

## Bagby, Tammy (LARA)

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**From:** Zeiter, Robin (MDE)  
**Sent:** Thursday, August 8, 2019 4:50 PM  
**To:** LARA-BCHS-Training  
**Cc:** Brewer-Walraven, Lisa (MDE); Lower, Richard (MDE); Riebel, Sharon (LARA); Jansen, Mark (LARA)  
**Subject:** Child Care Licensing Rule Comments

### Rule 400.8131

Please add the following language:

**When the department of licensing and regulatory affairs or the department of education publishes a notice that a new health and safety update document or a new health and safety update training activity has been published on MiRegistry, the licensee shall ensure that all personnel read and acknowledge the document or complete the activity within 6 months of the notice.**

**Rationale:** As part of the Child Care Development Fund Block Grant (CCDBG) Act of 2014 states are required to have ongoing training requirements on the health and safety topics for caregivers, teachers, and directors. If states are found non-compliant, penalties may result.

### Rule 400.8131

(2) Update language on topic title **prevention of sudden infant death syndrome (SIDS) and use of safe sleep practices**  
(3) Add **and** to the training topic: Prevention of shaken baby syndrome, abusive head trauma **and** child maltreatment (The comma placement in the draft makes it seem like these are three separate trainings and they all fall under one required training topic area—ideally, all three would be covered in one training.)

**Rationale:** Required training topic language matches CCDBG federal language.

### 400.8122 Lead Caregiver qualifications; responsibilities

#### Table 3 (f) and (g)

For Lead caregivers, a person can get 6 semester hours/9 CEUs or 90 hours with a HS diploma and have 2 years to get to 180 hours/12 credits/or 18 CEUs. Request: Eliminate the straight hour option. 180 or 90 hours of just any training should not be an option and is a relatively low standard when compared to semester or CEU hours. The CEU requirement can be met with CEUs or SCECHs and therefore training hours in MiRegistry would qualify and allow for quality assurance through the trainer and training approval process.

### 400.8101 (l)(i and ii) Definitions

Child-related field means 1 of the following:

- (i) For an early education program director **or lead caregiver**, child related field **includes** elementary education, **special education**, child guidance, child counseling, child psychology, family studies, or social work.
- (ii) For a school-age program director, child related field **includes** early childhood education, elementary education, secondary education, **special education**, physical education and recreation, child development, child guidance, child counseling, child psychology, family studies, social work, human services, or youth development.

### 400.8113

#### Table 1 Early Childhood Program Director Qualifications

(e) The 18 hour semester hour requirement has been removed in the proposed rules. We suggest that the 18 semester hour requirement is critical and should remain as part of the qualification requirement for candidates holding a CDA.

**Rationale:** Alignment

**Table 2** School Age Program Director Qualifications

(e) removes the 12 semester hour requirement with CDA; but, (d) keeps the 12 semester hour requirement; if you eliminate in (e), you definitely should eliminate in (d), as a holder of a school age youth credential is content rich and more highly qualified than a CDA holder working in the school age sector. We would prefer that the 12 credit requirement remain for both (d) and (e).

(14) Remove this item. Concern is that the person on site in charge is not required to have anything but a high school diploma; this standard is lower than the lowest qualifier for lead caregiver and this person has more responsibility.

**Rationale:**

This is contrary to our federally funded 21<sup>st</sup> Century Community Learning Center program requirements; MDE State Board Standards, and our baseline for entry into our Great Start to Quality standards.

Thank you.

*Robin L. Zeiter*

Professional Development Specialist

Office of Great Start

Child Development and Care

P.O. Box 30008

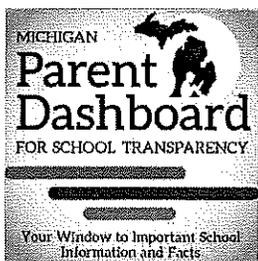
Lansing, MI 48909

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## Bagby, Tammy (LARA)

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**From:** Heaven's Elect <heavenselect@gmail.com>  
**Sent:** Thursday, August 8, 2019 1:13 PM  
**To:** LARA-BCHS-Training  
**Cc:** Sue Beckett; Heaven's Elect  
**Subject:** Comments on proposed rules for child care centers

August 8, 2019  
Department of Licensing and Regulatory Affairs  
Bureau of Community and Health Systems  
P.O. Box 30664  
Lansing, MI 48909-8170

Attention: Tammy Bagby

This is a follow up email regarding the hearing that was held yesterday August 7, 2019, 3:00 p.m. in Lansing at the Historical Museum.

I'm looking for clarification on the following:

**School-age child** – Children that attend a public school in a young 5 program. Are they considered a "School-age child" meaning we are no longer responsible for physicals and shot records, just a school-age waiver?

**Clarification of Infants, toddlers, and up** - "through" meaning.....on the child's 1st birthday or the month after? An extra month puts a great deal of strain in classrooms.

