

Codes: C = Compliant NC = Non Compliant NA = Non Applicable			Date of Visit:			
Topic #	Regulation#	Reg Description	C	NC	NA	Description NC
1. Immunizations - Prevention/Control Infectious Disease 98.41(1)(i) & C	6.6.a.1.	Child's file must include immunization record. A grace period is permitted for children experiencing homelessness and children in foster care based on the individual circumstances of the child.				
	7.7.b.8.	Staff orientation includes basic sanitation/infection control procedures.				
2. Prevention Sudden Infant Death/Safe Sleeping Practices 98.41(1)(ii)	Not Applicable					
3. Administration of Medication, Consistent w/Standards for Parental Consent 98.41(1)(iii)	17.1.	Only administer medication with written permission from child's parent, and with a prescription or a written order from a licensed health care provider.				
	17.2.	Secure instructions from child's parent for each medication to be administered. Center shall not accept instructions that indicate to administer the medication on an as needed basis unless the order is accompanied by a medical treatment plan written by child's licensed health care provider which describes the as needed condition. All medication instruction must be legibly written, signed by the parent, attached to the medication log, and shall include:				
	17.2.a.	Child's first and last name				
	17.2.b.	Name of the medication				
	17.2.c.	Reason medication is being given				
	17.2.d.	Directions for the administration of the medication including the specific dosage, specific frequency, or time to be given, and the route to be given.				
	17.3.	Medication is only administered by designated qualified staff members with training in medication administration.				
	17.4.	Prescription medication is only administered when the prescriptive medicine bottle or package has the original pharmacy label showing the prescription number, name of the medication, date the prescription was filled, the licensed health care provider's name, the child's first and last names, specific, legible directions for administration and storage, and the expiration date.				
4. Prevention/Response to Emergencies Due to Food/Allergic Reactions 98.41(1)(iv)	12.3.a.3.	Providing to parents and staff a list of foods the center will not permit, including known food allergens to other children.				
	14.3.	Emergency Policies, Procedures and Plan. A center shall develop, implement, and maintain policies and procedures for responding to an emergency. The plan shall include, but not be limited to:				
	14.3.a.	For medical and non-medical emergencies and for situations that could pose a hazard to staff and children, etc.				
	14.4.a.3.	The location of the children's attendance records and emergency information				
5. Building and Physical Premises Safety, Including Identification of/Protection from Hazards, Bodies of Water, Vehicular Traffic 98.41(1)(v)	8.3.a.	Take all necessary precautions to provide an accident-free and smoke-free environment for the children, staff members and visitors to the center				

	8.3.e.	Ensure that the premises, furnishings, equipment, and supplies are in good repair and present no hazard to the health and safety of the children;				
	8.3.l.	Ensure an unenclosed outdoor activity area is away from traffic areas and other hazards				
	9.2.c.	During water activity such as swimming, canoeing, and fishing the staff-to-child ratio is maintained at 1-8 for groups of school-age children and is maintained at 1-4 for any group with a Pre-K child.				
6. Prevention of Shaken Baby Syndrome, Abusive Head Trauma, Child Maltreatment 98.41(1)(vi)	11.2.	Negative Discipline. Program staff shall not use any of the following harmful forms of discipline:				
	11.2.a.	Punishing a child physically including spanking, hitting, kicking, biting, shaking, popping, swatting, thumping, pinching, shoving, spitting, forced exercise, or other cruel treatment				
	11.2.b.	Punishing or threatening a child in association with food, sleep, rest, or personal hygiene;				
	11.2.c.	Putting anything in or on a child's mouth as punishment				
	11.2.d.	Confining a child in a closet or locked room or using physical restraints for confinement				
	11.2.e.	Using loud, profane, or abusive language or threats of physical punishment				
	11.2.f.	Punishing a child psychologically including public or private humiliation, shaming, and negative remarks about the child or child's family				
	11.2.g.	Punishing a child emotionally				
	11.2.h.	Allowing a child to punish another child or children in care				
7. Emergency Preparedness 98.41(1)(vii)	14.3.	Emergency Policies, Procedures and Plan. A center shall develop, implement, and maintain policies and procedures for responding to an emergency. [Emergency Plan Form completed in its entirety]				
	14.3.c.	For evacuation from a vehicle used to transport children (if applicable)				
	14.4.a.	A center shall have a plan for evacuating the center or for sheltering in place during an emergency posted in each room of the center that identifies:				
	14.4.a.1.	Staff members responsible for implementing the plan;				
	14.4.a.2.	Procedures to be followed				
	14.4.a.3.	The location of the children's attendance records and emergency information				
	14.4.a.4.	A diagram of safe routes by which children and staff members may exit each area of the center				
	14.4.b.	A center shall conduct with staff and volunteers and document an evacuation drill at least one time each month during its regular hours of operation, keeping a written record of the dates and times when evacuation drills are conducted				
	14.4.c.	A center shall conduct with staff and volunteers and document a shelter in place drill one time during the school calendar year				

