

Operating on Federal Property: GSA Child Care Directors Desk Guide

2022



Director Desk Guide Contact Sheet

MY CENTER INFORMATION:

Building Name: _____

Building # _____

Center Address:

GSA Center Number: _____ Region _____

	Name	Phone Number	Email Address
GSA Child Care Program Manager (CCPM)			
GSA Property Manager			
Child Care Center Building Contact			
Service Calls			
Board President			
Agency Liaison			
Federal Protective Service (FPS)			
FPS MegaCenter EMERGENCY			

Local Law Enforcement			
Lessor Property Management Contact			
GSA Lease Management Specialist			
State/Local Child Care Licensing Specialist			

GSA Child Care Director's Desk Guide

Table of Contents

[Introduction and Background](#)

[Chapter 1—Responsibilities and Agreements](#)

[Chapter 2---Building Services](#)

[Chapter 3---Data Collection](#)

[Chapter 4---Emergency Procedures and Planning](#)

[Chapter 5---Security](#)

[Chapter 6---Employee Background Checks](#)

[Chapter 7---Equipment](#)

[Chapter 8---Environmental Health and Safety](#)

[Chapter 9---Quality and Training](#)

[Chapter 10---Cost and Affordability](#)

[Chapter 11- Marketing](#)

Appendices:

[Appendix A—Agreements](#)

[Appendix B—Tribal Amendment](#)

[Appendix C---Cleaning Checklist](#)

[Appendix D---Facility Checklist](#)

[Appendix E---Playground Maintenance Plan](#)

[Appendix F---Annual Survey](#)

[Appendix G---Enrollment Reports](#)

[Appendix H---GSA Child Care Emergency Preparedness Tool Box](#)

[Appendix I---Adam / Amber Alerts](#)

[Appendix J---Crime Control Act](#)

[Appendix K---Background Check Guidance](#)

[Appendix L---Inventory](#)

[Appendix M—Provider Supplies Responsibilities](#)

[Appendix N---Window Cord Guidance](#)

[Appendix O---Integrated Pest Management \(IPM\) Guidance](#)

[Appendix P---Bloodborne Pathogens FAQs](#)

[Appendix Q---Authorized PBS Child Care Fundraising Activities](#)

[Appendix R---GSA Fundraising Legal Memo](#)

[Appendix S---OPM Fundraising Legal Memos](#)

[Appendix T---Center Marketing Plan](#)

Introduction and Background

The Director's Desk Guide contains information and criteria to assist child care providers with the day-to-day and long-term management of child care centers within GSA-controlled space. The Director's Desk Guide, intended for the use of all child care personnel, outlines policy and guidance on operating a child care program in a Federal building under GSA control, as well as the unique requirements of the GSA Child Care system.

As a center director, you also have the assistance of the GSA Child Care Program Manager (CCPM) for guidance on these policies and practices. It is recommended that you schedule a meeting with the CCPM to learn more about your roles and responsibilities of operating a child center in GSA controlled space. Additional resources are available from the GSA Child Care Program and the resource library at www.gsa.gov/childcare.

Background

The GSA Child Care Program is built on the foundation of the authorizing legislation, Title 40 U.S.C. 590. This is sometimes referred to as the **Tribble Amendment**. ([See Appendix B, Tribble Amendment](#)). GSA provides space and services for child care providers to operate in facilities under GSA control. GSA does not directly operate or contract for services at the child care centers. GSA grants authority for the day-to-day management of a child care program to an employee group, such as a **board of directors** or child care **provider**. These entities use GSA-controlled space to operate child care centers under a GSA Revocable License for Non-Federal Use of Real Property that includes special conditions.

Mission and Goals

The primary mission of the GSA Child Care Program is to provide high-quality child care centers that meet the needs of Federal employees nationwide. The child care program supports GSA's national commitment to make quality child care a key building amenity and an essential component of a quality work environment.

Customers

The GSA Child Care Program's customers are the Federal agencies that pay rent for child care centers to support their employees. Ideally, but not always, child care parents are employed by the agency that pays rent for the space, though access is available to all Federal employees. To ensure financial viability of the child care centers

and because child care is a GSA community-based program, slots not used by Federal employees are available to families who do not work for the Federal Government.

