

QUESTIONS AND ANSWERS

Preschools

(391 NAC Chapter 5)

REVISED 3/5/2024

Temporary and Voluntary Cease of Operation 5-003.04, page 9)

1. *I have been approved for a Temporary Cease of Operation and know I have to complete an amendment application to reinstate my license to provide care. Can I provide child care to 3 or fewer children, other than my own, until I get reinstated?*

No. A licensee who has been approved for Temporary Cease of Operation agrees to NOT provide care to any children. The process for reinstatement must be completed before child care can be provided to any children other than your own.

Notification of Changes (5-004.06, page 13)

1. *A licensee has moved and submitted amendment paperwork. The new location is not yet approved as remodeling is in process. Can the licensee provide care at the new location for 3 or fewer children?*

The new location is not licensed so the licensee should not be using it. This is a violation that can result in discipline if the practice occurs.

2. *What is the procedure for changing the "name" of the Preschool when the ownership of the Preschool remains the same?*

Changing the name of the Preschool was omitted from the regulations. The licensee would need to complete an Amendment Application and Full Disclosure of Ownership Statement to complete this change. No new Fire Safety, Sanitation, or Child Care Licensing inspections would need to be conducted if the only change was in the name of the Preschool.

3. *What are the requirements of the Preschool when there is a Change of Director?*

The licensee must notify the Department within two working days whenever there is a change in the position of director – this includes the separation of an existing director and the hire of a new director. The licensee or new director will receive a Director Change Amendment Application Packet which must be completed and returned to the Department within 30 days for a qualified director (Refer to the Child Care Licensing Website for specific instructions).

Director Requirements (5-006.02, page 18)

1. *A non-custodial parent wishes to have access to his/her child. Does the licensee need to provide access?*

The intent of the regulation is to allow a parent to drop in and assess the care of the child. It is not to dictate non-custodial rights. The licensee is not to deny access to a parent without proper documentation, such as a court order.

It is not considered denial of access if a licensee does not permit constant or regular visitations that disrupt the care of other children in care. This would be viewed as something that the provider and parent need to discuss and resolve in some fashion, if occurring.

Background Checks (5-006.03, page 19)

Beginning October 1, 2019, statute requires child care staff members and individuals residing in Family Child Care Homes who are 18 years of age or older to submit fingerprints for a national criminal history record check. This law impacts licensed Family Child Care Homes I and II, Child Care Centers, School Age Only Centers, and Preschools.

Instructions, Forms, and a Question and Answer document regarding this requirement and processes can be found on the front page of the Child Care Licensing Website.

1. *Can a person work in a child care who is currently on Diversion for a crime, that if convicted, would result in an automatic disqualification period?*

After the background check process, including fingerprinting, is completed, the Office of Children's Services Licensing will determine if an individual is eligible to work in a child care program.

2. *What is considered a "minor" traffic violation which would not be required to be reported to Children's Services Licensing?*

When in doubt if the traffic offense would be considered "minor" the individual should list the offense on the Report of Law Enforcement Contact.

The following would NOT be considered a Minor Traffic violation and MUST be reported to Children's Services Licensing: Driving While Intoxicated (DWI), Driving Under the Influence (DUI), Driving While License is Suspended (DWLS), Failure to Appear (FTA), Reckless Driving, Open Container, and Assault with a Motor Vehicle.

3. *Do you need a criminal background check completed on high school students who come for a child development class?*

According to their age, students will need to complete the background checks that are required per statute and regulation.

4. *If a child care program has outside individuals or organizations come to the program to do special classes such as dancing, gymnastics, etc., what background checks are required on these individual?*

Statute requires all contracted providers to follow the requirements for completion of background checks.

5. *A criminal history records check and registry checks were completed on a potential staff. The checks were all fine, but the employee was not hired at that time. These checks are now six months old, do the checks need to be re-done before the individual can now be hired?*

The individual would be considered to be eligible as long as there is no longer than a 180 day gap in employment.

6. *What crimes are considered "theft"? Is shoplifting considered "theft"?*

Yes, shoplifting is considered theft.

After the background check process, including fingerprinting, is completed, the Office of Children's Services Licensing will determine if an individual is eligible to work in a child care program.

