



Key Health Code Requirements for School-Based Child Care Programs

A school-based child care (SBCC) program is any program that:

- Provides care and instruction to children ages 3 to 5
- Is located in or part of a school

SBCC programs are regulated under Article 43 of the New York City (NYC) Health Code. To read all requirements described in Article 43, visit on.nyc.gov/article-43-health-code.

The NYC Department of Health and Mental Hygiene (the Health Department) inspects SBCC programs at least once per year for compliance with Health Code requirements. If the inspector observes a violation, they will provide a report detailing the condition and the date by which it must be corrected. The inspector may conduct a follow-up inspection to check whether the corrections were made. If programs fail to comply, they may be issued a Notice of Violation and subject to fines.

Notice of Filing

SBCC programs must submit a Notice of Filing to the Health Department and keep it current.

To open a new SBCC program:

1. Apply online for a new record at nyc.gov/dohmhpermits.
2. Submit a Notice of Filing application (available at nyc.gov/nycbusiness/description/school-based-child-care-provider-registration-notice-of-filing) and Certificate of Occupancy to childcareinfo@health.nyc.gov.
3. After you submit the Notice of Filing and pass a preliminary inspection, the Health Department will issue a Certificate of Filing.

To update a Notice of Filing, email childcareinfo@health.nyc.gov if any of these situations apply:

- Your contact information has changed.
- There is a new principal or education director.
- You need to correct an error in the original Certificate of Filing.
- The location of your SBCC program has changed.

Staff-To-Child Ratios

Maintain the required minimum staff-to-child ratios (see the table on the next page):

Age of Children	Staff-To-Child Ratio
3 years to under 5 years	1-to-20 for classroom academic activities
4 years to under 5 years	1-to-12 for all activities (excluding classroom academic activities)
3 years to under 4 years	1-to-10 for all activities (excluding classroom academic activities)
5 years to under 6 years	1-to-25 for all activities

Staff members who have not received background screening clearance are not allowed unsupervised contact with children.

Epinephrine Auto-Injectors

Have two epinephrine auto-injectors on-site, readily accessible to staff and out of the reach of children.

Daily Cleaning

Keep the facility clean, including kitchens, classrooms and bathrooms.

Food Preparation

If you prepare food on-site, always store, prepare and serve food according to Article 81 of the Health Code (available at on.nyc.gov/article-81-health-code).

- Have a valid food service establishment permit (also known as a satellite kitchen permit).
- Maintain hot and cold food holding equipment.
- Purchase food from approved sources.
- Have a food service supervisor with a Food Protection Certificate on duty.

Lead in Water

Make sure drinking water from all faucets and fountains does not contain elevated lead levels.

- Test all drinking water using a Health Department-approved protocol within 60 days of submitting a Notice of Filing. Submit the results to your Health Department borough office.
 - For a list of borough offices, visit on.nyc.gov/borough-office-locations.
- Submit and receive approval for a Corrective Action Plan if any test result is at or above 15 parts per billion and take corrective action.
- Retest each faucet and fountain every five years. Any outlet that may be used for drinking must be tested.
- If you have questions concerning testing protocols or corrective actions, call your borough office.

Lead in Paint

Make sure your facility is free of peeling lead-based paint.

- Check that all paint is intact.
- Repair all peeling paint. Assume peeling paint of unknown lead content to be lead-based.
- Submit an annual survey (available at on.nyc.gov/annual-lead-paint-survey) to your borough office unless you have tested the paint and shown it to be lead-free.

Lead in Soil

Before you start service, test soil in outside areas used by children younger than age 6 for lead and remediate if needed.

Documentation Requirements

Safety plan:

- You must have a written safety plan on-site and in an accessible place.
- The person in charge must be prepared to implement the safety plan.
- Review your safety plan at least once per year and update it as needed.

