

Program Operations

0520-12-01-06



Shelby County Schools

Division of Early Childhood

TDOE Notebook

*These documents are included in the notebook.

(Rule 0520-12-01-.05, continued)

or as may be necessary to be disclosed to public authorities in the performance of their duties and which may be necessary for health, safety, or welfare of any child enrolled in the program or the child's family.

- (9) Programs shall meet the following requirements for the posting of documentation:
- (a) During the hours of operation, the current certificate of approval shall be posted near the main entrance in a conspicuous location.
 - (b) The Department of Human Services' toll-free complaint number shall be posted in a conspicuous location.
 - (c) The Department of Children's Services' child abuse number shall be posted near the main entrance in a conspicuous location and at each telephone.
 - (d) A copy these state board rules shall be maintained in a central space and available to all staff and parents.
 - (e) No smoking signs shall be posted in a conspicuous manner.
 - (f) The program shall post any other materials as directed by the Department.

Authority: T.C.A. §§ 4-5-201, et seq.; 37-1-403(a)(8); 49-1-302(l); 49-1-1101 through 49-1-1109; 49-2-2110; 49-6-2101; 49-6-2105; 49-6-2107; 49-6-2108; 49-6-2114; 49-6-2116; 55-9-602, et seq.; 55-50-301, et seq.; and 55-50-401, et seq. **Administrative History:** Original rule filed September 26, 1990; effective December 29, 1990. Amendment filed April 30, 2002; effective July 14, 2002. Amendment repealing and replacing rule filed March 15, 2010; effective August 29, 2010. Amendments filed November 2, 2017; effective February 1, 2018. Amendments filed May 3, 2018; effective August 1, 2018. Amendments filed January 25, 2019; effective April 25, 2019.

0520-12-01-.06 PROGRAM OPERATION.

- (1) Each program shall maintain a system that enables all children in the program's care to receive a level of supervision that is appropriate to their age and their development, physical and mental status so as to ensure their health and safety and that allows program personnel to know the whereabouts of each child.
- (a) This system shall include a mandatory visual inspection of all areas of the building and grounds immediately prior to closing the program for the day in order to ensure that no children have been unintentionally left in any part of the program's facilities or in any vehicles that the program uses to transport children.
 - (b) Children six (6) weeks of age through two (2) years of age: the adult must be able to hear the child at all times, must be able to see the child at a quick glance, and must be able to physically respond immediately.
 - (c) Children three (3) years through five (5) years of age shall be safely protected by an adult in close proximity and not distracted by other tasks and must be able to physically respond immediately.
 - (d) Children six (6) weeks of age to five (5) years of age during mealtime: An adult must be in the direct sight and sound of child/children while the child/children are eating.
 - (e) Children who are in kindergarten, five (5) years of age, through nine (9) years of age shall be protected by an adult who adjusts restrictions appropriately for different ages and abilities and must be able to physically respond immediately.

(Rule 0520-12-01-.06, continued)

- (f) Children ten (10) years of age through thirteen (13) years of age: The adult shall know the whereabouts and activities of the child/children at all times and must be able to physically respond immediately. Youth/children shall have the opportunity to develop independence.
 - (g) Children fourteen (14) years of age to eighteen (18) years of age: The adult shall know the whereabouts and activities of the children, provide age appropriate guidance and must be able to physically respond as needed.
 - (h) Mixed-age Groups. When children ages ten (10) and above are grouped with children under ten (10) years of age, the minimum supervision requirements must be in accordance with the supervision required for the age group of the youngest child in the group
 - (i) Staff shall position themselves strategically for adequate supervision and quick response.
 - (j) Staff shall be aware of the dynamics (interactions) and activities of the entire group even when dealing with only part of the group at a time.
 - (k) Helper devices such as mirrors, electronic sound monitors, etc. may be used as appropriate to meet these requirements.
 - (l) Teachers shall monitor children's toileting and be aware of their activities while respecting the privacy needs of the child. Programs must have a bathroom supervision plan to reflect the developmental needs of children in the classroom. Items in plan may include, but are not limited to, location of staff, times of bathroom breaks and locations, and emergency bathroom procedures.
 - (m) The program shall maintain a plan, approved by the Department, that enables a teacher in an emergency situation to call a second (2nd) adult who can respond quickly while maintaining as much supervision of the children in care as is possible under the circumstances.
- (2) Each enrolled child shall be in a defined group based on their age and assigned to that group with a specific teacher.
- (a) Maximum group size requirements shall be maintained at all times when children are indoors with the exceptions of meals served in common dining rooms, napping in common nap rooms, or outdoors on the playground.
 - (b) When infants are cared for in a center with older children, they shall not be grouped with children older than thirty (30) months of age and a separate area shall be provided for them.
 - (c) In order to assure the continuity of care for children thirty (30) months of age to five (5) years of age and their teachers, the children shall be kept with the same group throughout the day and shall not be moved, shuffled, or promoted to a new group until required based upon the developmental needs of the child; provided however, that:
 - 1. For children, groups, excluding infants and toddlers, may be combined for short periods for a special activity, e.g. special assembly, visiting performers, or community helpers, etc., of no more than thirty (30) minutes duration per day as long as adult:child ratios are met.