Health Information Report (5-006.03F, page 23)

1. *If a licensee or staff is required by the Office of Children's Services Licensing (OCSL) to sign an Authorization for Release of Information due to information s/he provided on the Health Information Form is s/he still eligible to provide care/work during the time period the information is being sought from the health care provider by the OCSL?*

Yes, the licensee or staff may remain employed during this time. Based upon the information provided by the health care provider OCSL will make a determination regarding compliance with regulations at that time.

Director Qualifications (5-006.04, page 23)

1. *Will Child Care Licensing accept a Practical Nursing Diploma as automatically meeting the educational qualification for a Director?*

This type of diploma can be considered an LPN, however, they would need to take the exam and be licensed to do so. Child Care Licensing will accept a nursing degree, i.e., RN, LPN, BSN, MSN to qualify a person as a Director, as long as the coursework meets the regulatory requirements for Department approved training in administration, early childhood education, education, or child/youth development. Business courses may be included, not to exceed one-half of the credit or clock hour requirement.

- Transcripts will be required to be submitted for acceptance of a nursing degree.

2. *Would verified experience as a baby sitter or nanny count as experience toward qualify an individual as a director or teacher?*

No, Child Care regulations require experience to be in an organized setting as indicated by a positive reference from an employer/supervisor.

3. *Our program was licensed before 5/20/2013 and a Director was already in place, so the Director did not have to meet requirements. We have now hired a new Director, does s/he have to meet the requirements in the regulations which went into effect 5/20/2013?*

Yes, if a new director is hired after the effective date of the regulations, 5/20/2013, s/he must meet the qualifications for the position.

4. *Can foster parent/care experience count toward the 3000 clock hours of verifiable experience?*

No, the requirement is for "organized group activities for children," not parenting experience.

Teacher Qualifications (5-006.05, pages 23-24)

1. *Would verified experience as a baby sitter or nanny count as experience toward qualify an individual as a director or teacher?*

No, Child Care regulations require experience to be in an organized setting as indicated by a positive reference from an employer/supervisor.

2. *If a new staff has no experience/education, and they want them to be a teacher that individual must complete 45 clock hours (or three (3) credit hours) in the first 6 months, who approves the "written plan"?*

Effective August 1, 2014, when a Preschool wants to hire an individual who does not meet "teacher" requirements, the "written plan" must now be sent to the Early Childhood Training Center. Here is the link to the Training Approval Form:

<https://erecords.education.ne.gov/PreServicePlanInstructions.aspx>

For questions, please call the Early Childhood Training Center at 1-800-89-Child.

3. *Does the Preschool have to wait until the "Teacher Qualifications Plan" is approved before a newly hired individual can be left alone with children?*

Yes. An individual who is newly hired and has completed all the background checks (Central Registry Checks, Criminal History Record Check, Report of Law Enforcement – based on age) can work as a "staff" but cannot be considered a "teacher" until the "Teacher Qualifications Plan" is approved.

4. *What happens if an individual does not meet Teacher Qualifications within six months?*

A qualified teacher must be present in every room. The individual may be a staff, but cannot be a teacher, and not be left alone with children, until the teacher qualifications are met per the Teacher Qualifications Plan.

5. *Does a Certificated Teacher automatically meet the training requirements specified in the regulations?*

A Certificated Teacher who is employed at a licensed center or preschool that is on the premises of an accredited or approved school automatically meets Teacher Qualifications and is not required to have any annual in-service training.

Certificated teachers are not required to have CPR/First Aid Training, Safety Training, Nebraska Early Learning Guidelines Training, Nutrition and Food Safety Training, or Transportation Training but do not count toward the required percentage of Teachers that must complete these training curriculums unless the Certificated Teacher completes the specific curriculum.

Non Certificated Teachers (5-006.05B, page 24)

1. *What needs to be provided as proof of meeting one of these criteria if the applicant for the job has a diploma or credential from another country?*

Some type of written documentation from the applicant's education institution is needed, whether that is a diploma or a transcript it must be equivalent to a Child Development Associates Credential, High School Diploma, or GED.

