



Issuing Letters of Compliance

(December 2016)

for use with

COMAR 13A.17 Letters of Compliance

(as amended effective 7/20/15)

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.01 Materials and Equipment.

- A. An operator shall provide to each group of children in care a sufficient quantity and variety of materials and equipment for indoor and outdoor activities according to the number and ages of the children.**
- B. Activity materials and equipment provided to a child shall be:**
- (1) Appropriate to the child’s age and development status;**
 - (2) Safe;**
 - (3) In good repair;**
 - (4) Clean;**
 - (5) Nontoxic; and**
 - (6) Free from hazards, including lead paint.**

INTENT (§§A-B): Children need appropriate activity materials to encourage and stimulate child growth in physical, cognitive, emotional, and social domains. There must be enough appropriate indoor and outdoor activity-related items to accommodate all of the children in each activity group, must be age and developmentally appropriate, and clean, safe, and in good repair.

INSPECTION REPORT ITEM: “Materials and Equipment”

COMPLIANCE CRITERIA:

- *In each activity group, there are enough age-appropriate activity-related items to allow each child in the group to participate fully and successfully in the activity.*
- *Each activity and equipment item is safe, suitable, clean, and in proper working condition.*

ASSESSMENT METHOD:

- *Observe each activity group to determine the sufficiency and age-appropriateness of activity-related items available to the group.*
- *Observe the condition of activity and equipment items.*
- *If items have manufacturer labels, check these labels to determine if any item contains lead, lead paint, or another toxic substance.*

Notes:

- *Hazards commonly found in activity materials and equipment include, but are not limited to:*
 - *Sharp, pointed, or serrated edges*
 - *Splinters*

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- *Protruding nails, screws, bolts, boards, etc.*
- *Choking hazards such as small removable pieces*
- *Strings, cords, and hooks that can catch on a child's clothing or hair*

C. Furnishings used by a child shall be scaled in proportion to the child's size.

D. The operator shall provide multipurpose tables and chairs.

INTENT (§§C and D above): Furnishings intended for use by children must be sized according to those children so that they can use the furnishings without assistance or risk of injury. At a minimum, the facility must maintain suitable, age-appropriate, and appropriately-sized furniture for sitting, participating in tabletop activities, and resting or sleeping.

INSPECTION REPORT ITEM: "Materials and Equipment"

COMPLIANCE CRITERIA:

- *Each child can easily and successfully access all furnishings used in his/her activities.*
- *Multipurpose tables and chairs are present in the indoor activity area.*

ASSESSMENT METHOD: Observe the number, type, and location of activity furnishings to determine if they meet the above compliance criteria.

Note: For each child, there must be table space and an appropriately sized chair so that the child can sit to play and eat in a comfortable position: knees should not bump the table apron; feet should touch the floor; and chin should not be close to the table top.

E. Screen Time Activities.

(1) Definitions. In this section, the following terms have the meanings indicated:

- (a) **"Interactive technology" means educational and age-appropriate technology, including programs, applications (apps), noncommercial television programming, videos, streaming media, and ebooks that is designed to:**
 - (i) **Facilitate active and creative use of technology; and**
 - (ii) **Encourage social engagement with other children and adults.**
- (b) **"Passive technology" means noninteractive television, videos, and streaming media.**

(2) Limited use of appropriate interactive technology may support, but may not replace, creative play, physical activity, hands-on exploration, outdoor experiences, social interactions, and other developmentally appropriate learning activities for children 2 years old or older.

- (3) **Viewing Restrictions.** Except as set forth in §E(4) of this regulation, a child in attendance who is:
 - (a) **Younger than 2 years old may not be permitted to view any passive technology; and**
 - (b) **2 years old or older may not be permitted to view more than 30 minutes of age-appropriate, educational passive technology per week.**
- (4) **Exceptions.**
 - (a) **An occasional exception to the weekly passive technology viewing limit set forth in §E(3) of this regulation may be made for a special event or project, including a holiday or birthday celebration, or for educational content that is related to the child care home's curriculum.**
 - (b) **If an exception to the weekly passive technology viewing limit is made, a written record of the exception shall be made and retained on file that documents the:**
 - (i) **Nature and duration of the programming viewed; and**
 - (ii) **Reason for the exception.**
- (5) **No child may be permitted to view any:**
 - **Passive or interactive technology during a meal or a snack; or**
 - **Media with brand placement or advertising for unhealthy or sugary food or beverages.**
- (6) **The provider shall give the parent of each enrolled child a written screen time policy that addresses the use of passive and interactive technology during child care hours.**

***INTENT:** Screen time is limited because it is important for young children to:*

- *Have positive interactions with people and not sit in front of a screen that takes time away from social interaction with caregivers/teachers;*
- *Participate in activities that promote brain development such as talking, playing, singing, and reading together; and*
- *Participate in creative play, physical activity, hands-on exploration, outdoor experiences, social interactions, and other developmentally appropriate learning activities.*

***INSPECTION REPORT ITEM:** "Materials and Equipment"*

COMPLIANCE CRITERIA:

- *Children are not permitted to view more than 30 minutes of age-appropriate, educational passive technology per week;*
- *No child is permitted to view any passive or interactive technology during a meal or a snack;*

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- No child is permitted to view media with brand placement or advertising for unhealthy or sugary food or beverages;
- If an exception to the weekly passive technology viewing limit is made, a written record of the exception is on file; and
- The parent of each enrolled child received a written screen time policy that addresses the use of passive and interactive technology during child care hours.