Child Care Providers

There are approximately 100 child care centers operating in GSA space across the country. Independent companies manage GSA child care centers. These companies are referred to as Child Care Providers. These companies can be either for-profit or nonprofit organizations. GSA has a mix of for-profit and nonprofit, large (national) and small (local) organizations in our space.

Child care providers are not contracted by GSA for services. GSA uses GSA Form 1582, Revocable License for Non-Federal Use of Real Property, as the legal vehicle to establish child care services in our buildings. GSA requires child care providers to meet the terms of the license agreement.

Chapter 1 Responsibilities and Agreements

Roles and Responsibilities

U.S. General Services Administration (GSA) is an agency of the U.S. Government, which among other responsibilities, provides and manages building space occupied by Federal agencies. GSA child care centers function under the guidance and oversight of several entities. Successful child care centers have appropriate participation by all parties, so let us look at some of the roles and responsibilities.

GSA's Public Buildings Service (PBS): Provides finished space, related facility services, utilities, and equipment to the child care centers. The GSA Child Care Center of Expertise sets policy for the child care program nationwide; sets and oversees quality standards through a license agreement (GSA Form 1582); and trains and provides materials for the board of directors, agencies, and providers. The **GSA Child Care Program Manager (CCPM)** manages and sets the equipment budget, troubleshoots provider and board of directors' issues, monitors the background check process, monitors compliance with the license agreement, and evaluates child care center compliance with the Child Care Center Design Guide. The CCPM plans and coordinates with the property manager on the cyclical work and ongoing upkeep of the child care center.

Child Care Providers: Independent child care providers operate a high-quality, state or locally licensed, and NAEYC accredited child care center. This includes managing child care staff; establishing curriculum; setting and collecting fees; marketing the child care center; maintaining liability insurance; and complying with state and local licensing requirements, GSA license requirements, and other GSA child care initiatives.

Board of Directors: A nonprofit volunteer organization that makes quality child care available to Federal employees and others in the local area. Specific tasks are oversight of the contract and to administer and raise funds for a tuition assistance program. Boards also help market the child care center; serve as a liaison between the Government, the provider, and the parents; monitor child care center goals and the board of directors' effectiveness; and advertise for and select providers.

Parents: Contract directly with the provider for services. Parents should adhere to the policies and procedures set forth in the parent handbook. Parents are encouraged to participate in center activities and support the child care provider.

Property Managers (GSA and Lessor in leased buildings): Property managers provide day-to-day child care center and playground maintenance, including coordinating maintenance, cleaning, and facility inspections. They should offer the provider opportunities to market the child care center to tenant agencies through tenant meetings, newsletters, or other means. They may participate in board of directors' meetings as nonvoting members.

DHS-FPS: Department of Homeland Security's (DHS) Federal Protective Service (FPS) is the Federal police with jurisdiction on Federal property. They perform facility security assessments and emergency preparedness training. Security assessments are conducted on different cycles, depending on the building's security level. FPS also responds to emergency calls made to the MegaCenter and may investigate incidents.

Federal Agencies: Agencies pay rent for space, which is generally assigned as joint-use space. There may be an **agency liaison** on the board as a non-voting member and may provide input from the agency and recommend members if needed. Agencies may allocate resources to their lower income Federal employees for tuition assistance, allocate recycling funds to the child care center, or provide space for fundraising activities.

State and Local Licensing Authorities: GSA requires that all child care centers be licensed by the appropriate state or local authority. Licensing authorities set minimum standards for child care centers. These authorities ensure compliance and investigate any complaints. They perform health, program quality, and fire safety inspections and process state-required background checks.

Funding Responsibilities

The parameters of what the federal government may pay for are determined by 40 U.S.C 590, sometimes referred to as the "**Tribble Amendment**" ([Appendix B](#)). The code states:

For the purpose of this subsection, the term "services" includes the providing of lighting, heating, cooling, electricity, office furniture, office machines and equipment, classroom furnishings and equipment*, kitchen appliances, playground equipment, telephone service (including installation of lines and equipment and other expenses associated with telephone services), and security systems (including installation and other expenses associated with security systems), including replacement of equipment, as needed.

If an agency has a child care facility in its space, or is a sponsoring agency for a child care facility in other federal or leased space, the agency or the Administration may pay accreditation fees, including renewal fees, for the child care facility to be accredited by a nationally recognized early-childhood professional organization; (2) pay travel and per diem expenses for representatives of the child care facility to attend the annual Administration child care conference.

