

Department of Early Learning
Negotiated Rule Making Team Meeting Notes
March 28, 2009, Renton, Washington

The following agenda guided our discussion:

Overall Goal:

The purpose of this Negotiated Rule Making Team (NRMT) is to develop a set of recommendations about the rules and issues that affect the health, safety, learning and quality of environment for children that is supported by parents, early care providers, health/ safety experts and interested stakeholders. The NRMT's proposed rules will then move on to the legal and legislative proceedings (and formal public comment period) before they can be formally adopted.

Today's Meeting Objectives:

1. Hear updates from on the NRMT Communication/ Outreach efforts; Rule Writing & the Rule Review Committees; and Parent Involvement Plan;
2. Discuss options for a high level communication strategy;
3. Learn about standards related to fire safety, escape, rescue and planning from an expert (related to **Emergency Preparedness, Indoor Environment, and Recordkeeping/Reporting/Posting**);
4. Have discussion about *Licensed and Unlicensed Space*;
5. Continue to hear recommendations about **Outdoor Environment** from the **A Team**;
6. Here recommendations from **Team C** about **Licensing Process** (one subtopic that was held over – Compliance with local codes and ordinances);
7. If time permits, hear recommendations from **Team C**, about **Record Keeping, Reporting & Posting**;
8. Discuss and determine what elements should be incorporated into our work moving forward; and
9. Determine next steps.

Pre-Work Given at March 7, 2009 Meeting:

- ◆ The West Side Story (Karen Hart is Lead) will continue work on **Capacity/Ratio/Supervision**.
- ◆ The A-Team (Debbie Knighten is Lead) will continue working on recommendations about **Outdoor Environment**, specifically:
 - Swimming pools when in use;
 - Lifeguard issue (when a lifeguard or staff person trained as one is required);
 - Maintenance of pools;
 - Think about how this topic might be broken out (e.g. segment swimming pools & wading pools); and
 - Licensed vs. unlicensed areas.
- ◆ Team C (Martha Standley is Lead) will come prepared to begin presenting on the topic of **Recordkeeping, Reporting & Posting**. They are working on **Emergency Preparedness** and on **Nurture and Guidance**.

Time	Topic	Design Notes
9:00	Welcome, Agenda Review, Check In	Introductions Chart Overall Goal, Agenda, Today's Intentions
9:20	Updates <ul style="list-style-type: none"> • Communication / Outreach • Rule Writing • Rule Review • Parent Involvement Plan 	
9:40	Fire Safety, Escape, Rescue & Planning	Guests: Brandon LeMay and Don West - State Fire Marshal's Office
10:40	Short Break	
10:50	Discussion around "Unlicensed Space"	At the March 7 meeting, DEL asked that we shift this discussion to March 28
12:00	Break for Lunch	
12:30	Continue Discussion & Recommendations about: <ul style="list-style-type: none"> • <i>Outdoor Environment (A Team);</i> <i>Or</i> • <i>Licensing Process – Compliance with Local Codes and Ordinances (Team C)</i> • <i>Begin Recordkeeping/Recording/Posting (Team C)</i> 	Continue with Bodies of Water/ Swimming Pools & Wading Pools,
1:50	Communication Strategies	
2:20	Next Meeting Agenda, Assignments, Project Schedule Adjustments	Next Meetings: April 11, May 2, May 16, June 20, At ESD 121 in Renton.
2:30	Adjourn	

Voting Members Present:

Dora Herrera – SEIU/Provider
 Nancy Gerber – SEIU Provider
 Martha Standley – DEL
 Sandra Van Doren - EWFCCA
 Stu Jacobson – WA Parents for Safe Child Care
 Angela Taylor – SEIU/Provider
 Judy Bunkelman - DEL
 Sylvia Mierau – SEIU/Provider

Karen Hart - SEIU
 Katherine Yasi – SEIU/Provider
 Mary Ruch-Brown – DEL
 Judy Jaramillo – DEL
 Joan Aarts – WSFCCA
 Laura Dallison – DEL
 Jean Orton-Elders – DEL
 Cassandra Clemans – Care for Providers

Sue Paskiewitz – SEIU/Provider

Vicky Lujan-Bell - DEL

Guests, Public and Non-Voting Members:

Brandon LeMay – State Fire Marshal’s Office
Don West – State Fire Marshal’s Office
Carol Wilson – Provider/WSFCCA
Angela Howerton - Provider
Louis Bunkelman - Public
Bob McLellan – DEL NW Service Area Manager
Debbie Rough-Mack – Independent Facilitator

Donna Horne – Child Care Resource & Ref.
Kathleen Hardee – Care for Providers (Alternate)
Gail McDonald – Provider
Sammi Mack – Public
Larry Horne – DEL Assistant Director
Andy Fernando – DEL NRMT Coordinator
Karen Tvedt, DEL Interim Director

WSFCCA = Washington State Family Child Care Association
EWFCCA = Eastern Washington Family Child Care Association
WSCCR&R = Washington State Child Care Resource and Referral Network
SEIU = Service Employees International Union 925

Welcome, Check in

We briefly discussed that a new director has been named at DEL. Dr. Bette Hyde, currently the superintendent of the Bremerton School District, will be starting in mid-April. Interim DEL Director Karen Tvedt joined the meeting later and was present for the discussion on *Licensed Space*. She expressed her support and interest in the NRMT process.

Updates

Communications / Outreach Efforts / Parent Involvement Plan

Andy shared a handout with some options for locations (DEL offices throughout the state) for parent involvement forums. Some expressed that we might get higher quality input if we hosted informal gatherings in living rooms instead of state facilities. The general concept would be to have an SEIU representative along with a DEL representative hosting the forum to invite feedback on the three sections of draft rules. There were many volunteers who offered to host sessions (and many even volunteered their homes). Please coordinate with Andy by April 11 to nail down dates for these events. For maximum attendance, best times to schedule them would be after 6:30 p.m. weekday evenings, or Saturday or Sunday. Andy would like to publish a list of upcoming meetings by mid-April. Volunteers offering to host:

- | | | |
|-------------------|-----------------|-------------------|
| Sandra Van Doren. | Sue Paskiewitz | Laura Dallison |
| Mary Ruch-Brown | Judy Jaramillo | Angela Howerton |
| Martha Standley | Andy Fernando | Gail McDonald |
| Donna Horne | Kathy Hardee | Dora Herrera |
| Kathy Yasi | Sandi Clemans | Judy Bunkelman |
| Karen Hart | Angela Taylor | Jean Orton-Elders |
| Nancy Gerber | Cynthia Hendsch | |

- Another reminder that informal outreach is encouraged; and remember to set context. When possible, it is our intent that **presentations are given when there is a unified presence** (i.e. – a DEL rep and an SEIU/Provider rep) to model the essence of our work together. Please see Andy’s handout attached to these notes for guidelines on setting context.

- Sherry Schleufer & Martha Standley handed out materials together and answered questions at the OPAEYC (Olympia Peninsula Association for the Education of Young Children) on March 14 in Port Angeles. They spoke with about 20 providers and the information was well received. Sherry made a great poster board description, which is available for others who may want to use it. One recommendation they had was that a parent co-op in that area might be a good avenue for outreach and input.
- Nancy Gerber was at the EWFCCA (Eastern Washington Family Child Care Association) conference on March 7 and presented a session on the NRMT process, and provided handouts. Again, she said the information was well received. She cautioned that some providers have other issues about DEL and licensing and it may be a challenge to keep them focused on the issue of writing new rules.
- Stu Jacobson said that there are requirements around parent involvement regarding ECEAP (Early Childhood Education and Assistance Program) & Head Start. He agreed to email that information to Andy.
- There was a suggestion that maybe child care options could be worked out at forums, so that it would be easier for parents to attend,
- Joan Aarts suggested that Washington State Family Child Care Association chapters may have meetings already scheduled where it would make sense to have a short presentation about the NRMT effort. Joan will give Andy the names and addresses of child care associations so that he can contact them.
- April 4 is the SEIU steering committee meeting. Andy will have the three rule subchapters available so they can be shared with the steering committee.

Rule Writers and Rule Review Committee

- NRMT Rule Writers & Review Committee reported that they have so far finished writing and reviewing rules on *Food/Nutrition, Staff Qualifications, Infant Care, Program, Licensing Process*. Judy and Sandra have begun work on structuring the Provider Guidebook and a “definitions” section of the WAC.
- Judy also unveiled a cross-referencing grid where the old WAC can be compared with the new and improved WAC. These grids will be available to the forum hosts, so that they can provide samples of the differences in the new and old rules.