8. Handling/Storage of Hazardous Materials & Appropriate Disposal of Biocontaminants 98.41(1)(viii)	8.3.i.	Store products containing potentially hazardous chemicals, including identified poisons, certain cleaning supplies, and art supplies not clearly labeled as "nontoxic," away from activity space and food, and when possible, stored in their original containers and never in containers originally designed for food. If Pre-K children are present in the program, these products must be stored in a manner to be inaccessible to children				
	8.3.j.	Have on file a material safety data sheet for each product containing potentially hazardous chemicals that includes disposal of bio-contaminants				
9. Precautions Transporting Children 98.41(1)(ix)	9.1.b.	Staff can account for children at all times through a means to track children as they participate in the program, take independent restroom breaks, as activities change, as transportation occurs and takes action when a child is missing on or off the premises				
	9.5.	During transportation, the center shall:				
	9.5.a.	Maintain the staff-to-child ratio				
	9.5.c.	Ensure that no child is left unattended on a vehicle				
	16.1.	The vehicle used is currently licensed, inspected, insured, and is equipped with signs and warning lights or alternative warning devices as required by W. Va. Code §17C-12-7a				
	16.2.	Any vehicle used for transportation that has a capacity that exceeds 10 passengers meets the National Highway Traffic Safety Administration (NHTSA) standards for a school bus. Any vehicle used for transportation that has a capacity that exceeds 10 passengers shall follow the recommendation of the NHTSA for preventing rollover				
	16.3.	The driver holds a current driver's license for the type of vehicle being driven				
	16.4.	16.4. The driver does not use a cell phone or engage in conversation while driving;				
	16.5.	The driver or a qualified staff member ensures that each child is in an approved child safety restraint system that meets the federal recommendations of the National Highway Traffic Safety Administration (NHTSA), either a child safety seat or booster seat, and is secured with a seat belt at a ratio of one child per seat belt; provided, a county owned public school bus is exempt from this requirement if not required by state or federal law to use a child safety restraint system				
	16.7.	When the center owns the vehicle, identifying information is placed on the outside of the vehicle, which can be read by a pedestrian or other passing vehicle, that includes the name, address, and telephone number of the center				
10. Pediatric First Aid and Cardiopulmonary Resuscitation [Pediatric Not Applicable] 98.41(1)(x)	7.7.d.1.	Cardiopulmonary Resuscitation (CPR) and first aid within three months of employment or use provided a staff member who has received the training is present with children on or off site during the center's operation. The CPR certification and first aid shall be appropriate to the age of the children in care				
	7.8.b.	All staff shall . . . keep first aid and CPR certification current.				
11. Recognition and Reporting of Child Abuse and Neglect 98.41(1)(xi)	6.3.a.4.	Reporting of abuse [Included in Administrative Manual]				

