



Office of Children and Family Services

ANDREW M. CUOMO
Governor

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Acting Commissioner

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Dear Provider:

In recent months, the number of child care programs being cited for failure to provide competent supervision has risen dramatically. OCFS is deeply concerned, as providing competent supervision to children is the most critical role of any caregiver or teacher. Many instances have been reported where a young child wandered out of a program, or was left behind on a bus, a playground, or in a classroom unsupervised. Thankfully, the children were located and returned to their parent/program; however, each of these children was placed at imminent risk of serious harm due to lack of competent supervision. The severity of these situations must be acknowledged, and it is imperative that we seize the opportunity to examine and improve supervision practices. Supervision is key to keeping children safe and facilitating their development. In an effort to protect children, here are some strategies and reminders to all staff and caregivers on this important topic.

The Regulatory Standard for Supervision:

Children cannot be left without competent supervision at any time. Competent supervision includes awareness of and responsibility for the ongoing activity of each child. It requires that all children be **within the caregiver’s range of vision** and that the caregiver be **close enough to respond** when redirection or intervention strategies are needed. Competent supervision must take into account the child’s age as well as emotional, physical, and cognitive development.



Recommended Strategies:

Supervision is basic to safety, the prevention of injury, and maintaining quality child care. Competent supervision is required when children are indoors, or out; whether playing or at rest. Supervision is necessary when children are on a field trip, and when they are being transported in a motor vehicle. Supervision is a constant. Parents trust caregivers and teachers to adequately supervise their children at all times.

Effective supervision strategies include, but are not limited to, the following:

- **Know the children** in your care: Does a child struggle with transitions? Is one child a risk taker? Do you have an introvert who likes to hide? Knowing the children in your care helps you anticipate their needs, and allows you to develop an individualized plan of supervision for those children.
- **Stand in strategic positions** so that children are always in range of vision: Program spaces (indoors and outdoors) should be designed with visibility that allows constant unobstructed adult supervision. Staff should circulate around the area so that their range of vision moves with the children.

- **On the move:** Supervision challenges most often occur during transition times, especially when the group moves from one area of the program to another. Establish and enforce simple safety rules. Consistent rules and procedures that are predictable help children feel safe and help the caregiver maintain structure. Remind young children and practice the rules around transition times. Older children can help develop the rules. This can include a procedure for lining up to leave or re-enter the program. Assign children a line partner (“a buddy”) so they look for each other when lining up.
- **Changing of the guard:** Transitions are not limited to just the group’s movement; they also occur when staff change within the room (breaks, change of shift, etc.). Develop a method by which all caregivers discuss attendance *before* taking responsibility for a group of children. **Caregivers must know who is in their care at all times.** Arrival and departure are other times that can be challenging for everyone. Parents and children often require staff attention. Sometimes a commotion increases the risk of lapses in supervision. It is critical that staff have a plan to maintain supervision of the children during times of increased activity.
- **Take attendance frequently:** Taking attendance is an ongoing process that continues throughout the day; it is not only recorded upon arrival/departure. The attendance should be updated whenever a child enters or leaves the group. There are many ways to record attendance. One option is form OCFS-6027, *Child Care Attendance Sheet - Seven Days*. Some programs have digital attendance systems.
 - **Name-to-face attendance** should be taken at regular intervals throughout the day, at every transition, and when leaving one area and arriving at another. Name-to-face attendance means saying the child’s name aloud and then looking at the child’s face. Simply counting heads can result in a mistake, as the same child may easily be counted twice. Regular attendance-taking accounts for the children presently in care and alerts the caregiver when a child is missing. If a child goes missing, the sooner the child is found, the better! Programs may use a reminder tone, or musical clock that sounds at timed intervals to remind staff to take attendance consistently throughout the day.
- **Have a plan:** Programs are required to establish a supervision plan. Programs should frequently review, revise, and train staff on supervision expectations, plans, and policies. The plan should include policies regarding staff refraining from activities that may distract them from maintaining competent supervision (e.g., cell phone use). Programs have the authority to prohibit staff from having electronic devices while they are working. For example, programs may require that staff leave their cell phone in the main office, or in their vehicle. Other distractions may include: social media usage, personal conversations with other staff, cleaning, administrative tasks, etc. Providers and directors should make a regular practice of checking that staff and caregivers remain focused on, and engaged with, the children.
- **Comply with regulation:** Section .8 of the regulations (for all modalities) addresses supervision of children. It is imperative your program remain in compliance at all times. Regulations require staff-to-child ratios and maximum group sizes to protect the safety of the children. Regulations are the *minimum* requirements a program must follow. There may be times when your program will need to increase the number of staff to properly supervise the children in your care. OCFS has developed an e-learning entitled *Supervision of Children* that is available to staff anytime at <https://www.ecetp.pdp.albany.edu>. Upon successful completion, staff receive 1.5 hours of credit toward their required training hours.
- **Transportation:** Children may never be left unattended in any motor vehicle or other form of transportation. The program must develop and follow procedures that guarantee a child will not be left alone on a bus, including a protocol to ensure that all children have departed the vehicle. Children often fall asleep in motor vehicles, and will not be aware that they’ve reached their destination. Every seat and