Fire Safety Experts – Don West & Brandon LeMay, State Fire Marshal’s Office

We were pleased to welcome two experts who spoke with us about fire safety, escape and emergency planning. The State Fire Marshal’s office does not routinely inspect family home child care (they do inspect child care centers) but they are familiar with the fire safety aspects of the International Fire Code (IFC) and International Building Code (IBC) requirements for family residences used for child care. Brandon LeMay manages the Fire Marshal’s child care center fire inspection program statewide. Don West manages inspections for residential facilities, including adult family homes.

Brandon and Don provided written answers to about 20 fire safety questions posed by NRMT members (Attachment B to these notes), and answered many questions from the floor. They

noted that updates to the IBC and IFC are prepared every three years by the state Building Code Council (a current update is underway) and then are passed by the Legislature. So, where there is a code (legal) requirement, Brandon and Don noted what the law says. Where there isn't a Building or Fire Code requirement, they noted some recommendations. The highlights:

- **Window openings.** A good deal of time was spent around the required opening area and square footage for windows that some find confusing in the current WAC. The IFC requirement for window openings is 5.7 square feet AND the window must be at least 24 inches high and 20 inches wide, big enough for a fire fighter in full gear to climb through. A narrow window might meet one but not both requirements.
- **Exits.** There are no code requirements for how many exits, except the IFC says that exits must be kept clear.
- **Knox boxes.** Some fire departments have “Knox box” systems with a box containing a house key that only fire fighters have the master key to. These are highly recommended, but are not available everywhere. Some fire departments offer Knox Boxes for free, but some may charge a fee.
- **When Codes change.** Generally, a home does not need to be remodeled or retrofitted when fire or building codes change, unless there is a “retro-code” passed by the Legislature, which is rare.
- **Why is the 44-inch indoor window height important?** This is the average height (inside from the floor to the base of the window) for a fire fighter on the outside to reach in a window to grasp a person on the inside. This height is required by the IBC.
- **Extension cords.** There is no requirement for using extension cords in homes (there are for child care centers), except that extension cords shouldn't be used through walls or door frames. It is best to use the direct cord from the appliance to the wall outlet, or plug into an extension with a built-in surge protector. Light weight cords can get overheated and catch fire. Extension cords should always be use temporarily.
- **Smoke detectors.** Smoke detectors are required by the IFC on each floor and outside each bedroom. Both ionizing and photo-electric smoke detectors work well. Ionizing smoke detectors detect flame better, while photo-electric types are good for detecting smoldering fires. Smoke detectors should be mounted on the ceiling, not on walls. Wall areas above doors may trap air in a way that keeps the smoke alarm from working effectively. Carbon monoxide detectors aren't required but are recommended in homes that have wood or pellet stoves, or appliances that run on natural gas, propane or oil.

Licensed & Unlicensed Space

At our last meeting we ran into a difficult issue about what constitutes licensed and unlicensed space, particularly as it pertained to swimming pools, other bodies of water in or outside the premises, accessibility to children, and potential threats to the health or safety of children. Because the definitions related to “licensed space,” “unlicensed space” and “accessible to children” have considerable impact on how rules are crafted, we decided to devote 50 minutes to “testing the waters” on how we might move forward on this issue. Karen Hart and Larry Horne set a framework that this was a beginning of qualitative dialog, that the discussion may raise more issues than we began with. Both indicated that no resolution was expected at today's meeting.