**Is an ESA therapist considered a volunteer?** – Do we have to get fingerprints for such workers? Do we have to clock them in/out and keep track of their hours while on site?

**Abusive head trauma, child maltreatment, blood borne pathogens recognition and reporting child abuse and neglect** – Is this covered in the required State training?

**CPR – within 90 days of hire** – CPR within the first year of hire as long as the facility has 90% of the staff certified. This is a much better way to keep track of trainings.

**Homeless children** – does this include children that might be dropped off to a foster family and families from a shelter house?

**Warmers for bottles** – is there a universal bottle warmer?

**Sleeping infants** – What is the department's rule when infants fall asleep on a buggy walk?

**Bulk food that is sealed/cans** – can it be stored on a pallet?

**How much is too much food?** – What does the department say when a child eats too much? For instance, 6 hotdogs for a one year old? Would this be considered equally as bad as not feeding a child enough?

Thank you in advance for the clarification of the above rules. Please feel free to contact me at any time.

HEAVEN'S ELECT LITTLE PEOPLE

Sue Beckett  
Owner  
989-239-5184

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# Wee Discover

Child Care & Enrichment Center  
920 N Williams Lk Rd Waterford MI 48327

[WeeDiscover.com](http://WeeDiscover.com) 248-886-0011

License #: DC630080243

August 7, 2019

To whom it may concern;

I am unable to attend the public hearing to be held August 7, 2019 in regards to the proposed changes to the child daycare licensing rules. I would like to make comment for rule R 400.831 (10); requiring all child care staff members to maintain a valid first aid and CPR certificate.

While I absolutely agree that there should always be someone on premises with this certification, by requiring all staff to have this, it creates an additional burden monetarily for child care centers and/or their staff. Operating a quality child care program in the State of Michigan is getting to be extremely costly.

Sincerely,

Rhonda M Grubb  
Program Director Owner  
Wee Discover Child Care & Enrichment Center



# Community Action Agency

PROMOTING SELF-SUFFICIENCY

July 26, 2019

Department of Licensing and Regulatory Affairs  
Bureau of Community and Health Systems  
P.O. Box 30664  
Lansing, MI 48909-8170

Dear Ms. Bagby,

Our agency operates 34 Head Start and Great Start Readiness classrooms across the Jackson and Hillsdale counties serving over 687 children a year. The comments that are made are to help with clarity, quality, and consistency. Please accept the following written comments regarding the proposed Child Care Center Rules as public comment.

Page 4:

*(m) Communicable Disease is defined but not limited to, all of the following...*

This definition leaves a lot of vagueness on what is considered communicable. Recommendation would to add language "as defined by local health department". This would support communicable disease reporting requirements.

Page 6:

*(e) "MiRegistry" definition*

This definition is helpful to help staff understand what it is and the purpose behind it.

*(k) Preschooler means an individual who is 31 months of age until eligible...*

This definition conflicts with the age ranges defined in the table 4 on page 34.

*Rule 103 (a) Sanitized means...*

Thank you for providing a definition of sanitizing, this is very helpful on defining the expectation.

Page 19:

*(3) Before caring for children, all child care staff members and unsupervised volunteers shall be trained on prevention of shaken baby syndrome, abusive head trauma...*

Is this required for all child care staff? Only staff caring for infant and toddlers?

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• Lenawee  
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• Hillsdale  
55 Barnard Street  
Hillsdale, MI 49242  
(517) 437-3346  
(800) 750-9300  
Fax: (517) 437-3480  
www.caa|lh.org

TDD: (800) 649-3777



Page 20:

(5) Staff may wash children's hands with non-toxic disposable wipes...

This added detail is very helpful.

Page 23:

*(10) A center that enrolls a homeless child pursuant to the Every Student Succeeds Act...*

This added information is very helpful in putting a family's needs first and allowing getting the appropriate services aligned for the best interest of the child, while not jeopardizing compliance.

Page 27:

*R400.8164 Rule 164 (1) An operable phone shall be available and accessible in the building during the hours the center is in operation.*

The flexibility of this rule allows for cell phones to be utilized, which is convenient and much more economical.

Page 30:

*(5) A center shall provide a minimum of 3 play spaces per child multiplied by the number of children the center is licensed to serve.*

The way this reads now will put huge implications on classrooms equipment for children both with space/storage and financial feasibility of purchasing additional equipment/supplies.

Page 31:

*(2) Heavy Objects, including but not limited to shelving and televisions, must not be above sleeping equipment.*

How is sleeping equipment defined in this rule? In context, it makes sense for crib or porta-crib. Cots are typically placed around the room and placed in front of various classroom equipment such as filing cabinets, book shelves, etc. that are stationary on the floor. This rule reads in a way for individual interpretation.