		Prior to or during the first week of employment and prior to having sole responsibility for a group of children, a program shall provide orientation to the staff member that includes a review of				
	7.7.b.					
	7.7.b.6.	Reporting child abuse and neglect				
	7.7.d.2.	Within three months of employment or use, staff members shall have training in child abuse recognition and prevention.				
	7.8.b.	All staff shall renew child abuse and neglect recognition every three years				
	13.1.a.	Immediately report suspected child abuse or neglect to the Department in accordance with W. Va. Code §49-2-801 et seq.				
Criminal Background Checks 98.43	7.4.b.	Other than the exceptions cited in subdivision 7.4.c. of this rule, a program shall ensure that a criminal background investigation is performed on each staff member and volunteer pursuant to the provisions of the West Virginia Clearance for Access: Registry and Employment Screening Act (WV CARES), W. Va. Code §16-49-1 et seq., and 69CSR10 and shall keep the following information on file:				
	7.4.b.1.	A completed WV CARES self-disclosure application and consent form. A copy of the form shall be uploaded to the WV CARES system and on file no later than the date of hire				
	7.4.b.2.	A fitness determination of eligibility from the WV CARES unit				
	7.4.b.3.	A state background check shall be completed in any other state where the staff member or volunteer has resided in the past five years. For a staff member or volunteer who works in the state of West Virginia and resides in another state, a state background check is required for the state in which they reside. Fingerprint checks for other states are optional. All staff members and volunteers must complete a criminal background check through WV CARES				
	7.4.b.4.	A variance or waiver if the individual has convictions or pending charges of disqualifying offenses				
	7.4.b.5.	A search shall be done of the state-based child and adult abuse and neglect registries and protective services databases in each state where the staff member or volunteer resided during the preceding five years. For a staff member or volunteer who works in the state of West Virginia and resides in another state, a search shall be done in the state where the staff member or volunteer currently resides and shall be repeated every five years.				
	7.4.b.6.	A state check of the sex offender registry or repository shall be done in the state where owners, operators, staff, and volunteers currently reside.				
	7.4.b.7.	A check of the sex offender registry or repository shall be completed in another state where the staff member or volunteer has resided in the past five years. For a staff member or volunteer who works in the state of West Virginia and resides in another state, a check of the sex offender registry or repository shall be completed in the state in which they reside.				
	7.4.f.	A center shall update the documentation of a completed background check in each staff member's file at the expiration of Record of Arrest and Prosecution Background (RAP Back) enrollment				

Group Size Limits & Child:Staff Ratios 98.42 (b)(2)(i)	9.2.a.	For programs that operate with Pre-K children, the program shall ensure that				
	9.2.a.1.	A 1-12 staff-to-child ratio is maintained				
	9.2.a.2.	sizes are limited to 24 for any group that mixes older children with a Pre-K child.				
	9.2.b.	For programs that operate with school age children only, the program shall ensure that				
	9.2.b.1.	A 1-16 staff-to-child ratio is maintained				
	9.2.b.2.	The group size is determined by the activity and is limited to facilitate staff/child interaction and safe, constructive participation by children				
	9.4.	Staff-to-child ratio and group size are always maintained based on the age of the youngest child in the group.				
Ongoing Training/Professional Development 98.42(b)(2)(i)	7.8.a.	Programs shall have a professional development plan for each staff member employed more than 120 calendar days that includes a minimum of 12 clock hours of professional development annually for Directors and Site Supervisors and 8 clock hours of professional development annually for other staff positions. The professional development needs to be related to school age children or providing quality programs to school age children, or both. Except in the first year of employment, the clock hours do not include the training required in subdivision 7.7.d.				
Fire Standards 98.42(b)(2)(i)	14.4.a.	A center shall have a plan for evacuating the center or for sheltering in place during an emergency posted in each room of the center that identifies				
	14.4.b.	A center shall conduct with staff and volunteers and document an evacuation drill at least one time each month during its regular hours of operation, keeping a written record of the dates and times when evacuation drills are conducted				
	14.4.c.	A center shall conduct with staff and volunteers and document a shelter in place drill one time during the school calendar year.				