Some points of discussion that arose:

- Is a front yard/ front porch licensed or unlicensed if they are otherwise not used for child care?
- There is a lack of clarity about regulatory authority (i.e., where can a licensor go and under what circumstance if they believe a child may be at risk) in “unlicensed” areas”?
- There is a need to balance between rights of privacy/ confidentiality for provider and protecting the welfare of a child.
- What about citizen/ provider constitutional rights against unwarranted search and seizure?
- Not being able to go into unlicensed areas may reduce the effectiveness of licensing.
- If there is reason to believe a child is at risk, does a licensor have right to intervene without a warrant (“exigent circumstances”)?
- Is the core issue about space that is “accessible” or “inaccessible” to children, as opposed to “licensed” vs. “unlicensed” space?
- What about basement furnaces and outdoor areas which might pose a risk (accessibility) but are not considered licensed areas, or possibly hazardous activity in other parts of the house that are not licensed?
- The WAC requires guns and medications to be locked up – if they are stored in the “unlicensed” area, should the licensor be able to enter and verify this. What are the provider’s rights in this area?
- At what point on the provider’s property do kids come under the provider’s care or provider/DEL liability, especially when they must pass through “unlicensed” parts of the residence.

There was discussion of the “Mattawa” federal court case (*DeLaO vs. Arnold-Williams*) in Eastern Washington that resulted in DEL changing the definition of “licensed space” in WAC 170-296-0020, and revising two other family home child care WAC about what areas may be inspected and where child care records must be kept.

There was a recommendation that we consult legal authorities for input on these and other related issues. Larry will contact the DEL Attorney General and Karen will contact Columbia Legal Services. Larry and Karen will first come up with common questions (see above) so that we have a structure for comparison at the April 11 meeting.

Licensing Process: Team C, Presenters - Martha Standley and Angela Taylor

Subtopic: Compliance with Other State Laws and Rules and City and County Ordinances

This was the last section for Licensing Process, a holdover from summer 2008. There were three votes on the following recommendations from the group:

1. Private Septic Sewer

- *The licensee must operate and maintain a private septic system in a manner acceptable to the local health authority.*
- *The licensee must follow local public health requirements for periodic septic system inspections and maintenance.*

- *If there is no local requirement for periodic septic system inspections, the licensee must have the system inspected every three years. Inspection and maintenance records must be kept on file.*

Vote: 18 in favor, 0 undecided, 0 opposed

2. Water

- *Licensee must operate and maintain the water supply in a manner acceptable to the local health authority.*
- *Water (private wells only): Licensee must follow local public health requirements for periodic water testing. If there are no local requirements, the licensee must test the water for coliform bacteria and nitrates every three years and keep test results records on file. Tests must come back “satisfactory” or “acceptable” as defined as by DOH (Department of Health). [Recommended to check this language with DEL Health Specialists]*

Vote: 18 in favor, 0 undecided, 0 opposed

3. Other Local Codes and Ordinances

Licensee must comply with any city and county ordinances and codes for their locality and meet the minimum construction, fire and safety requirements for one and two family dwellings. Local officials are responsible for enforcing city ordinances and county codes, such as zoning and building regulations.

Vote: 18 in favor, 0 undecided, 0 opposed

Outdoor Environment: A Team, Presenters Laura Dallison & Nancy Gerber ***Subtopic: Swimming and wading pools***

This was a follow up discussion from the March 7 recommendations on supervision around swimming and wading pools. There were also recommendations for the Guidebook. The group voted to recommend the following in-concept:

*“If a swimming pool accessed by children is deeper than two feet, documentation is required that the primary staff person in charge is certified in lifesaving, water safety and CPR, unless a lifeguard is present. Children around pools must always be supervised by a primary staff person [defined in **Staff Qualifications**]. Strict staff/child ratios must be maintained when children are in the water.*

Vote 16 in favor, 1 undecided, 1 opposed

Cited concerns:

- Keeping strict capacity/ratios.
- Is the depth of wading pool arbitrary?

Discussion continued and focused on:

- The concerns cited about capacity/ ratios brought to mind our earlier decision about supervision – that staff members could temporarily be at less-than-ratio (e.g., for one to go to the bathroom or to prepare lunch).
- Should exceptions to supervision be cited in this and other section? (e.g., staff members can temporarily be at less-than-ratio - Except when kids are in the pool?)
- What about kids with special needs if there is a pool involved? Where should this be cited?
- What is our definition of a wading pool? When does it become a swimming pool? (Is it depth of water or depth of pool -- with kids in it or without kids in it?) Can we cite a source or sources for this reasoning?

Ultimately, the group asked the A-Team to revisit some of these concepts and come back with specific recommendations, considering the issues that the large group brought up today and keeping in mind:

- What we've already voted on (supervision, field trips where bodies of water are present, field trips for the purpose of swimming, etc.) – and whether we need to revise those recommendations.
- That the large group would like to keep swimming and wading pool options available to providers as long as our WACs can help mitigate risks to children.