Substitute, Uncompensated Parent Helper, and Volunteer Qualifications (5-006.06, page 24)

1. *Are parents who come to help with Valentine's Day party, Christmas, etc...considered subs or volunteers or anything? If so what are they and what do Preschools have to conduct on them? Anything? These are sporadic parent helpers NOT counted in RATIO and NEVER left alone.*

These individuals would be considered, "Uncompensated parent helpers" - the parent(s) of a child enrolled in the preschool who, without compensation, assists in the care of children, who does not count in the staff-to-child ratio, and who is not left alone with children other than his/her own at the preschool.

The director may use volunteers and uncompensated parent helpers. Volunteers and uncompensated parent helpers are not counted in the staff-to-child ratio. Volunteers and uncompensated parent helpers must be supervised by the director or a teacher at all times and must not be left alone with any children other than their own. (5-006.06 Substitute, Support Staff, Volunteer, and Parent Helper Qualifications)

No background checks are required on Uncompensated Parent Helpers.

Records for Volunteers must include all information listed in 5-006.10C, which includes: Report of Law Enforcement Contact, and Documentation of Nebraska registry checks with no adverse findings.

2. *Can a volunteer be younger than 13 years of age?*

A Volunteer must be at least 13 years of age. Children under the age of 13 are in the age range the Department authorizes for child care for both the Child Care Subsidy Program and Child Care Licensing.

3. *Can a person be a staff/volunteer/substitute at a child care if he or she does not have proof of legal status?*

Child Care Licensing statutes and regulations do not directly address the legal status of staff who work in a licensed child care program. However, the Child Care Licensing statutes and regulations are not the only one that apply to hiring staff.

The Department cannot provide legal advice to any individual/program. The individual/program should be advised that there are many laws that impact hiring and it is best if the individual/program contact their own attorney about this issue.

Teacher and Staff Training Requirements (5-006.08, pages 25-26)

1. *Can the Orientation that a Preschool Director does for new staff count toward in-service hours?*

Orientation will not count toward in-service hours. This decision is based upon the following:

- Orientation of new staff must be provided prior to staff having direct responsibility for the care of children.
- Orientation varies from preschool to preschool and may be provided in a few hours or a few days depending upon the specific Preschool.
- Orientation is not required to be approved by the Early Childhood Training Center and thus cannot be used to satisfy child care licensing criteria for required training or annual in-service training.

2. *If a Preschool Director completes the Early Learning Guidelines training, then can that director use the self-study training materials available through ECTC to train the center staff?*

The requirement is:

5-006.09B Nebraska’s Early Learning Guidelines Training: Teachers must receive training in the domains of Nebraska’s Early Childhood Learning Guidelines developed by the ECTC. Any proposed equivalent training must be approved by the Department.

Self-Study Training is not an option for Nebraska Early Learning Guidelines Training (NELG). The Director could contact the Early Childhood Training Center about becoming an approved trainer for NELG Training. If approved, the Director could train Center staff on one or more of the Domains included in the NELG Training.

3. *Do the self-study packets for the Nebraska’s Early Learning Guidelines (2 hours) work for meeting the requirement for having to complete the ELG? Or do they have to attend the face to face trainings?*

No. Self-study packets for Nebraska’s Early Learning Guidelines Training are no longer available. The individuals who checked out Self-Study NELG Packets will receive training credit for the sections they completed. Only the individual who checked out an NELG Self-Study packet will get credit. A percentage of Teachers in the Preschool only have to complete one Domain of training so a Teacher can complete the full six hours by one face-to-face training.

4. *Is there a date when Licensing will be accepting other training or course work to see if they are equivalent to the new required training?*

The Department will identify specific degrees from specific Nebraska Community and Four Year Colleges/Universities that include Nebraska Early Learning Guidelines and/or Child Care Management Training as required curriculum. When identified, this information will be posted on the Child Care Licensing Web Site.

There are a number of trainings that would be considered an equivalent to Safe Sleep/SIDS (Sudden Infant Death Syndrome) Prevention and Shaken Baby – two of the three required curriculums for Safety Training. To date, no other Child Abuse/Neglect/Reporting Training addresses the “caregiver” as a potential abuser of children.