(Rule 0520-12-01-.06, continued)

- (3) Each program shall adhere to the maximum group size and adult:child ratios required by this chapter.
- (a) The adult:child ratios shall be maintained by the program while the children are indoors and on the playground.
 - (b) The maximum group size and adult:child ratio shall be based standards set forth in this chapter.
 - (c) All children physically present in the program's facility or the program's assigned area within the facility shall be counted in the adult:child ratio and group size.
 - (d) Any number of children in excess of the adult:child ratio requires a second qualified adult teacher; provided, however, that the maximum group size shall not be exceeded.
 - (e) When more than twelve (12) children are present on the premises, but a second adult is not required by the adult:child ratio rules contained in this Chapter, a second adult shall be physically available on the premises.
 - (f) If meals are served, any person responsible for preparing meals and washing the dishes shall not be included in the adult:child ratio while preparing meals or washing dishes.
- (4) Programs must meet the following group size and adult:child ratios:

- (a) Maximum group size and adult:child ratio for single-age grouping:

| Age | Group Size | Adult:Child Ratio |
|---------------------|------------|-------------------|
| Infant (6wks-12m) | 8 | 1:4 |
| Toddler (11m-23m) | 12 | 1:6 |
| Two (2) years old | 14 | 1:7 |
| Three (3) years old | 18 | 1:9 |
| Four (4) years old | 20 | 1:13 |
| VPK, 619, PDG | 20 | 1:10 |

- (b) Maximum group size and adult:child ratio for multi-age grouping:

| Age | Group Size | Adult:Child Ratio |
|--------------------|------------|-------------------|
| Infant-18 months | 8 | 1:4 |
| 18-36 months | 16 | 1:8 |
| 3-4 year olds only | 20 | 1:10 |
| 3-6 years old* | 24 | 1:13 |

*Not including first grade children.

- (c) For children six (6) weeks through two (2) years, class assignment shall be based on the developmental needs of the child.
- (d) For children age two (2) years and six (6) months on or before August 15th, if the director of schools finds through evaluation and testing, at the request of the parent or legal guardian, that a child is sufficiently mature, emotionally and academically, then

(Rule 0520-12-01-.06, continued)

the child may be permitted to enter a mixed-age three through six (3-6) year old classroom.

- (e) For children three (3) years through pre-kindergarten, class assignment shall be determined based on the child's age on August 15th. If the director of schools finds through evaluation at testing, at the request of the parent or legal guardian, that a child who has a birthdate from August 16th through September 30th is sufficiently mature, emotionally and academically, then the child may be permitted to enter the next classroom level.
- (f) Group sizes or class assignments and adult: child ratios may not be adjusted based on a change to a child's age during the school year. Schools shall not change a classroom status mid-year (e.g. from single-age to multi-age, due to a child's age).
- (g) Maximum group size and adult: child ratio during arrival and departure (1 hour prior to and end of the school day) excluding infants and toddlers:

| Age | Group Size | Adult:Child Ratio |
|-----------------------|------------|-------------------|
| Including 3 year olds | 15 | 1:10 |
| Including 4 year olds | 20 | 1:12 |

- (h) Maximum group size and adult: child ratio during before and after school programs for birth through five:

| Age | Group | Adult:Child Ratio |
|----------------------------|---------------------------------------|-------------------|
| Infant – 36 months | Ratio and Group size remains the same | |
| 3-4 year olds | 22 | 1:13 |
| 4 year olds – kindergarten | 24 | 1:16 |

- (5) During naptime and nighttime care adult:child ratios may be relaxed so long as the children are adequately protected and all of the following requirements are met:
 - (a) At least one (1) adult shall be awake and supervising the children in each nap room or sleeping area;
 - (b) Infant/toddler ratios shall be maintained; and
 - (c) The adult:child ratio for children ages three (3) years and above can be fifty percent (50%) of the required ratio if there are enough adults on the premises so that the adult:child ratio required for children when they are awake shall be met immediately in an emergency.
 - (d) Maximum group size limits do not apply as long as the appropriate adult:child ratio is met at the fifty percent (50%) level.
- (6) Each program shall have a written playground supervision plan that includes:
 - (a) Arrival and departure procedures;
 - (b) Supervision assignments of staff to assure that all areas of the playground can be seen so that all children can remain within sight of the teachers;

(Rule 0520-12-01-.06, continued)

