

Focus Group Meetings

Focus Group meetings were held to clarify further the updates gathered and compiled from the various public hearings. This was an opportunity for each partnering agency to clarify comments based on their agency's regulatory requirements.

The partnering agencies and service providers include 1) Child Care Providers Association, 2) Department of Public Works, Building Code Division, 3) Bureau of Environmental Health Services, 4) Department of Fire and Emergency Medical Services, 5) Homeland Security and Emergency Management Operations, and 6) Special Education Part C – Early Intervention.

1. Child Care Providers with the CCA January 5, 2023

§55-40.1-228 Staff-Child Ratio

Recommendation

(d) The following staff-child ratio shall be maintained and implemented at all times when providing child care services to enrolled children:

1. 6 weeks to 18 months – 1 to 4
2. 18 months to 2 years – 1 to 7

Recommendation

(e) The following criteria shall apply to multi-age or mix-age grouping of children and the number of children per staff member according to the staff-child ratio chart above:

1. Infants and Toddlers up to 15 months is 1 to 4
2. The multi-age or mix group ratio is 1-8 with a maximum group size of 8 for children 15 months, 2, 3, and 4.

Questions:

What is the staff qualification required in Day Care, & Group Child Care Homes?

What is the distribution of the staff qualification required in Day Care & Group Child Care Homes?

NEED TO insert and keep the minimum staff employment sequence to clarify the two questions above.

Ratio Chart II

Minimum Staff Employment Sequence

<i>Age of Children</i>	<i>No. of Children</i>	<i>Teacher</i>	<i>Teacher Asst</i>	<i>Child Care Aide</i>	<i>Total Staff</i>
<i>2 Year olds</i>	<i>1-7</i>	<i>1</i>			<i>1</i>
	<i>8-15</i>	<i>1</i>	<i>1</i>		<i>2</i>
	<i>16-23</i>	<i>1</i>	<i>1</i>	<i>1</i>	<i>3</i>
	<i>24-31</i>	<i>1</i>	<i>1</i>	<i>2</i>	<i>4</i>
	<i>32-39</i>	<i>2</i>	<i>1</i>	<i>2</i>	<i>5</i>
	<i>40-47</i>	<i>2</i>	<i>2</i>	<i>2</i>	<i>6</i>
	<i>48-55</i>	<i>2</i>	<i>2</i>	<i>3</i>	<i>7</i>

<i>Age of Children</i>	<i>No. of Children</i>	<i>Teacher</i>	<i>Teacher Asst</i>	<i>Child Care Aide</i>	<i>Total Staff</i>
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<i>3 Year olds</i>	<i>1-8</i>	<i>1</i>			<i>1</i>
	<i>9-16</i>	<i>1</i>		<i>1</i>	<i>2</i>
	<i>17-24</i>	<i>1</i>	<i>1</i>	<i>1</i>	<i>3</i>
	<i>25-32</i>	<i>1</i>	<i>1</i>	<i>2</i>	<i>4</i>
	<i>33-40</i>	<i>2</i>	<i>1</i>	<i>2</i>	<i>5</i>
	<i>41-48</i>	<i>2</i>	<i>2</i>	<i>2</i>	<i>6</i>
	<i>49-56</i>	<i>2</i>	<i>2</i>	<i>3</i>	<i>7</i>

<i>Age of Children</i>	<i>No. of Children</i>	<i>Teacher</i>	<i>Teacher Asst</i>	<i>Child Care Aide</i>	<i>Total Staff</i>
<i>4 Year olds</i>	<i>1-10</i>	<i>1</i>			<i>1</i>
	<i>11-21</i>	<i>1</i>		<i>1</i>	<i>2</i>
	<i>22-32</i>	<i>1</i>	<i>1</i>	<i>1</i>	<i>3</i>
	<i>33-43</i>	<i>1</i>	<i>1</i>	<i>2</i>	<i>4</i>
	<i>44-54</i>	<i>2</i>	<i>1</i>	<i>2</i>	<i>5</i>
	<i>55-65</i>	<i>2</i>	<i>1</i>	<i>3</i>	<i>6</i>
	<i>66-76</i>	<i>2</i>	<i>2</i>	<i>3</i>	<i>7</i>

<i>Age of Children</i>	<i>No. of Children</i>	<i>Teacher</i>	<i>Teacher Asst</i>	<i>Child Care Aide</i>	<i>Total Staff</i>
<i>5 Year olds</i>	<i>1-10</i>	<i>1</i>			<i>1</i>
	<i>11-21</i>	<i>1</i>		<i>1</i>	<i>2</i>
	<i>22-32</i>	<i>1</i>	<i>1</i>	<i>1</i>	<i>3</i>
	<i>33-43</i>	<i>1</i>	<i>1</i>	<i>2</i>	<i>4</i>
	<i>44-54</i>	<i>1</i>	<i>1</i>	<i>2</i>	<i>4</i>
	<i>55-65</i>	<i>1</i>	<i>1</i>	<i>2</i>	<i>4</i>

§55-40.1-230 Health Consultation Provisions

Question: Do the Child Care Centers have to hire a health consultant to fulfill Health Consultation provisions?

