

# It's time...to update your policies

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Child Care Licensing is a division of the Department of Family and Protective Services (DFPS). It regulates and monitors child care operations in Texas. For more information about child care licensing and its services, visit [www.dfps.state.tx.us/child\\_care](http://www.dfps.state.tx.us/child_care).

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**W**ith the minimum standards updates of 2017 everyone will need to review and revise written program policies to ensure that you have covered the following topics:

- suspension and expulsion,
- safe sleep for infants, and
- insect repellent and sunscreen use.

As a review, here is the full list of all written policies that are required for child care programs. After the full list, we will focus on the three that may be new for your site or operation.

## **§746.501. What written operational policies must I have?**

*Subchapter B, Administration and Communication  
Division 4, Operational Policies  
April 2017*

**You must develop written operational policies and procedures that at a minimum address each of the following:**

- Hours, days, and months of operation;
- Procedures for the release of children;
- Illness and exclusion criteria;
- Procedures for dispensing medications, or a statement that medication is not dispensed;
- Procedures for handling medical emergencies;
- Procedures for parental notifications;
- Discipline and guidance that is consistent with Subchapter L of this title (relating to Discipline and Guidance). A copy of Subchapter L may be used for your discipline and guidance policy;
- Suspension and expulsion of children;
- Safe sleep for infants 12 months old or younger that is consistent with the rules in subchapter H of this chapter (relating to Basic Requirements for Infants) that relate to sleep requirements and restrictions, including sleep positioning, and crib requirements and restrictions, including mattresses, bedding, blankets, toys, and restrictive devices;
- Meals and food service practices;
- Immunization requirements for children, including tuberculosis screening and testing if required by your regional Texas Department of State Health Services or local health authority;
- Hearing and vision screening requirements;
- Enrollment procedures, including how and when parents will be notified of policy changes;
- Transportation, if applicable;
- Water activities, if applicable;
- Field trips, if applicable;
- Animals, if applicable;
- Procedures for providing and applying, as needed, insect repellent and sunscreen, including what types will be used, if applicable;
- The procedures for parents to review and discuss with the child-care center director any questions or concerns about the policies and procedures of the child-care center;
- The procedures for parents to participate in the child-care center's operation and activities;
- The procedures for parents to review a copy of the child-care center's most recent Licensing inspection report and how the parent may access the minimum standards online;
- Instructions on how a parent may contact the local Licensing office, access the Texas Abuse and Neglect Hotline, and access the DFPS website;
- Your emergency preparedness plan;
- Your provisions to provide a comfortable place with an adult sized seat in your center or within a classroom that enables a mother to breastfeed her child. In addition, your policies must inform parents that they have the right to breastfeed or provide breast milk for their child while in care;
- Preventing and responding to abuse and neglect of children, including:
  - Required annual training for employees;

- Methods for increasing employee and parent awareness of issues regarding child abuse and neglect, including warning signs that a child may be a victim of abuse or neglect and factors indicating a child is at risk for abuse or neglect;
- Methods for increasing employee and parent awareness of prevention techniques for child abuse and neglect;
- Strategies for coordination between the center and appropriate community organizations; and
- Actions that the parent of a child who is a victim of abuse or neglect should take to obtain assistance and intervention, including procedures for reporting child abuse or neglect;
- Procedures for conducting health checks, if applicable; and
- Vaccine-preventable diseases for employees, unless your center is in the home of the permit holder. The policy must address the requirements outlined in §746.3611 of this title (relating to What must a policy for protecting children from vaccine-preventable diseases include?).

**Written policies must be shared with parents by**

- Providing this information in operational policies documents;
- Distributing the information in writing to the parents; or
- Informing the parents verbally as part of an individual or group parent orientation.

**You must inform parents that**

- They may visit the child-care center at any time during your hours of operation to observe their child, the child-care center’s program activities, the building, the premises, and the equipment without having to secure prior approval; and
- Under the Texas Penal Code any area within 1,000 feet of a child-care center is a gang-free zone, where criminal offenses related to organized criminal activity are subject to a harsher penalty.