Medical records for children:

- All children must receive a complete age-appropriate medical examination before they are admitted to the program.
- All children must be immunized against diphtheria, tetanus, pertussis, poliomyelitis, measles, mumps, rubella, varicella, hepatitis B, pneumococcal disease and haemophilus influenzae type b (Hib). Additionally, children ages 6 months to under 6 years must be immunized each year before December 31 against influenza (flu).
 - Learn more at schools.nyc.gov/school-life/health-and-wellness/immunizations.

Medical records for staff:

- All staff members must provide a physical examination certificate from a licensed health care provider dated within the last two years.
- All staff members must provide record of immunization for:
 - Two doses of mumps-containing vaccine
 - One dose of rubella-containing vaccine
 - Two doses of varicella-containing vaccine (for chickenpox)
 - One dose of tetanus, diphtheria and acellular pertussis (TDaP) vaccine

Staff screening:

- Staff members hired on or after September 25, 2019, must be fingerprinted at Identogo (a fingerprinting provider) and submit an online clearance request form at nyc.gov/site/doh/business/permits-and-licenses/child-care-school-based.page. The

fingerprint receipt must be uploaded with the online form. Programs must keep a copy of the comprehensive background check letter for each staff member on-site.

- Staff members hired before September 25, 2019, should already have NYC Department of Investigation (DOI) fingerprint records and will be required to provide inspectors with proof during inspections. If staff members hired before September 25, 2019, cannot provide proof of DOI fingerprint records at the time of inspection, they will need to be printed again following the procedure for new staff.
- All staff members must have three references.

Staff Training

The following trainings are required for all providers. Keep these training certificates for staff members on-site and make them available to the Health Department upon request:

Training Topic	Required For	Trainer Information
Epinephrine Auto-Injectors	Staff (at least one staff member trained to administer an epinephrine auto-injector must be on-site at all times)	Code Ana Program Telephone: 434-924-5310 American Red Cross Course: Anaphylaxis and Epinephrine Auto-Injector Telephone: 800-733-2767 Professional Development Program (PDP) Early Childhood Education and Training Program Course: Medication Administration Training Telephone: 518-442-6575 PDP Early Childhood Education and Training Program Course: Identifying and Responding to Anaphylaxis: Elijah’s Law
Emergency Preparedness	All staff within three months of being hired	PDP Early Childhood Education and Training Program Course: Emergency Preparedness Online Training
Child Abuse and Maltreatment	All teaching staff every 24 months	Mandated Reporter Resource Center Course: Mandated Reporter Online Training (for New York State) Telephone: 800-836-0903
Infection Control	All teaching staff within three months of being hired	PDP Early Childhood Education and Training Program Course: Foundations in Health and Safety
CPR and First Aid	Staff (at least one staff member trained in CPR and first aid must be on-site at all times)	American Red Cross Telephone: 212-875-2430 American Heart Association Telephone: 800-AHA-USA-1 (800-242-8721)

The following trainings are required for recipients of the Child Care Development Block Grant funding and optional for providers not receiving these funds:

Training Topic	Required For	Trainer Information
Shaken Baby Syndrome and Sudden Infant Death Syndrome (SIDS)	All staff	PDP Early Childhood Education and Training Program Courses: Preventing Sudden Infant Death Syndrome and Promoting Safe Sleeping; Prevention and Identification of Brain Injuries, including Abusive Head Trauma (AHT)
Mental Health First Aid	All teaching staff	New York State Association for Infant Mental Health Course: Infant/Early Childhood (IECMH) Basics Course Emotionally Responsive Practice (ERP) at Bank Street Course: Child Mental Health (First Aid for Childcare Providers) Telephone: 212-961-3430
Cognitive, Social Emotional and Physical Development	All teaching staff	PDP Early Childhood Education and Training Program Courses: Infant Brain Development; School Age Child Care; Early Intervention; Foundations in Health and Safety E-learning; Obesity Prevention Centers for Disease Control and Prevention Course: Watch Me! Celebrating Milestones and Sharing Concerns
Family Engagement	All teaching staff	PDP Early Childhood Education and Training Program Course: Family Engagement