ASSESSMENT METHOD:

- Check provider file for written exceptions to screen time for special events or projects;
- Ask the Director to produce the facility's written screen time policy that addresses the use of passive and interactive technology during child care hours, and show evidence that the parents (of each child enrolled) received the screen time policy.

Notes:

- See "**Developmental Characteristics**", for information, and for some suggestions regarding toys and equipment appropriate to various age groups.
- A resource of activities designed to promote child development is included. See "**Suggested Daily Activities**"

.02 Rest Furnishings.

A. There shall be:

- (1) A suitable cot or mat for each child 2 to 5 years old present in the facility for more than 4 hours, and for children 5 years old or older who regularly take rest periods in the facility;
- (2) A suitable bed for each child who is present in the facility during those hours which are usual nighttime sleep hours for that child;
- (3) An adequate supply of clean bedding provided for each child who takes rest periods at the facility.

B. When in use, all cots, mats, and beds shall be appropriately spaced to facilitate safe movement and evacuation of staff and children.

INTENT: All rest furnishings used by children in care must be safe and age-appropriate. Rest furnishings must be placed so as to allow easy access to, and prompt evacuation of their occupants in the event of an emergency.

INSPECTION REPORT ITEM: "Rest Furnishings"

COMPLIANCE CRITERIA:

- Suitably sized rest furniture is available as required.

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- Adequate clean bedding is available to each child who takes rest periods.
- All rest furniture is spaced to facilitate safe and prompt evacuation.

ASSESSMENT METHOD:

- Observe to determine the number, type, and safety of rest equipment items that are present for enrolled children.

Notes:

- “Bedding” means a washable cover on the cot/bed/mat and other covers as needed for warmth and comfort. Bedding may be provided by the facility or by parents. Bedding should be laundered at least weekly, or more often if necessary.
- Double-decker bunk beds may not be used as rest furniture.
- To help ensure adequate ventilation and reduce the potential for transmission of disease, it is recommended that there be at least 3 feet between each cot/bed/mat, or at least 18 inches apart if children’s napping positions are alternately head to foot.

.03 Storage.

There shall be appropriate storage for:

- A. Materials and equipment;**
- B. Mats, cots, beds, and bedding;**
- C. Portable equipment intended for outdoor use;**
- D. Each child's clothing and possessions in an individual space; and**
- E. Materials, equipment, furnishings, and supplies being held in reserve.**

***INTENT:** The facility must provide adequate and appropriate storage for materials and equipment that will facilitate the children’s program and their choice of activities. Each child must have an individual storage space to prevent the spread of communicable disease and to foster a sense of independence and self-esteem. Children’s individual storage spaces must be free of hazards.*

***INSPECTION REPORT ITEM:** “Storage”*

COMPLIANCE CRITERIA:

- All facility-owned activity materials and equipment are stored so that they do not present a safety risk to any child in care;

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- *Materials and equipment for children's use are easily accessible to the children who will use those items;*
- *Child rest-related items are stored to prevent contamination and minimize potential transmission of disease; and*
- *All child-owned items are stored separately according to their respective owners and are easily accessible to those owners.*

ASSESSMENT METHOD: *Observe storage locations to assess their safety, suitability, and accessibility.*

Notes:

- *Storage for materials routinely used by children should be arranged so that the materials may be easily identified, maintained, and accessed by the children without undue conflict or confusion. Materials for children 2 to 5 years old should be on low, open shelves; materials for school-age children may be in clearly labeled cupboards.*
- *Cots/beds/mats must be stored so as to reduce the potential for spreading communicable diseases.*
- *Bedding must be stored either folded on the cot/bed/mat or in an individual, safe container labeled with each child's name. Mats must be stacked or hung so they are not touching and there is room for ventilation.*
- *Portable equipment for outdoor use, materials/furnishings/supplies held in reserve, and cots/beds/mats when not in use must be stored so that they do not interfere with the program or activities, create fire or safety hazards, or detract from the usable square footage of activity area.*
- *Examples of appropriate individual storage space for children's clothes and possessions include, but are not limited to, cubbies, lockers, baskets, and shelves.*
- *Because coat hooks are a potential safety hazard, if they are used in the children's individual storage space areas, an additional space must be provided for each child.*