We would accept the clock hours of training on Child Abuse/Neglect/Reporting conducting by other entities (i.e. Child Advocacy Centers), but not as an equivalent to the required Safe with You Training.

Safety Training (5-006.08A. page 25)

1. *Can you please clarify the requirements related to SAFETY TRAINING? (NEW)*

Prior to a provisional license being issued, the licensee and/or director must complete Safety Training.

2. *Programs licensed prior to May 20, 2013 must complete Safety Training by May 20, 2016. When does the “count” start for the every 5 years thereafter?*

If training was completed prior to 2013, then an individual has 5 years from the effective date of the regulations (May 20, 2013) to obtain the training. If an individual completed the training after May 20, 2013, they need to complete it again 5 years from that date. For example: If a person completed the training prior to May 20, 2013, they would have 5 years from May 20, 2013 (date training became a requirement) until they have to complete the training again. If a person completed the training in 2014 they have 5 years from the 2014 date until they have to complete it again. SEE CHART BELOW.

DATE OF INITIAL TRAINING	WHEN MUST TRAINING BE COMPLETED AGAIN?
Prior to May 20, 2013	By May 20, 2018
May 20, 2013 and beyond	5 years from the date of initial training completed

Nebraska’s Early Learning Guidelines Training (5-006.08B, pages 25-26)

1. *As it relates to programs licensed before May 20, 2013, if a director or teacher who is required to complete this training has completed four of the domains of the training in 2016, does s/he have to complete at least ONE domain in 2017 and each year thereafter until all seven are completed?*

No, if s/he has completed one domain within four years (due 2017) plus also completed 3 additional domains in 2016 s/he can be allowed to not complete a domain in 2017 and possibly not complete any through the year 2020, as long as s/he is on target to complete ALL domains, averaging ONE per year, by the year 2023.

3. *Where can the equivalencies for Nebraska's Early Learning Guidelines Training be found?*

The equivalencies can be found on the training page of the Nebraska Child Care Licensing Website:

<https://dhhs.ne.gov/licensure/Documents/PP%20Equivs%20For%20ONE%20Early%20Learn%20Guidelines%20Trng.pdf>

Transportation Training (5-006.09B, page 26-27)

1. *Where can I find the list of approved trainers for Transportation Training?*

Here is the link: <https://www.safekidsnebraska.org/#!childcare/c1qpa>

2. *Would a contracted transportation service driver need the transportation training in 5-006.09B?*

When Preschools use buses weighing over 10,000 lbs. or more that are not equipped with safety/booster seats and restraints to transport children on field trips and other activities and contract with a school or other entity to provide transportation services, the Preschool has the option of having a staff who has completed Transportation Training ride with the children rather than requiring the bus driver to complete the Transportation Training.

Annual Training (5-006.09C, pages 27-28)

1. *Do all of the training sponsored by the Educational Service Units (ESU's) count toward annual (in-service) hours?*

Yes, any training sponsored by the ESU's would be approved. This training may be under the Early Learning Connection Regional Partnership Sponsored Event on the Nebraska Department of Education automatically approved training list.

2. *I have heard that pro-rated training has been allowed. Under what conditions does that apply?*

If a staff person is employed or a facility is licensed less than a year it is permissible for proration of training hours, although it is encouraged for licensees and staff to obtain training to the extent possible to enhance the quality of delivery of child care services.

Proration would not apply to operating part time schedules for the licensee. For employees employed during the calendar months that make up a year, per the regulations if a staff person "averaged" less than 20 hours/week, then 6 hours of approved training is required and if the average work time is "averaged" at more than 20 hours then 12 hours of in-service is needed.

3. *How do Preschools know what training is approved?*

Here is the link to the Department of Education's Training Approval web site:

<https://www.education.ne.gov/OEC/trainingapproval.html>

4. *How do Preschools know what CPR (Cardiopulmonary Resuscitation) Curriculums are approved?*

Curriculums are approved if the entity is nationally recognized or accredited, including on-line training and testing curriculums.

