



Licensing Link

Swaddling Reminders



Scott County Child
Care Licensing

Fall 2015

There has been a very large campaign around safe sleep practices. Which means, if a licensor finds a baby that is not sleeping in "safe conditions," immediate action of a correction order and a fine take place.

Many of you have seen this photo:



This photo demonstrates how a baby should be

sleeping, in crib/pack and play, with a tight fitted sheet and nothing else in the crib—including blankets, bumpers and pillows. However, this has now led to conversations on, are sleep sacs and swaddles approved?

245A.1435 REDUCTION OF RISK OF SUDDEN UNEXPECTED INFANT DEATH IN LICENSED PROGRAMS

Subp. (d) "Placing a swaddled infant down to sleep in a licensed setting is not

recommended for an infant of any age and is prohibited for any infant who has begun to roll over independently. However, with the written consent of a parent or guardian according to this paragraph, a license holder may place the infant who has not yet begun to roll over on its own down to sleep in a one-piece sleeper equipped with an attached system that fastens securely only across the upper torso, with no constriction of the hips or legs, to create a swaddle. Prior to any use of swaddling for sleep by a provider licensed under this chapter, the license holder must obtain informed written consent for the use of swaddling from the parent or guardian of the infant on a form provided by the commissioner and prepared in partnership with the Minnesota Sudden Infant Death Center."

After reviewing this statute, if you have a child in care that meets this requirement and you would

like to use a swaddle, understand that not all swaddles in retail stores are acceptable for use in licensed child care homes.

While we do not have a full list of unacceptable swaddle devices, we wanted to point out three swaddles that are not approved. These swaddles are:

- Zipadee-Zip
- Woombie
- Magic Suit

However, swaddles like the halo, shown below, are approved. If you have a parent that uses another swaddle or technique, and they ask you to do the same and it seems like it may not meet these requirements, we recommend that you talk to your licensor before following those sleeping practices in your program. This is for safety of the children and protection of your program.



"Halo" An approved Swaddle

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Use of Teen Helpers

The family child care rule defines a helper as “a person at least 13 years of age and less than 18 years of age who assists the provider with the care of children.”

As a provider, you are responsible for the supervision of your helper(s), and are ultimately accountable for the actions of anyone assisting or having contact with children in care. Helpers can assist you with meal preparation, activities, interaction, or reading with the children. They can also provide a second set of eyes and ears, but should never be left alone in order to replace your own supervision of the children in care.

For the protection of teen helpers and the safety of children in care,

you should limit situations where a teen helper or child would be placed in a vulnerable situation, such as toileting, diapering, or interactions unsupervised by you, the provider. As the provider, you should also have a frank discussion with your helper(s) regarding expectations and guidelines for their involvement with children. By doing so, you are protecting everyone in the child care program.



After careful consideration, if you still choose to use a teen helper, you must make sure your helper has

met the following requirements.

1. A complete background study prior to assisting with the care of children.
2. Training on reducing the risks of sudden unexpected infant death prior to assisting with the care of infants.
3. Training on the risk of abusive head trauma prior to assisting with the care of infants and children under school age.
4. Completion of 6 hours of child care related training within the first year of employment.

If you have any further questions about teen helpers, please contact your licenser directly.

Rule Reminders—Background Studies

While taking a deeper look at the complaints that were generated so far in 2015, there was a distinct pattern of complaints involving background studies. Please review this rule:

245C.03 BACKGROUND STUDY; INDIVIDUALS TO BE STUDIED.

§ Subdivision 1. Licensed programs.

(a) The commissioner shall conduct a background study on:

- 1) the person or persons applying for a license;
- 2) an individual age 13 and over living in the household where the licensed program will be provided who is not receiving licensed services from the program;
- 3) current or prospective employees

or contractors of the applicant who will have direct contact with persons served by the facility, agency, or program;

- 4) volunteers or student volunteers who will have direct contact with persons served by the program to provide program services if the contact is not under the continuous, direct supervision by an individual listed in clause (1) or (3);
- 5) an individual age ten to 12 living in the household where the licensed services will be provided when the commissioner has reasonable cause;
- 6) an individual who, without providing direct contact services at a licensed program, may have unsupervised access to children or vul-

nerable adults receiving services from a program, when the commissioner has reasonable cause; and

7) all managerial officials as defined under section 245A.02, subdivision 5a.

Currently, each provider pays \$100 a year to process background studies. This means, if you have someone that moves into your home in the middle of the year, or who turns 13 in the middle of the year, you must send in a background study on them and there is no extra cost to you.



If Scott County finds out that someone is living or working in your program that does not have a background study, a correction order and/or a \$200 fine may be issued.

Rule Reminders—Supervision

As a licensed child care provider, you are held to higher standards of supervision. Parents place their children into your care, and they expect those high standards of supervision to be your daily practice. When you are operating your child care out of your home, and you build those relationships with the families, it is natural to cling to the feelings of flexibility in supervision when they present themselves. These tendencies may give you the sense that it is ok to run a bill out to the mailbox quick while all of the children are preoccupied inside of the house, maybe to bring a dirty diaper out to the garbage can on the curb since weekly pick-up hadn't occurred yet that day as children are watching a cartoon inside of the house, or to rest your eyes and take a nap while all of the other children are resting/napping.

Just as the definition states, you must be 'capable of intervening to protect the health and safety of the child'. Each one of those three scenarios that were stated are a lack of supervision, and they would result in a correction order.



9502.0315 DEFINITIONS. Subp. 29a. **Supervision.** "Supervision" means a caregiver being within sight or hearing of an infant, toddler, or preschooler at all times so that the caregiver is capable of intervening to protect the health and safety of the child. For the

school age child, it means a caregiver being available for assistance and care so that the child's health and safety is protected.

9502.0365 LICENSED CAPACITY, CHILD/ADULT RATIOS, AGE DISTRIBUTION RESTRICTIONS. Subp. 5. **Supervision and use of substitutes.** A licensed provider must be the primary provider of care in the residence. Children in care must be supervised by a caregiver. The use of a substitute caregiver must be limited to a cumulative total of not more than 30 days in any 12-month period.

REMINDER: If Scott County gets word that a supervision violation has occurred, an investigation must take place. Depending on the outcome, a correction order and/or fine(s) may be issued.

Upcoming training at Scott County

Scott County is still offering two trainings for child care providers that has been approved with the new legislation. The two classes we offer are SUID/AHT and Developmentally Appropriate Behavior Guidance.

These classes are from 6:30 pm - 8:30 pm and are located at:

Scott County Government Center
Second Floor—in the PDC
200 4th Ave W
Shakopee, MN 55379.

Please go to our website and fill out the training registration to sign up for any of these classes:

<http://www.co.scott.mn.us/LicensesPermits/ChildCare/Pages/UpcomingTrainings.aspx>



Developmentally Appropriate Behavior Guidance (4 hours):

- ◆ November 3 & 5, 2015
- ◆ February 18 & 25, 2016
- ◆ April 14 & 19, 2016
- ◆ June 16 & 23, 2016

SUID/AHT (2 hours):

- ◆ November 17, 2015
- ◆ December 10, 2015
- ◆ January 21, 2016
- ◆ March 10, 2016
- ◆ May 9, 2016
- ◆ June 7, 2016

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