

## Pre-Elementary School Health and Safety Regulations Frequently Asked Questions

### **Were all of the Department of Health and Social Services Child Care regulations adopted by the Alaska State Board of Education?**

No. EED worked to only adopt the most appropriate regulations that ensure healthful and safe conditions for both public and private pre-elementary schools, in particular concerning criminal history checks, and health and safety standards. Many requirements that apply to child-care facilities do not apply to pre-elementary schools. Pre-elementary schools may choose to obtain a child-care license in order to receive the more stringent requirements thus allowing them the option to operate a child-care in addition to a pre-elementary school. The health and safety inspection required for a child-care license meets and exceeds the health and safety inspection required to operate a pre-elementary school.

4AAC 60.010. Requirements

7AAC 57.315. Child protection and criminal history checks

7AAC 57.550. Health

7AAC 57.610. Environmental health and safety

### **What is the definition of a pre-elementary school?**

“Pre-Elementary School” means a school for children ages three through five years whose primary function is educational.”

(Note: Programs primarily designed to expose children to religious, artistic, single-subject immersion, or recreational content or activities are not considered pre-elementary schools. Facilities located on a United States Department of Defense or Coast Guard Installation are not under the jurisdiction of this department.)

4AAC 60.180. Definitions

### **How does a “pre-elementary school” obtain approval to operate in the State of Alaska?**

Before enrolling students, a pre-elementary school must submit to EED a completed form prescribed by the department that demonstrates the pre-elementary school has met or exceeded the standards for criminal history checks and for health and safety applicable to child-care facilities as identified in the adopted regulations. A pre-elementary school that receives direct state or federal funding must also verify the implementation of Alaska’s Early Learning Guidelines including the assessment and reporting of a child’s progress or status on all domain areas of development described in Alaska’s Early Guidelines.

4AAC 60.035. Background checks and health and safety standards

4AAC 60.170. Programmatic requirements for pre-elementary schools

7AAC 57.315. Child protection and criminal history checks

7AAC 57.550. Health

7AAC 57.610. Environmental health and safety

### **Will pre-elementary schools be required to remodel, move, or close down if they do not meet the minimum allowable number of toilets?**

EED will not close a program down due solely to the ratio of toilets to children.

4AAC 60.035(h) (5). Background checks and health and safety standards

**Do public pre-elementary schools such as those operated by Head Start, School Districts, or Tribal entities have to go through the approval process?**

Yes. A form must be submitted with evidence that they meet or exceed the requirements.

4AAC 60.035. Background checks and health and safety standards

4AAC 60.170. Programmatic requirements for pre-elementary schools

7AAC 57.315. Child protection and criminal history checks

7AAC 57.550. Health

7AAC 57.610. Environmental health and safety

4AAC 60.010. Requirements

**Do private pre-elementary schools have to meet programmatic educational requirements established by the Department of Education & Early Development?**

No. The department does not regulate the educational program of private schools.

4AAC 60.170. Programmatic requirements for pre-elementary schools

4AAC 60.010. Requirements

**Do private pre-elementary schools have to meet health and safety requirements?**

Yes. The purpose of these regulations is to ensure the safety of all children attending any pre-elementary school operating in the state.

4AAC 60.010. Requirements

7AAC 57.315. Child protection and criminal history checks

7AAC 57.550. Health

7AAC 57.610. Environmental health and safety

**Do all pre-elementary schools have to meet the same core set of health and safety requirements that apply to child-care facilities?**

Yes. Child-care facilities are subject to the same core set of standards, including criminal history checks; however, many additional regulations apply to child-care facilities that do not apply to pre-elementary schools.

4AAC 60.035. Background checks and health and safety standards

7AAC 57.315. Child protection and criminal history checks

7AAC 57.550. Health

7AAC 57.610. Environmental health and safety

**Do all pre-elementary schools have to have a criminal history check and a health/safety inspection?**

Yes. All pre-elementary schools must either have in place **or applied for** a criminal history check and a health/safety inspection by February 1, 2010.

4AAC 60.035(h). Background checks and health and safety standards

7AAC 57.315. Child protection and criminal history checks

7AAC 57.550. Health

7AAC 57.610. Environmental health and safety

**Does every parent who volunteers at a pre-elementary school have to complete a criminal background check?**

No. A volunteer who is supervised while with children does not have to complete a criminal history check.

7AAC 10.900(b)(3). Purpose and applicability; exceptions

**Will existing pre-elementary schools be required to close on February 1 if they have not completed their criminal history check or health and safety inspection?**

No. If an existing pre-elementary school is in compliance with pre-existing law, and it has a request for a criminal history check and a health and safety inspection application on file by February 1<sup>st</sup>, it may remain in operation. When it receives its reports from the inspection and background check, it must remedy any deficiency – within 12 hours if the deficiency is an immediate threat to the health and safety of the children, or act within 30 days if the deficiency is not an immediate threat. Once these two conditions are met, programs will have until June 1, 2010, to come into full compliance and receive a HSS license or EED approval.

4AAC 60.035(h). Background checks and health and safety standards

7AAC 57.315. Child protection and criminal history checks

7AAC 57.550. Health

7AAC 57.610. Environmental health and safety

**What is the difference between a license and approval?**

A license through HSS is required to operate a child-care facility. Approval through EED is required to operate a private or public pre-elementary school program. A child care program must meet all HSS regulations for childcare. A pre-elementary program must meet EED regulations that include the adopted HSS regulations.

4AAC 60.010. Requirements

**Will the Department of Education & Early Development continue to provide approved pre-elementary schools with a Certificate of Approval?**

No. The application for and public posting of the certificate of approval has been repealed.

4AAC 60.060. Certificate of approval. Repealed

**If a private pre-elementary school has a current child-care license in place do they still have to submit the “pre-elementary school approval form” to EED?**

Yes. The pre-elementary school approval form along with the copy of the child-care license will meet the requirements for EED approval to operate a private pre-school.

4AAC 60.035(b)(2). Background checks and health and safety standards

**When a pre-elementary school requests a health/safety inspection from EED, who will conduct the inspection?**

EED will contract with the Department of Health and Social Services or the Municipality of Anchorage to conduct the health/safety inspection. The inspection, however, will only be for compliance with the department’s requirements for pre-elementary schools.

4AAC 60.035. Background checks and health and safety standards

7AAC 57.315. Child protection and criminal history checks

7AAC 57.550. Health

7AAC 57.610. Environmental health and safety

**Will pre-elementary schools be required to remodel or move to a larger building if their current building does not conform to the size requirements for a child-care facility?**

No. The Alaska State Board of Education did not adopt the space requirements for child-care facilities.

7AAC 57.620. Space

This subsection was not adopted.