Child's Record (5-006.11, page 29)

1. *Is there a required amount of time that a program must keep a child's record after the child is no longer enrolled in the program?*

Whenever a Child Care Center has administrative offices where staff records are maintained, the Child Care Inspection Specialist assigned to that center will conduct "staff records checks" at the administrative office as long as that office is located in Nebraska.

Parent Information Brochures (5-006.12, page 29)

1. *When Parent Information Brochures are printed, how will they be distributed to Preschools? When Preschools get copies of the brochure, should they provide to all parents and get receipts?*

Parent Brochures are currently available on line at:

<https://dhhs.ne.gov/licensure/Documents/CREC-PAM-24ParentBrochure.pdf>

If you are unable to access the brochures on line you may contact the Office of Children's Services Licensing.

2. *Can a Preschool substitute their own "parent handbook" or other written description, if all the elements in the Department's Parent Information Brochure are included?*

Yes, a Preschool can substitute their own document as long as all the elements in the Department's parent Information Brochure are included.

3. *Are Parent Information Brochures available in any language other than English?*

At this time, Parent Information Brochures are only available in English.

Description of Services (5-006.13A, page 30)

1. *In the Description of Services, it states Preschools have to list "special services provided." What is considered a special service?*

Examples of some "special services" offered by some Preschools across the state include: health/vision/hearing screenings, home visitation, drop off/pick up for dry cleaning, respite care services for children with special needs, extra activities (i.e. dancing lessons, gymnastics) provided on the premises by an entity other than the licensee for an extra fee.

Most Preschools do not offer any "special services", but if the Preschool does offer one or more of these services, it must be included in the Description of Services.

Preschools are encouraged to include whether medications will be given to children in the Description of Services.

Staff-to-Child Ratio (5-006.14, page 30)

1. *I have substitutes come in at times when a teacher is not available. Can a substitute be left alone with children?*

The regulations (5-006.14B) state that each room where children are receiving care must have a staff person who is "qualified" as a teacher, and is involved in the direct care of children. A substitute may be left alone with children if s/he meets teacher qualifications.

2. *If a child care provider is providing care and supervision to a child over the age of 13, does this child count in the staff-to-child ratio? (child care licenses are issued TO AGE 13 per NE statute)*

Yes, if this child is in care due to supervision needs, s/he would be counted in the staff-to-child ratio. In the situation of home care, any child(ren) 13 years of age and older who are on the premises playing with the providers own children, should be able to return to their own home at any time if the provider is not responsible for supervision.

Communicable Diseases (5-006.15, page 31)

1. *What are reportable communicable diseases?*

Refer to the information on the DHHS Reportable Conditions webpage at:

<https://dhhs.ne.gov/Pages/Reportable-Conditions.aspx>

2. *We need some clarification about what “notify” means and “who” all needs notified of reportable communicable diseases.*

On the same day the child care provider becomes aware of the reportable communicable disease, parents of all children enrolled in the child care program must be notified, whether or not their children are actually in attendance that day. Notification to parents can be accomplished by giving them a written note, calling, or emailing them.

Also, on the same day, the child care provider must post notice of the disease in a conspicuous place at the program location.

3. *Are there other diseases and illnesses a child care provider should notify parents about?*

It is recommended, but not required by regulation, that child care providers notify parents of other contagious, infectious diseases present in the child care program such as:

- Chicken pox
- Conjunctivitis (pink eye)
- Ring worm
- Scabies
- Head lice
- Hand/Foot/Mouth

Immunizations (5-006.17, page 32)

1. *Is a program required to care for a child who is not immunized if the program receives federal dollars through Child Care Subsidy or the Child and Adult Food Program?*

Child Care regulations are silent regarding whether or not a program must provide care for a child who is not immunized. This is considered a business decision. There are no known restrictions regarding enrollment if federal funds are received, however, a child who has a disability cannot be denied services. Consultation with legal counsel or board leadership is recommended.

Transportation (5-006.23, pages 36-37)

1. *What are the requirements of the new Child Restraint Law which went into effect January 1, 2019?*

A Memo and attachment explaining the new law was mailed to all child care providers on December 17, 2018.