Agreements

There are a number of agreements associated with the child care center. These agreements are the road maps to follow when questions arise or new board of director members seek guidance. Contact your CCPM to obtain copies of the agreements for your child care center.

[See Appendix A for your center specific agreements](#)

GSA Revocable License for Non-Federal Use of Real Property (GSA Form 1582) With Special Conditions

Every child care center must have a revocable license signed by GSA and the board of directors or provider. The Special Conditions attached to the license agreement outline the requirements of the provider. This license agreement is not a contract and revocable with or without cause.

Contract

The contract documents the agreement between the provider and the board of directors on the scope of services and board of directors' oversight. Providers and board of directors are free to negotiate the terms of the contract as long as the terms do not negate the requirements in the GSA license. All agreements must work together. If GSA revokes the license, the provider and the board of directors must have the means to cancel their contract as well.

Memorandum of Understanding (MOU)

This is an agreement between the board of directors and GSA to ensure accountability is clear.

Interagency Agreement (IAA)

There may be an agreement between agencies that share sponsorship of a child care center.

Delegation Agreement

Some agencies have authority to operate the buildings they occupy. Delegations may include the responsibility for security and maintenance of the child care center.

Chapter 2 Building Services

Cleaning

Sanitizing to kill germs is critical in child care centers because young children are particularly sensitive and susceptible to illness and disease. GSA's Standard Custodial Contracts have specific guidance on cleaning child care areas including classrooms, bathrooms, diaper changing areas, and kitchens. Other child care center areas, such as offices and staff rooms, are maintained as regular office space.

Child care center cleaning is a contracted service. NAEYC requires a copy of the cleaning contract for accreditation. This information may be obtained from your property manager. (see [Appendix C, Cleaning Checklist](#)). You should expect periodic cleaning (infrequent items such as carpet cleaning) to be arranged with you in advance.

As a Center Director you should work with your property manager and CCPM to verify State and local requirements and ensure compliance.

GSA expects centers have a shoeless-environment policy in the infant spaces. Because infants are on the floor most of the day and tend to mouth things as they explore, going shoeless helps keep this floor area clean.

Be aware that sand and water tables and everything that goes in them (bubbles, sand, flour, oatmeal, rice, etc.) often leave behind a mess. This type of play is important for children's development, though can leave a mess. You are expected to maintain the mess and not leave it for the custodial staff. Please work with the Property Manager on solutions to contain the mess, such as a mat under the sand and water tables.

We expect that you and your staff provide supplies and accomplish the following:

- Clean the children's toys and shelves, tables and chairs
- Clean appliances (inside and out)
- Clean animal cages (if applicable)
- Immediate cleanups after food service and art projects
- Immediate clean up in the sand/water table areas
- Immediate clean up after sick children and then calling the maintenance for more complete cleaning and sanitizing of the area

Questions on cleaning or health issues can be directed to the CCPM. Additional guidance can be found in Caring for Our Children: National Health and Safety Performance Standards: Guidelines for Out-of-Home Child Care Programs (<http://nrc.uchsc.edu/CFOC/index.html>), and the NAEYC Accreditation Standards and Criteria (www.naeyc.org)

Maintenance

Quality child care educators often change the environment to make it interesting, challenging and inviting to children. Displaying children's work throughout the child care center is a quality standard of NAEYC accreditation. You should work with the CCPM and the property manager to develop appropriate methods for displays at child-friendly height requirements. **Do not use tape or staples on the walls and furniture. Do not use tape on windows treated with blast protection film.** Limit display space to designated areas. Please work with your property manager for help rearranging furniture, hanging items, and other miscellaneous work.

If anything is broken (leaking faucets, peeling wallpaper, etc.) place a service call to have it repaired. We do expect you will handle minor repairs, such as tightening screws, etc. yourself. You should have a small tool kit available to assist with minor repairs. Please do not wait until handles fall off or are lost to call for repair. If repairs are not accomplished, please call the CCPM before small problems became large maintenance issues. (See Appendix D, Child Care Center Facility Checklist)

Painting and color choices should be approved through the CCPM. Too much color creates chaos. We prefer to use less color on walls because of the color brought into the space by the children, their toys and art work.

If the center is too hot or too cold and you need adjustment in temperature that you cannot control, please put in a service call.