Next Steps, Action Items

Next NRMT meeting will be April 11, 2009 in Renton. **Note, the meeting time is extended an hour longer than normal because of our full agenda from 9 am to 3:30 p.m.** Agenda items will likely include:

- Completing ***Outdoor Environment*** (A Team)
- Reviewing the Communication Plan overview
- Reviewing legal input on Licensed vs. Unlicensed Space, Accessibility, Inaccessibility
- Hearing a presentation on ***Emergency Preparedness***, from Joann Jordan and Robin Laurence of Seattle-King County Public Health/Emergency Management.
- Hopefully beginning discussion and recommendations on ***Recordkeeping, Reporting & Posting*** held over since January.

Upcoming Meetings

- **Saturday, April 11** -- this meeting date was confirmed last October, but is extended by an hour (9:00 am to 3:30 pm).
- **Saturday, May 2** – this is an added meeting date.
- **Saturday, May 16** – this meeting date was confirmed last October.
- **Saturday, June 20** – this was rescheduled from June 13.

All meetings are at the Puget Sound Educational Service District 121 conference center in Renton. We may have an additional session in July, depending on how our progress goes.

Pre-Work for the Small Groups:

- ◆ Westside Story (Karen Hart is Lead) will continue work on ***Capacity/ Ratio/ Supervision***.

- ◆ The A-Team (Debbie Knighten is Lead) will continue working on recommendations about ***Outdoor Environment***, specifically Swimming and Wading Pools:
 - What is our definition of a wading pool? When does it become a swimming pool (is it depth of water or depth of pool -- with kids in it or without kids in it)? Can we cite research or other state standards?
 - Capacity/ ratios – earlier decision that staff members could temporarily be at less-than-ratio (e.g. to go to the bathroom). Must kids get out of the pool for them to be at less-than-ratio?
 - Should exceptions to supervision be cited in this and other sections (e.g. see our earlier vote to allow staff members to be temporarily at less-than-ratio except when kids are in the pool)?
 - What about kids with special needs if there is a pool involved?

- ◆ Team C (Martha Standley is Lead) will come prepared to begin the topic of ***Recordkeeping, Reporting and Posting***. They have also begun working on ***Emergency Preparedness***.

Attachment A – Draft outreach cover letter for first parts of preliminary draft rules.

Attachment B - Answers to questions about Fire Safety (prepared by State Fire Marshal's Office)

Attachment A.

Draft cover letter for Preliminary Draft rules to be circulated for public input

DEL Logo

Dear Parents and Family Home Child Care Providers

Thank you for taking the time to look over some of the early draft changes to the Family Home Child Care licensing rules - also known as regulations or Washington Administrative Code - in WAC 170-296. Your experience and insight are needed! What you tell us will help the Department of Early Learning and the *Negotiated Rule Making Team* (*find out what this is below*) improve the draft rules.

This is just part of the child care rules being changed, covering *Food and Nutrition, Infant Care, Staff Qualifications, and _____* (*if additional sections are ready*). Other parts of the rules will follow in the next few months. As you look over the old and draft new rules, please think about the following:

- Are the new rules stated clearly?
- Are they easy to understand and follow?
- What would make the rule work better?

How to give input. Type or write your comment or suggestions on the attached pages and e-mail to Rules@del.wa.gov or fax them to 360-413-3482. Or, mail comments to the "DEL Rules Coordinator, PO Box 40970, Olympia, WA 98504-0970." Please send your comments by _____, 2009. You may also go to one of several **public forums listed on the back of this letter** to learn more about the draft rules.

What happens to your feedback? Your input and input from around the state will be reviewed, and suggested changes will be brought back to the Negotiated Rule Making Team for more discussion.

What happens next? Other parts of the draft rule will be available for public input this spring and summer, and the entire draft WAC will be available in the fall. Near the end of 2009, DEL plans to send out a formal rule proposal required by law. DEL will hold public hearings and accept more written comments on the proposal. DEL plans to adopt the final rules in spring 2010.