Response: The Child Care Centers have the discretion to work with a health consultant to fulfill the health consultation provisions as noted in this subsection. Written evidence must be on file to show that an arrangement has been made for this health consultation.

§55-40.1-242 Admission of Children with Disabilities

Question: Are we required to admit children with disabilities?

Response: The Child Care provider must ensure that it meets the expectations when admitting a child with disability into the group child care center or group child care homes. This section is very clear that a child care provider must seek consultation with the child's source of health care and the program's health consultation occurs.

(d) Where the nature of the child's disability or the number of disabled children in the program necessitates added care, staff and equipment shall be available to cover these requirements.

2. Department of Public Works, Building Code Division – January 8, 2023

Subpart G – Physical Facilities Standards

§55-40.1-272 Building Codes and Space Requirements

(c) ~~Cribs, cots, beds, mats, or pads~~ Individual beds or cots shall be placed at least three feet apart ~~or have a solid barrier between each bedding~~. Solid crib ends between sleeping children can be barriers if they are 3 feet from each other.

Recommendation: Add cribs, cots, beds, mats, or pads.

Discussion. This is treated as a Sleeping Unit under Group R of the International Building Code.

Recommendation:

(2) Indoor and Outdoor Areas:

(i) All facilities must have a designated area for indoor and outdoor play. ~~Both must meet the Program Requirements under 55-40.1-218 (b) Activities which promote physical development. Strike this sentence out.~~

(ii) At a minimum, these designated indoor and outdoor areas shall be 35 square feet for indoor day care activities, 55 square feet indoor for night care, and ~~75~~ (50) square feet for outdoor space requirement.

Discussion: DPW uses a concentrated occupancy at 50 square feet for common areas which should be sufficient per child in an outdoor space.

3. Bureau of Environmental Health January 10, 2024

Subpart E Health Standards for Staff is fine

Subpart F Environmental Health Standards is fine

§55-40.1-115 Fire and Health Inspections

Recommendation

Change the “at least every 2 years thereafter” to **annually or every year**. All Child Care Centers must be inspected annually. There is one announced inspection upon new license and upon renewal, and one unannounced inspection during the year.

CCLP may add Rota Health Center and Tinian Health Center where appropriate.

4. Department of Fire and Emergency Medical Services – January 11, 2024

§55-40.1-115 Fire and Health Inspections

Recommendation

Change the “at least every 2 years thereafter” to **annually or every year**. All Child Care Centers must be inspected annually. There is one announced inspection upon new license and upon renewal, and one unannounced inspection during the year.

5. Security and Emergency Management Operations – January 11, 2024

Subpart F – Environmental Health Standards

§55-40.1-254

(2) The EPRRP written plan shall be reviewed and approved by ~~the Department of Homeland Security, Department of Public Works, Department of Fire and Emergency Medical Services, Commonwealth Health Care Corporation, and~~ the Child Care Licensing Program.

The agencies listed in (2) are not able to review and approve the EPRRP. They can assist with observation and training on certain emergency topics, but reviewing and approving written plans is not within their scope of responsibility.

6. Special Education Part C – Early Intervention – January 17, 2024

§55-40.1-242 Admission of Children with Disabilities

Question: Can day care providers refuse to admit children with disabilities?

~~Response: Admission of children with disabilities regulations is very clear of the importance of centers to have the necessary care, staff, training, and equipment in place in providing services to children with disabilities. Day care centers have the right to not accept or admit children with disabilities into their centers if they cannot accommodate and provide the necessary staff and equipment required.~~

An amendment is hereby provided to this question to specifically clarify and correct the response provided on §55-40.1-242 Admission of Children with Disabilities. As the Northern Marianas Island Administrative Code is updated, consultations with experts in the field are sought to provide accurate information on conversations and questions raised with focus groups in the CNMI.

Consultations with Part C Early Intervention and the University of Guam Center for Excellence in Developmental Disabilities Education, Research, & Service (CEDDERS) were made to clarify the key question that was raised during the focus meeting with child care providers in the CNMI.

In view of this consultation, child care providers must not exclude children with disabilities from admission. An example of this is that child care providers must not refuse admission of a child with disability. The federal laws on American with Disabilities Act of 1990 and the Rehabilitation Act of 1973, particularly Section 504 plan prohibits discrimination of children with disabilities and forbids organizations and employers from excluding and denying individuals with disabilities equal opportunity to program benefits and services. In addition, the Individuals with Disabilities Education Act (IDEA of 2004) provides federal funding for the education of children with disabilities and requires, as a condition for the receipt of such funds, the provision of a free appropriate public education (FAPE) for children with disabilities. Given the federal financial assistance that child care providers receive from the Child Care Development Fund and its programs, the child care providers/centers must also give equal access to children with disabilities.

References:

Individual with Disabilities Improvement Act (IDEA of 2004).

American Disabilities Act of 1990

Rehabilitation Act of 1973 and Section 504 Plan

Child Care Development Fund