Playgrounds

Creating Appropriate Environments

Outdoor play areas should look and feel like parks. Good playgrounds include living things such as plants, bushes, trees, and grass. Children need connections to nature and natural materials. Landscaping of the playground is maintained by the property management office or lessor. Consult your CCPM if you need additional plantings or have questions about appropriate and nontoxic plants.

Playground Cleaning

The center's cleaning contract should include daily playground trash policing; however, we expect your staff to check the playground each morning before playground activities begin. Periodic cleaning or power washing of climbing structures, slides, and other surfaces may be coordinated with the Property Manager. The frequency of playground cleaning is determined by the center location, environmental conditions, amount of pollution, etc. Consult with your CCPM for industry standards for cleaning synthetic fall zones.

You and your staff are responsible for emptying water tables and providing fresh water after each group of children's use. You also need to ensure sand boxes are covered at the end of each day, and put away all loose toys, bikes, balls, etc.

Playground Maintenance

Maintenance of the playground is a shared responsibility between the Provider and the Property Manager. The Property manager is responsible for the overall maintenance and repair of the playground, playground equipment, and landscaping. The Provider is responsible for monitoring and reporting maintenance and repair needs. The Provider must develop a playground inspection and maintenance program as required by NAEYC. This should be developed by the Center director with the assistance of the property manager. You are also expected to conduct regular inspections and to report maintenance service calls, as needed. NAEYC does not specify the frequency of "regular" though monthly is the industry standard recommendation to ensure ongoing safety. In addition to inspection and maintenance requirements, you must keep documentation on file for regular playground inspections, maintenance requests, work orders, accident reports and equipment warranty information. Please see your property manager for copies.

You and your staff are expected to check the playgrounds daily for trash and other debris prior to taking the children out to play.

At least annually, you and your property manager should conduct a joint inspection of your playground(s). In most areas of the country, spring would be the best time for you to perform this annual playground inspection as it provides the opportunity to plan for refreshing plantings and sand and checking for rust, lubricate moving parts, etc.

Additionally, every child care center is required to have on file results of a playground inspection conducted by a certified playground safety inspector (**CPSI**). A component of this inspection is to review and verify that a playground inspection and maintenance program is in place as mentioned above. Whenever playground equipment is updated or renovated, another CPSI inspection is required. Generally, CPSI inspections are initiated by the CCPM or center director for the NAEYC program portfolio. All playground remodeling and alterations work, including items that stem from an inspection, must be coordinated between the CCPM and property manager.

An important part of playground maintenance is making sure the fall zone is maintained. Each year more than 200,000 children in the United States enter a hospital emergency room with injuries associated with playground equipment. Most injuries occur when a child falls from the playground equipment onto the ground. If you use a fill material such as wood chips, sand, mulch, or other natural material, the proper depth must be maintained. Usually this means once a year you will need the property manager to replenish the fill material. Monitor the playground to determine if the fill material needs to be replenished. Poured-in-place rubber surfaces and tiles have

varying lifespans because exposure to ultraviolet light, sand, and water can detrimentally affect surfacing. If you have questions about the effectiveness of the rubber surface, contact your CCPM to arrange a test of the impact attenuation in the fall zone.

Replace sand as often as necessary to keep the sand visibly clean, free of extraneous materials, and to prevent the transmission of disease. You and your staff are expected to keep sandboxes covered when not in use to prevent entry by children or animals. (See Appendix E, Playground Maintenance and Inspection Program)

Leased Facilities

GSA is the property owner for most federal buildings. Approximately 70% of our child care inventory is located in government owned space. When an agency has space requirements that cannot be filled in our space, GSA will lease space from private companies. The only difference for the child care program between government owned and leased space is that GSA cannot accomplish work directly; we must work with the lessor. Common problems in leased space are cleaning and maintenance issues. Your CCPM will provide you the name(s) and phone number(s) of the contact person for the leased facility to assist you. (See Contact Sheet).

Chapter 3 Data Collection

GSA will gather information on the child care programs for a number of reasons. The most important reason is to ensure oversight and compliance with the authorizing law (Title 40 U.S.C. Section 590). A second reason is to be able to respond to congressional committees about the validity and issues of the centers in order to maintain support for the program.

We have one comprehensive survey conducted each January. In April, July and October we use abridged surveys to update the utilization numbers and Federal enrollment. It is imperative you complete these surveys by the due date and information is accurate. (see [Appendix F, Annual Survey](#) and [Appendix G, Enrollment Reports](#)).