What is the Negotiated Rule Making Team? The Negotiated Rule Making Team was created in 2007 to help DEL review and completely rewrite the Family Home Child Care WAC 170-296. About 30 people serve on this team, including licensed Child Care Providers, Parent and Provider advocates, the Service Employees International Union 925, the Child Care Resource & Referral Network, and DEL staff members. The team is writing the draft rules guided by the principle that the regulations must support a child's right to have safe and healthy child care.

***Remember, this is an early draft.
You will get a chance to see the draft rules again before they become final.***

Come to a Public Forum in Your Area on the DRAFT Family Home Child Care Regulations

Date:	Time	Date:	Time
Location Spokane		Location Everett	
Who:		Who:	
Date:	Time	Date:	Time
Location Yakima		Location Seattle	
Who:		Who:	
Date:	Time	Date:	Time
Location Tri Cities		Location Tacoma	
Who:		Who:	
Date:	Time	Date:	Time
Location Wenatchee		Location Vancouver	
Who:		Who:	
Date:	Time	Date:	Time
Location Bellevue		Location Tumwater	
Who:		Who:	

If you have questions about the draft rules, contact:

**Dept. of Early Learning (DEL) –
SW Wash. & Olympic Peninsula**
Martha or Jean?
E-mail:
Phone:

SEIU 925 - Western Washington
Karen Hart
E-mail:
Phone:

DEL – Greater Puget Sound Area
Mary, Judy J, Mary Kay?
E-mail:
Phone:

SEIU 925 - Eastern Washington
Sherry Schleufer
E-mail:
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More information is available at the DEL website, at <http://www.del.wa.gov/laws/rules/negotiated.aspx>

Attachment B.

State Fire Marshal's Office Answers (*condensed and edited*) to Questions for DEL meeting on Saturday March 28, 2009.

Note: Where there is a requirement in state law or rules, a citation to the International Building Code (IBC), International Fire Code (IFC), International Residential Code (IRC), or the appropriate WAC is included.

1. Open-able window, (Rescue windows) – What is the optimal measurable square footage or dimensions, and why is that important.
5.7 square feet (24 inches high x 20 inches wide. (2006 IFC – 1026.2). Calculation is width x height divided by 1.44. The requirement is not “either,” it is both 5.7 square feet AND at least 24 x 20 inches height and depth. Narrow window may meet the square footage requirement but are too small for a fire fighter to climb through.
2. What is important for kids to get out (both physical and planning)?
 - a. Exit access is most important; exits must be kept clear and unobstructed at all times. (2006 IFC-1003.6)
 - b. Monthly fire drills & Evacuation drills. There is no fire drill requirement in the fire code for R-3 residential (home) occupancies.
3. What is important for the fire department to get in?
 - a. A key box (“Knox Box”) located at the main entrance to the structure for the fire department to access the building. (2006 IFC-506.1)
 - b. Premises identification address numbers shall be 4 inches high with a minimum stroke of 0.5 inch. (2006 IFC- 505.1)
4. When building/fire codes change, if dimensions change when does the home need to come into compliance, or can a home be grandfathered?
The law currently requires a building to comply with the current code if the building is new or has been vacant for 30 days or more. (WAC 212-12)
5. What is the importance of the 44 inch window height? (IRC R-310)
That is the average reach of a fire fighter laying into the window from the outside and reaching down to grab a person in the room.
6. Is the height of the window (from the ground) outside important?
 - a. YES, Emergency escape and rescue openings with a finished sill height below the adjacent ground elevation shall be provided with a window well in accordance with Section R310.2 of the 2006 IRC.
 - b. Window wells – The minimum horizontal are of the window well shall be 9 square feet (0.9 m²), with a minimum horizontal projection and width of 36 inches (914mm). The area of the window well shall allow the emergency escape rescue window to be fully opened. (IRC R-310.2)

7. Fire safety issues related to electrical cords, surge protectors, adaptors, etc.
 - a. Extension cords should not be used in place of a permanent power source, however in the residential occupancy there is no code that says they cannot be used so if they are used they should not go through walls or door frames and should be UL listed.
 - b. Surge protectors have a breaker switch and will shut off if overloaded, so no real hazard in using them.
 - c. Adaptors should not be used; they can cause an overload on a circuit.