- (c) Identification of which staff will merely supervise in their assigned zone while other staff, if any, interact with children as play facilitators;
 - (d) Emergency plans specific to a variety of circumstances, such as, child injury, weather evacuation, toileting and other personal care needs of children or staff, etc.; and
 - (e) A communication link among playground supervisors and a designated staff person, if available, inside the program's facility.
- (7) Programs shall meet the following requirements for off-site activities and swimming:
- (a) The required adult:child ratio for preschool children shall be doubled during off-site visits.
 - (b) In order for parents or guardians to be included in the adult:child ratio for off-site activities, the school must have a TBI/FBI background check, child abuse check, and vulnerable person's registry check on file for the parent or guardian.
 - (c) For children in kindergarten through thirteen (13) years of age the following requirements shall be met:
 - 1. The number of trained teachers required to be present on off-site activities shall be at a minimum, equivalent to the number that would be required in the classroom; additional adults to meet the following off-site ratios in chart below may be teachers, volunteers and/or unpaid staff.

| Number of children | Trained Teachers | Additional Adults | Total Adults Required |
|--------------------|------------------|-------------------|-----------------------|
| 1 – 20 | 1 | 1 | 2 |
| 21 – 30 | 2 | 1 | 3 |
| 31 – 40 | 2 | 2 | 4 |
| 41 – 50 | 3 | 2 | 5 |

- (d) For children age fourteen (14) to eighteen (18), the number of trained teachers required to be present on off-site activities shall yield an adult:child ratio of 1:20, additional adults to meet this ratio may be teachers, volunteers and/or unpaid staff.
- (e) A minimum of two (2) adults is required for any off-site activity.
- (f) Programs shall maintain a system utilizing an off-site attendance roll which tracks the whereabouts of each child while off the premises.
- (g) The following requirements shall be met when children are swimming:
 - 1. The following adult:child ratios shall be followed:

| Age | Adult:Child Ratio |
|---|-------------------|
| Infant | 1:1 |
| Thirteen (13) – thirty-five (35) months | 1:2 |
| Three (3) years old | 1:4 |
| Four (4) years old | 1:6 |

(Rule 0520-12-01-.06, continued)

| | |
|-------------------------------------|------|
| Five (5) years old | 1:8 |
| Kindergarten – thirteen (13) years | 1:10 |
| Fourteen (14) – eighteen (18) years | 1:20 |

2. Group swimming for infants and toddlers is not recommended.
3. At least one (1) adult present shall have a current certificate in advanced aquatic lifesaving skills. This person must supervise from above the level of the swimmers, preferably from an elevated lifeguard chair.
4. The lifeguard may not be included in the required adult:child ratio while performing lifeguard duties.
5. Remaining teachers should supervise both in and out of the water.

Authority: T.C.A. §§ 4-5-201, et seq.; 37-1-403(a)(8); 49-1-302(l); 49-1-1101 through 49-1-1109; 49-2-2110; 49-5-413; 49-6-2101; 49-6-2105; 49-6-2107; 49-6-2108; 49-6-2114; 49-6-2116; 49-6-3001; 55-9-602, et seq.; 55-50-301, et seq.; 55-50-401, et seq.; and 71-3-507(g) and (h). **Administrative History:** Original rule filed September 26, 1990; effective December 29, 1990. Amendment filed April 30, 2002; effective July 14, 2002. Amendment repealing and replacing rule filed March 15, 2010; effective August 29, 2010. Amendments filed November 2, 2017; effective February 1, 2018. Amendments filed May 3, 2018; effective August 1, 2018. Amendments filed January 25, 2019; effective April 25, 2019.

0520-12-01-.07 STAFF.

- (1) All programs shall be staffed with a director and enough teachers and staff to meet the required adult:child ratios.
- (2) Every staff person, including auxiliary staff, substitutes, volunteers, and practicum students, shall be physically, mentally, and emotionally capable of using the appropriate judgment for the care of children, and otherwise performing his/her duties satisfactorily. A person who has a physical, mental, or emotional condition which is in any way potentially harmful to children shall not be present with the children.
- (3) Every staff person, both paid and unpaid, shall be at least twenty-one (21) years of age in order to work in an early child care program.
- (4) At least one (1) adult available on the premises at all times during program operating hours shall be able to read and write English.
- (5) Prior to assuming duties, each new employee shall receive two (2) hours of orientation, and be able to explain the program philosophy, emergency procedures, policies regarding discipline of children, policies regarding the reporting of child abuse, Sudden Infant Death Syndrome (SIDS), and policies for receiving and dismissing children.
- (6) Within the first two (2) weeks on the job and annually thereafter, each employee, including directors, teachers, substitutes, volunteers, and practicum students, shall receive annual instruction in:
 - (a) Child abuse detection, reporting, and prevention;
 - (b) Parent-center communication;
 - (c) Disease control and health promotion;