As a part of our program management and budget process, we will also gather data on customer satisfaction. We have a short parent survey administered by GSA and focuses on GSA issues of facility management. This survey is normally conducted every 2 years and does not replace any parent surveys that you conduct.

Information from these surveys is used to report on performance at the center, regional and national level. We strongly suggest survey data also be shared with your stakeholders, such as the Board of Directors and Agency Liaison.

Chapter 4 Emergency Preparedness

Medical Emergencies: You are responsible for handling medical emergencies. Take care of individuals first; then make necessary phone calls and fill out reports. We need an accident report only when an injury required professional medical attention. If an ambulance was called or the individual was taken to the hospital, we will need an accident report. If a child was taken to their doctor at the end of the day by a parent, we consider that professional medical attention. We do need to know about broken bones or stitches. You must also fulfill your state license requirements and NAEYC accreditation requirements for reporting and documenting all accidents and incidents.

Required Reporting

Who	What	When
FPS	--Report all crimes, or suspicious circumstances occurring on federally controlled property to Federal Protective Service (FPS) (per 41 CFR 102-74.15).	Immediately
CPS & FPS	--Report suspected child abuse or neglect to FPS and the appropriate local authority, in accordance with 34 USC § 20341 and 41 CFR 102-74.15. (FPS only if the suspected abuse or neglect occurred on Federal property)	Immediately
FPS, Property Manager & CCPM	--Report all accidents requiring medical attention occurring on federally controlled property to FPS (per 41 CFR 102-74.15), the federal agency Property Manager, and the GSA Child Care Program Manager	within 24-hours
Property Manager & CCPM	--If an accident occurs, but professional medical attention is pursued in the days following, the provider must report to federal agency Property Manager and GSA Child Care Program Manager within the same business day that medical attention was obtained, or as soon as possible.	Soon as possible- Same day as medical attention sought
CCPM	--Notify GSA Child Care Program Manager in writing of operational disruptions and critical incidents that could impact program quality or compromise the essential health or safety of any child, including reportable incidents as defined by NAEYC.	within 24-hours
Licensing	--Report accidents and incidents in accordance with applicable state or local child care licensing authority	Prescribed by the applicable child care licensing authority.
NAEYC	--Report operational disruptions and critical incidents -follow NAEYC's 72-hour notification policy	within 72-hours

Emergency Planning

Your center emergency evacuation plan must be incorporated into the building's Occupant Emergency Plan (OEP). Call your GSA building contact and make sure that this has happened. If you need assistance in developing your evacuation plan, contact your CCPM.

While we cannot control or prevent a catastrophe, natural or man-made, you can ensure proper emergency plans have been put into effect. (see [Appendix H, Emergency Preparedness toolkit](#)).

Your centers OEPs should include:

- The provision for multiple means of communication including an off-site, out of area emergency phone number. This emergency phone number can be another GSA child care center, or another child care center operated by you.
- Identification of at least two relocation sites, which are designated meeting areas with parents.
- Plans for emergency bags with appropriate supplies, equipment, and parent contact sheets.
- Identification of two egress paths from the child care center and Federal complex, with paths clear at all times of the year.
- Identification of the appropriate authority responsible for calling for an evacuation or closure.
- Specific procedures for fire, bomb threat, terrorist or civil disturbance, severe weather or natural disaster, medical emergency, and chemical or biological threat.

Monthly Drills

You are required by the GSA licensing agreement and state licensing to practice evacuations monthly. You should keep a monthly log with the date of fire drills. If your child care center does not have a dedicated alarm notification system, use a recording of the actual fire alarm so children and staff are familiar with the sound. Periodically, the child care staff must practice evacuations to all their relocation sites.

Continuity of Operations Plan (COOP)

Each Federal agency has a COOP, which states how it will continue to operate in the event of an emergency. If an agency or building is closed, the agency makes provisions to carry on its mission for an extended period of time. Continuing the operations of child care centers is not a priority. During an emergency, the child care centers are typically evacuated and closed. Once all children and staff are accounted for, the child care center is closed until given notice by authorities that activities in the affected Federal building can resume. In some cases, essential emergency work must continue for Federal employees, such as CDC or FEMA, and they may need child care services. Please work with the Designated Official of your sponsoring agency to determine the appropriate COOP plan for your program.

