafe areas in outdoor space

§3290.63 Protective electrical covers

§3290.64 Toxics

§3290.67 Water

§3290.69 Hot water pipes and other sources of heat

§3290.70(d) Ventilation – above ground windows restricted to 6” opening

§3290.74 Building surface requirements

§3290.75 Paint

§3290.76 Firearms

§3290.102 Play equipment

§3290.103 Small toys and objects

§3290.113 Supervision of children

§3290.115 Water activity

§3290.133 Child medication and special diets

§3270.173 Safety restraints

§3270.175 Supervision during transportation