**Detailed information on suspension and expulsion policies**

Your operational policies must now inform parents of your operation’s policies and procedures for suspension and expulsion. There are no specific minimum standard rule requirements surrounding your operation’s procedures for suspension or expulsion; however, the idea behind including these policies is to avoid incidences of suspension and expulsion

based on behavioral concerns from occurring by outlining and implementing **preventative measures** when possible.

Consider implementing the following procedures before considering exclusionary practices:

- implementing *Ages and Stages Questionnaires (ASQ)*, which are developmental screenings, for all children at the time of enrollment,
- seeking observations from a professional,
- documenting incidents,
- teaching social-emotional skills,
- making environmental modifications,
- engaging in discussions with parents, and
- seeking support services from specialists.

In addition, consider:

- the behaviors or actions for which your operation may suspend or expel a child from care (the number of behavioral infractions, the type of behavioral infractions, and non-payment, for example);
- how you will notify the parent or guardian of suspension or expulsion; and
- the duration of suspensions and terms under which a child may return to the program.

**Technical assistance:** If you do not already have operational policies for suspension and expulsion, consider reviewing the joint policy statements from the Office of Child Care and HHS for ideas on what you may want to include in your operational policies. Additional resources include the following:

- The Administration of Children and Families—Reducing Suspension and Expulsion Practices in Early Childhood Settings
- The Ages and Stages Questionnaire Social and Emotional Edition—Parent Completed Developmental Screenings
- The Incredible Years—Resources for Parents and Teachers

**Detailed information on infant safe sleep policies**

Your operational policies for safe sleep must be consistent with the rules in Chapter 746 and 747 (relating to Basic Care Requirements for Infants) that relate to sleep requirements and restrictions, including sleep positioning, and crib requirements and restrictions, including mattresses, bedding, blankets, toys, and restrictive devices. You may use Form 2550, Safe Sleep Policy.

Operational Policy on Infant Safe Sleep, which includes the minimum standard rules in Subchapter

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H, as part of your safe sleep operational policies or create your own operational policies as long as they are aligned with the safe sleep practices outlined in Subchapter H.

### **Detailed information on insect repellent and sunscreen application policies**

Your operational policies must include procedures for providing and applying, as needed, insect repellent and sunscreen, including what types will be used, if applicable.

*Can my operation choose to allow use of one of these products and not the other?* Yes, as long as your operational policies indicate this.

If your operation plans to allow the use of these products, consider answering the following questions in your operational policies.

**Procedures for providing:** Who will be providing these products? Your operation or parents? If your operation will be providing these products, can parents opt out of product use? Can parents provide alternatives for their children?

**Procedures for applying:** When will you be applying these products (every time children are outdoors, certain times of the year, and specific ozone days, for example)?

**Product types:** Brands? Ingredients? Specific acceptable brands or product types that parents can provide? Visit Healthy Children—Safety and Prevention for guidance on choosing insect repellents and sunscreens.

**Technical assistance:** When writing operational policies, it is best to be as clear as possible and to include all necessary details. Consider what a parent might ask and address the answers to those questions. You might find it helpful to ask a friend or peer to review your operational policies to identify information you may have left out. Consider applying the technique of identifying who, what, when, where, why and how.

### **Keep an eye on the DFPS website**

If you have written policies that already address the new content, take a few minutes to review and edit if needed. Use the links we've provided to support you in your review.

The Child Care Licensing site information is updated weekly, adding and updating forms to help you maintain compliance with minimum standards.

Check these recent site updates:

**Form #7263** Emergency Practices: Update

**Form #2550** Safe Sleep Policy: New

**Form #2710** Infant Sleep Exception: New

**Form #2935** Admission Information: Update

**Form #2947** Center Personnel Information Record: Update

**Form #7259** Staff Records Evaluation: Update

**Form #7258** Staff Training Record: Update

**Form #1100** Daily Building and Grounds Checklist: Update

**Form #2941** Sign-In/Out Logs: Update

**Form number not yet assigned** Home Personnel Information Record: New

**Form number not yet assigned** Discipline and Guidance: New

**Form #7260** Children's Records Evaluation: Update

**Form number not yet assigned** Center Records Evaluation: New ■