hiding space must be checked before leaving the vehicle—every day, every time. **Each year, hundreds of children are left unattended in motor vehicles. About 75 percent of child deaths in parked cars are due to adults leaving children unattended, either intentionally or unintentionally. Many caring and responsible adults are not aware of, or underestimate the risks involved when leaving their child alone in a vehicle. These dangers include: heatstroke (*hyperthermia*), body heat loss (*hypothermia*), setting a vehicle in motion, getting trapped in a car or trunk, and abduction.**

- **Field Trips:** Before you travel off site, make a plan, and discuss the plan with all staff going on the outing. The director must approve all plans for field trips, including the type of activity, developmental needs of children and whether there is the need for additional staff to provide adequate supervision. Talk to the children about the field trip, and discuss safety rules. On the day of the trip, children and staff could wear matching colored t-shirts so the group is easy for everyone to identify. Never allow children to go into a public restroom alone (when possible, include both male and female staff). Take name-to-face attendance every five minutes when you are mixed with the public. Caregivers must know who is in their group at all times. Be prepared, and expect the unexpected. Children and the environment can change without warning, despite having a solid plan in place. There is no substitute for giving the children in care your full attention.



What to do if you are unable to locate a child in your care

CALL 911 IMMEDIATELY! Notify law enforcement that a child cannot be located. Provide police with as many details as possible: an accurate timeframe of when and where child was last seen; the child’s name and age; a description of the child’s physical appearance; clothing the child is wearing, etc. There must be no delay in contacting police. Law enforcement are able to conduct a thorough search and investigation while you continue to maintain the health and safety of the children in your care. After getting help to look for the missing child and securing the safety of all other children, you are also required to notify the parent, your OCFS licensing office, and the Statewide Central Register of Child Abuse and Maltreatment (SCR) at 1-800-635-1522.

What to do when a child is left without competent supervision for any period of time while in care

The regulations require you immediately notify the parent and your OCFS licensing office when a child is left without competent supervision for **ANY** period of time.

Any instance where a child is left unsupervised may place the child at imminent risk of serious harm. If you are aware that a child in your care has been inadequately supervised, you are mandated by law to immediately call the SCR at 1-800-635-1522.

I hope this information is useful to your program. If you have additional questions, please reach out to your licensor/registrar for technical assistance.

Sincerely,

Janice M. Molnar Ph.D.
Deputy Commissioner
Division of Child Care Services

Si necesita leer esta carta en español, visite el portal de la División de Servicios de Cuidado Infantil: <http://www.ocfs.state.ny.us/main/childcare/letters.asp>. Si no tiene acceso a la Red o Internet, contacte al encargado de licencias o registros para recibir ayuda.