Shelter in Place (SIP)

Shelter in place takes place in an area identified within the building for emergencies when it is not safe to leave the building. Sheltering in place protects building occupants in an emergency situation where outside conditions are more dangerous than those inside a building. This could be a natural disaster, weather emergency, or disturbance

near or within the building. This is typically an interior room or space without windows if occupants cannot safely exit the building. Please work with the Designated Official or property manager to ensure your SIP is safe and appropriate for children. Guidance is available on www.opm.gov and www.ready.gov.

Chapter 5 Security

GSA takes a comprehensive approach to security in the design, equipment, and oversight of the child care facility. Special facility features and security management practices are in place to help ensure our centers are safe for children and employees. GSA centers implement various precautionary measures to address security concerns and emergency situations. It is important that parents are aware of these measures and their role in helping ensure a secure environment.

Access Controls

All child care center entrances must be secured at all times. The child care center's entrance should have a means to secure the door and to verify the identity of visitors requesting access. Since most child care centers are too small to employ a full-time receptionist, the main entrance door typically includes a doorbell, an electronic strike release with keypad, or card reader. A remote release may be needed to allow a teacher located far from the front door to control access to the child care center without leaving the classroom. Parents, guardians, and child care staff should have immediate access to the child care center. The child care personnel control the sign and sign out procedures and should educate parents on the hazards of "piggy-backing" so they do not allow others to enter the center.

You need to work with your property manager to establish procedures for the distribution, activation and deactivation of access cards or codes used by child care staff and parents.

Security Systems

Security systems may include interior duress alarms, perimeter security alarm systems, video surveillance, and annunciation systems for main entrance doors.

All child care centers should have ability to call for help from within the facility and while on the playground. One option is duress alarms, which are call buttons provided in key areas to call for help. Mobile phones can also be used when outside the child care center. Either way, you need a plan. You and your property manager need to periodically test duress alarms to ensure they are working and dispatching the appropriate authorities.

Numbers to call in an emergency, such as on-site contract guard, the FPS Mega Center, and other emergency numbers, should be located near all telephones. Similarly, the name and contact information of the vendor that supports the security

system should be accessible to administrative staff.

Facility Security Committee (FSC)

The Facility Security Committee is responsible for the security decisions in your building. You or your property manager should attend Facility Security Committee (FSC) meetings to ensure the child care center's needs and interests are represented. Changes affecting access (both pedestrian and vehicular), parking, and drop-off areas could have a direct, negative impact on the operations of the child care center.

Facility Security Assessments (FSA)

FPS (or your delegated security agency) is responsible for performing a facility security assessment (FSA) on GSA-controlled facilities. Each child care center's security measures may slightly differ depending on the location and risks. The FSA helps determine needed security features such as building setback, vehicle approach, drop-off area security, entrance design, and access controls.

Cameras

Video surveillance, monitoring, and camera locations may be security measures required in your center. It is GSA's policy not to provide or promote video cameras for parents' internet viewing in our child care centers.

Policy on Security Levels

You should follow local guidelines, warnings, directives, or suggestions issued by FPS, the designated official, or other local responsible governmental or police organization. Please consult [DHS.gov/alerts](https://www.dhs.gov/alerts) to receive current information about Threat Alerts and Guidance.

Computer IT Security Requirements

The Child Care provider will comply with all GSA IT Security and Privacy requirements including completing GSA issued Security Awareness and Privacy Training, if they are using the GSA network. Users should have no expectation of privacy on GSA IT systems. All activity on GSA IT systems is subject to monitoring.

Playgrounds

Make sure the staff has a means of communication when they are on the playground, i.e. radios or cell phones. Staff should also have adequate first aid supplies with them on the playground.

Supervision

Staff supervision of children is a critical for safety and security in a child care setting. Lapses in supervision occur when children are left unattended, when children are not properly supervised by sight and sound as appropriate for their age, or when children wander away from the group unnoticed by teaching staff. Such incidents, for even a moment, can have serious consequences. Thus, GSA child care programs should utilize a proactive approach to developing and maintaining sound program policies, procedures, and practices related to supervising children. In the unlikely event that a child is missing from the center, notify the Building Security immediately so they can initiate an Adam/Amber Alert. The CCPM should also be notified immediately. ([see Appendix I, Adam and Amber Alerts](#)).