There are three major changes that went into effect January 1, 2019:

1. All children up to age eight must ride correctly secured in a federally approved child safety seat. This means a booster seat, car seat, or an alternative harness restraint. Age and weight guidelines must be followed.
2. Children ride rear-facing up to age two OR until they reach either the upper weight or height limit allowed by the car seat’s manufacturer.
3. Children up to age eight must ride in the back seat as long as there is a back seat equipped with a seatbelt and is not already occupied by other children under eight years of age. This means IF all other seats are occupied by children under the age of eight, a child under the age of eight may ride properly restrained in the front seat.

Additional information specific to buses was provided:

1. Small or Mid-Size Bus:
 - a. If the bus has a lap belt only, the bus must have a supplemental restraint system such as a harness, Cam-wrap, or Easy-On vest.
 - b. If the bus has a lap and shoulder belt, then a supplemental restraint system should NOT be used. (Buses manufactured after 2011 were required to have a lap and shoulder belt).
 - c. If infants are transported they should be secured as described in Item 2 above.

2. **Medium or Large Bus (over 10,000 lbs):**
 - a. IF the bus is equipped with a lap and shoulder belt, a supplemental restraint system should NOT be used. (Not all buses are equipped with a restraint system).
 - b. Medium or large size buses are not designed to transport infants.
3. **Rural or City Transit Bus**
 - a. This type of bus is not “designed” to transport a group of child care children.
 - b. If a child care program chooses to use this type of bus to transport children, the bus must be equipped/modified with appropriate supplemental restraint systems, the same as those of a small or mid-size bus.

Information can also be found on the Nebraska Department of Education website at this link:

<https://www.education.ne.gov/fos/pupil-transportation/child-passenger-safety/>

2. *The vehicle used to transport children must be properly registered and insured, and must contain a first aid kit and parent contact information for each child being transported. Does this mean that the first aid kit and parent info must also be in a bus which is contracted to provide transportation for the preschool?*

Yes, all transportation regulations must be followed whether the Preschool provides transportation services directly or contracts with a transportation company.

3. *Children must not be transported to any location without the prior knowledge of the parents...(THIS MEANS THEY NEED WRITTEN APPROVAL FOR EACH FIELD TRIP, NOT JUST A BLANKET PERMISSION TO GO ON FIELD TRIPS, YES?)*

Preschools may use a general permission for transportation as long as parents know where their children are at all times.

Medications (5-006.24, page 37-38)

1. *I have some children enrolled in my program that may need medication in an emergency. One child is a diabetic; another child has a severe peanut allergy and must have access to an EPI pen. Is there an alternative to keeping these medications stored rather than under lock and key that will allow quick access in the event of a medical emergency?*

Regulations do require medications be kept in locked storage. The Department, however, recognizes the risk it could pose if children or adults in the programs do not have quick access to their emergency medications. If a program has children, staff, or household members who use some form of medication in an emergency, the program can request an Alternative Compliance. An Alternative Compliance allows a program to show the Department how they are meeting the intent of the regulation, just in a different manner than specifically indicated by the regulation. This Alternative Compliance will only apply to emergency medications and must be approved by the Department. Programs will be required to keep emergency medications out of the reach of children and provide appropriate supervision to ensure children do not have access at all times.

The following are considered emergency medications: EPI pens, and medications to treat diabetes, seizure disorders, and asthma.

2. *Can providers use bug spray for children, and if so, what parental permission is required?*

Yes, providers may apply bug spray to children as the label directs. Parents must sign a permission form just as they do for medications.

3. *Does the use of an EPI-pen in a child care program require a physician’s note?*

If an EPI-pen is prescribed by a physician, then a physician’s “note” is not required.

4. *Can Preschools provide non-prescription medications to children “as needed” (PRN)?*

Parents may bring non-prescription medications to the Child Care program to be given to children “as needed” as long as the parent provides detailed written instructions that includes the symptoms, dosage, frequency, and any other relevant information.

Housekeeping and Maintenance (5-005.26A, page 41)

1. *Would an alternative compliance be supported for a facility to not have 'tight/water tight fitting lids on garbage containers' inside of areas where food is served when there is a janitorial staff that gathers and disposes of food after meals and snacks?*

Since this would meet the intent of the regulation to minimize odor and transmission of infectious disease and prevents the attraction of rodents, flies and other insects or vermin, an alternative compliance could be supported.