8. Computer cables – concern for being accessible to children.

No fire concern, but may be a health concern for small children to get tangled in them.

9. Smoke detector location – where children nap – what about the other ends of the house? Best positioning for smoke detectors (walls vs. ceilings, near windows); Types of smoke detectors (ionization vs. photoelectric or others) and alarms.
 - a. Smoke detectors shall be installed in sleeping rooms and areas outside of the sleeping rooms; they shall also be installed on each floor of the house. (IRC R-313.2)
 - b. Smoke detectors should be mounted on the ceiling and about 12 inches off the wall, should NOT be mounted on the wall above the door frame.
 - c. The photoelectric works best for the detection of smoke, and the ionization works best with a flaming fire, but both types will work.

Note: See the test report for more information (to be sent by Fire Marshal's office).

10. What to look for in child care basements.
 - a. Exiting is the most important thing to look for in a basement, there should be a direct exit from the basement without going through a garage or back up the stairs into the main floor of the house, make sure exit access is clear and unobstructed both inside the house and outside the door, make sure windows are large enough to meet the 5.7 sq.ft. requirement for rescue windows.
 - b. Make sure there are no hazardous materials or large amounts of combustible storage in the basement.
 - c. A fire extinguisher is available and is mounted to the wall and meets the height requirements of no more than 5 feet from the floor to the top of the extinguisher.

11. What does the fire inspector look for?

Everything!

12. Fire extinguishers, minimum –maximum, placement, what is its best use in a home child care? (no requirements in IRC)
 - a. Minimum height is 4 inches off the floor from the bottom of the extinguisher, maximum is 5 feet to the top of the extinguisher. (2006 IFC-906.9)
 - b. Type should be a multi use extinguisher (10-B or 20-B) for ordinary hazards.

- c. Placement should be unobstructed and un-obscured, in areas where it is not possible to provide an un-obscured view there shall be a sign indicating the fire extinguisher is located here.

13. Heating sources (wood stoves, pellet stoves, fireplaces, etc) Recommended cleaning, and maintenance. Certification of maintenance. How important to have chimney inspected after an earthquake?

- a. Heating appliances should be installed per manufacturer's requirements and shall meet the requirements of the Mechanical code and the electrical codes. (2006 IFC-603.5.2)
- b. No law or rules on chimney cleaning, but it should be done before each season of use.
- c. Chimneys should be inspected after an earthquake and any cracks in the mortar joints or lining which will allow smoke or gases to penetrate the lining. Damaged chimney's shall be repaired or replaced. (2006 IFC-603.6.1)
- d. The facility should maintain the records of repairs for review (no law or rule).

14. Carbon Monoxide detectors.

Recommendation: Carbon Monoxide detectors should be installed in homes with a heating, or cooking appliance that uses a combustion type fuel (Natural gas, propane, oil, wood, and pellet)

15. Wall Heaters. (installed in walls) – Coverings recommended or not?

Recommendations: The only coverings on wall heaters should be the factory-installed cover. There should be no other cover that could ignite or obstruct the flow of the heat from the heater.

16. How close to a baseboard heater is safe to put things?

Recommendation: There should be at least 12 inches of clearance from a baseboard heater to a piece of furniture or other combustibles.

17. Emergency practices – Fire drills suggestions – how often. (monthly, every 30 days, other)

Recommendation: Fire drills in an in home child care should be the same as in other licensed child care centers, at least monthly with a full evacuation of the kids to a safe refuge area so the kids become aware of where to go.

18. What is a realistic (safe) time for evacuation of a home? When does the time start and stop?

- a. There is no time requirement for a house to evacuate. (What is a reasonable time?)
- b. The fire drill/evacuation drill time should start at the sound of a detector going off and should end when everybody is accounted for at the area of refuge.

19. How many feet away from the house is safe for a meeting place?

In the fire code an area of refuge shall be 50 feet from the structure (2006 IFC1024.6)

20. With many homes having no “land line” phones or with phones affected by power outages, what are affective alternatives for emergency communications? Recommendations:
- a. Cell phones or two way radios.
 - b. The state hasn’t considered rules or recommendations yet on what homes without “land line” phones should do in an emergency (*note: the NRMT is asking the same questions of the emergency management people presenting on April 11*).