Page 34:

*Table 4 (b) and (c)*

The proposed changes to defining ages as it relates to ratio conflicts with other areas within the rules. In addition, not allowing a 3 year old (36 months) to participate in a mixed age range group will cause serious enrollment struggles as programming for Head Start as it is defined by 3 year old. Further, Great Start Readiness Program defines program eligibility as a 4 year old, not a 49 month old.

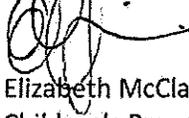
Page 59:

*R 400.8760 Staff and volunteer-to-child ratio...*

This rule conflicts with the changes outlined in Table 4 on page 34.

Please do not hesitate to contact me if you have any questions, or need further clarification on any of the items we have outlined.

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth McClain', with a long horizontal flourish extending to the right.

Elizabeth McClain  
Children's Program Director  
Community Action Agency

TO: lara-bchs-training@michigan.gov

To Whom It May Concern,

As a result of the proposed rule revisions and in response to the Public Hearing which I attended on Wednesday, August 7, 2019, I wish to make the following comments to be noted on the official record.

**R 400.8134 Hand Washing**

**(5) Staff may wash children's hands with non-toxic disposable wipes in the following situations: (a) When the child is too heavy to hold for handwashing. (b) When the child cannot stand safely at the sink. (c) When the child is not developmentally ready to hold his or her head. (d) When the child has a special need, so the child is not able to wash his or her own hands.**

I believe clarification may be needed for the type of non-toxic disposable wipes to be used. Will these be required to be anti-bacterial? Original/unscented baby wipes or water wipes which possess no cleaning agent would be acceptable for use as it reads. I also believe clarification will be required for who is making determinations on the developmental level of the child in care- will this be up to each individual teacher, a physician, the director, our licensing consultant? What constitutes a child being able to safely stand at the sink?

**R 400.8143 Children's Records**

**(13) Parents shall be notified before each field trip.**

I believe clarification will be required for the type of notification and the time period prior to field trips. Will notification be required to be written or posted? Can parents of Summer camp children (who attend regular field trips) be given a list of field trips at the beginning of summer, or must them be notified 24 hours prior?

**R 400.8182 Ratio and Group Size Requirements**

**(3) In each room or well-defined space, the maximum group size and ratio of caregivers child care staff members to children, including children related to a staff member or the**

licensee, shall must be the following as shown in Table 4:

TABLE 4 Child Care Staff Member to Child Ratios			
	Age	Caregiver Child Care Staff Member to Child Ratio	Maximum Group Size
(a)	Infants and Toddlers toddlers, birth until to 30 months of age	1 to 4	12
(b)	Preschoolers, 30 to 36 months of age until 3 years of age	1 to 8	16
(c)	Preschoolers, 3 years of age until 4 years 37 to 48 months of age	1 to 10	Not applicable
(d)	Preschoolers, 4 years 49 months of age until school-age	1 to 12	Not applicable
(e)	School-agers	1 to 18	Not applicable

I believe that Subrule (c) incorrectly states that children age 3 are 37months. This should state that children 36 months to 47 months would fall under the 1:10 ratio.

In the same respect I believe that subrule (d) incorrectly states that children age 4 are 49 months. This should state that children 48 months of age until school age would fall under the 1:12 ratio.

#### **R 400.8330 Food Services and Nutrition Generally.**

**(13) If food, bottles, or beverage containers are warmed, then the warming shall must be done in a safe, appropriate manner.**

**(14) Warming bottles and beverage containers in a microwave oven or a crockpot is prohibited.**

Current Technical Assistance requires that all crock pots be at a temperature below 120°F. This is below the scalding temperature, which would prevent burns to the children or staff members from hot water.

It is my belief that utilizing exclusively bottle warmers, which often rely solely on boiling or steaming water, presents a more direct danger to both children and staff members. Requiring the use of bottle warmers, which heat to extremely high temperatures far past the threshold of scalding, may result in an increase of incident and accident reports. These accident and incident reports would be a direct result of burns caused by staff or children touching bottles that have come out of a steam-heated warming device.

Bottle warmers vary in temperature according to brand and method of warming, and monitoring the temperature of the contents of a bottle would vary based upon starting temperature of the contents, the amount contained in the bottle, as well as temperature the bottle warmer reaches. This would make it increasingly difficult for the staff to ensure correct bottle temperature without the possibility of incurring burns to themselves.

Bottle warmers are also often brand specific, requiring bottles of a certain size or shape. Infant room group size requirements allow for 12 infants per day, which could potentially have 12 different bottle brands. Requiring centers to have a multitude of bottle warmers available to

accommodate different variations in bottle brands could cause undue financial burdens on the center, or potentially limit parents of children at the center as to which bottles would be able to be heated while their child is in the center's care.

Thank you in advance for your time and consideration of my comments regarding the proposed licensing rule changes.

Danielle Colombo  
Director & Parent  
IXL Learning Center, Howell  
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