2. *Regulations required using rubbish containers, both indoor and outdoor, for garbage and rubbish that have tight fitting cover. Is there any exception to this requirements?*

If the rubbish container/trash can contains ONLY paper items that do not have any bodily fluids on them (i.e., Kleenex), then they do not need to be covered. All other containers must be covered.

Animals/Pets (5-006.27C Page 42)

1. *What types of pets and other animals are allowed on the premises of a Preschool?*

The Preschool may take children to view any animals at the zoo with prior parental permission.

It is okay to bring a small farm animal to the Preschool as long as the animal is not on the list of prohibited animals. No paper work for the animal would be required unless there is an incident that resulted in the injury of a child.

Activity Space (5-007.01, page 43)

1. *If I am licensed from 6:00am to 8:00pm. If we are closing our preschool program at 6:00pm can I let someone else use the space for a birthday party or other event from 7:00pm to 9:00pm? I have previously been told that I cannot allow this to occur because we are licensed until 8:00pm. I am also concerned because we are located in a church and the cafeteria and one gym will be used for Vacation Bible School during the summer at the same time our child care is operating. Other child care classrooms may be used to host meetings when no children are present in preschool, but at times that are still within our operating hours.*

You may allow other entities to utilize the licensed space for a purpose unrelated to preschool during hours of operation when no children are present in the preschool program.

When children are present in the preschool program, you may allow part of your licensed space to be used during hours of operation for an unrelated purpose on an irregular basis, such as Vacation Bible School or a meeting. The event must occur in a separate area from where preschool is being provided. The area where preschool is being provided must have enough square footage to accommodate all children present in preschool.

Water Supply (5-007.02B, page 44)

1. *If a faucet has a filtration (i.e. reverse osmosis) system, is drinking water still required to be tested?*

Yes, water that comes from a source other than a public water supply system must be tested annually even if there is a filtration system present.

2. *Regulation require water to be tested for coliforms, nitrates, and lead, however some labs do NOT test for all of these. Where should providers obtain kits and send their samples to be tested for all substances?*

The state lab is located in Lincoln. Providers may obtain a kit by calling 402-471-2122.

Outdoor Play Area (5-007.03, page 45)

1. *When is an alternative compliance request regarding an outdoor play area appropriate?*

The Department is offering alternative compliance for:

1. Applicants for a provisional license where an outdoor play area is not available or does not meet all the requirements in 391 NAC 5; or
2. Already licensed Preschools that do not have an outdoor play area or one that meets all the requirements in 391 NAC 5.

Toilets/Sinks (5-007.04, page 45)

1. Do "toilet rooms" need to be fully enclosed or are half walls allowed?

Children ages 3 and under can use toilet rooms with half walls. If children are age 4 and over, they need to have a toilet room that gives them privacy.

OTHER ITEMS OF INTEREST

1. At an inspection, what specific information do Child Care Inspection Specialists want to see in regard to insurance coverage?

Here is the link to the information on the Child Care Licensing Website which describes what Child Care Inspection Specialists want to see at the time of inspection:

<https://dhhs.ne.gov/licensure/Documents/LiabilityInsReqMemo.pdf>

All Child Care Programs are required to maintain Child Care Liability Insurance with a minimum coverage of \$100,000 per occurrence.

Here is the link to the statute: <https://nebraskalegislature.gov/laws/statutes.php?statute=71-1911.03>

2. I have used my Social Security Number for my identifier for my license. Do I have to give that out to families that want to file for child care tax credits?

Parents can be directed to this site to learn how to file if a number is not available.

<https://www.irs.gov/help-resources/tools-faqs/faqs-for-individuals/frequently-asked-tax-questions-answers/childcare-credit-other-credits>

3. Will parent's digital signature(s) be accepted by the Office of Children's Services Licensing for acknowledging receipt of required information and material?

Yes, digital signatures are acceptable.

If you have additional questions or want clarification on a question and answer in this document, please send an e-mail to the Child Care Licensing mailbox at:

DHHS.childcarelicensing@nebraska.gov