Ensure that your center has ample trained staff to maintain the appropriate staff-to-child ratios and handle any emergencies that may arise.

Chapter 6 Employee Background Checks

All child care employees in Federal space must meet the background check requirements of the Crime Control Act of 1990, Public Law 101-674, as amended by Public Law 102-190, December 5, 1996 (see [Appendix J, Crime Control Act](#)). GSA's Security Office conducts background checks and grants your employees access to Federal building (see [Appendix K for background check guidance](#)).

BEFORE A NEW EMPLOYEE CAN WORK:

1. You must conduct your own pre-employment suitability checks including work history, education, and reference checks. You must determine you will hire an individual before a background check can be initiated with OMA. Our process cannot be used to vet, determine potential candidates.
2. All hires must be *conditional* on an employee receiving an initial Enter on Duty (EOD) and Final Fit determination.
3. Regular volunteers and substitutes must also submit to a background check.
4. You must notify (call, fax, e-mail) the CCPM when you hire a new employee and are sending in a new package. Give the CCPM the new employee's name.
5. An employee cannot start work until they receive a Enter on Duty (EOD) notice from OMA. Employees must then work under the supervision of a fully adjudicated employee until they receive a final fit determination.

An unfavorable adjudication requires the employee leave the federal premises immediately. Make sure your employment policy includes the requirement of federal clearance for permanent employment.

The CCPM may perform spot checks in the center to ensure everyone on-site has a determination. On a monthly basis the CCPM will request an update of your current staff roster to ensure all employees are cleared or in the process. Contact your CCPM with any questions on the process or assistance, including obtaining forms or fingerprint cards.

Building ID Cards / PIVs

Depending on each building's requirements, your employees may need a building identification PIV card. Please consult with your CCPM for the process in your building. All PIV cards must be returned when an employee is no longer working at the center. If the card cannot be retrieved, you must notify the issuance office.

Chapter 7 Equipment

Generally, all furnishings and large fixed equipment in the center belong to the government. GSA (or the sponsoring agency) buys large and durable equipment; we *do not* buy toys or consumables. When equipment is approaching the end of its useful life, you should notify the CCPM to submit for replacement funding. The CCPM may ask you for a list of needed items for purchase or replacement. Best practice is to maintain a needs list on a continuous basis. Purchasing is based on the funding available and discretion.

The CCPM makes purchases or works with the property manager for assistance. No equipment can be ordered without the CCPM's concurrence. It is equally important that the CCPM and Child Care Provider coordinate with the property manager on equipment purchases to coordinate a plan for deliveries, installation, and maintenance.

Tall furniture (pieces over 36 inches, unless the base is very wide, including cubbies) must be secured, either to the wall or to other furniture.

We choose eco-healthy, low or no volatile organic compound (VOC) furniture and materials. We avoid furniture made of laminated wood, pressed wood, plywood, particleboard, and chipboard, which contain formaldehyde, a probable carcinogen, allergen, and irritant.

Inventory

Once ordered by the government, the equipment will be shipped directly to your center. You are responsible for inspecting the equipment upon receipt. If the equipment is damaged or not what was requested, you are responsible for contacting the CCPM and returning the item(s). The packing slip and/or invoice is required for the return of such items, with copies forwarded to the CCPM. If the equipment is inspected and acceptable, you must document in an email you have received the item and record the item in the center's equipment inventory. (See [Appendix L for current center inventory](#)).

You are responsible for routine care and maintenance of all government-owned equipment during the term of the license. Equipment shall be cleaned regularly and inspected by your staff to ensure it is safe. You are responsible for any damage to equipment arising from wrongful acts or acts of negligence by you and your staff. The CCPM and/or property manager will inspect the facility yearly, review the inventory and document condition of equipment.

All child care equipment remains GSA's property. The Child Care Provider will maintain an inventory list of all government provided equipment and furnishings and will submit a copy to the CCPM annually and upon request. The Provider will notify GSA when government purchased equipment has been received or is no longer needed. The Provider must seek prior approval from the CCPM before moving any of this equipment off-site or disposing of it. The Provider will be responsible for any missing equipment or furnishings.

If something is broken and needs to be disposed of or repaired, please contact your CCPM or GSA property manager. You need to keep track of disposed equipment and maintain an accurate inventory. GSA owned equipment must be properly excessed through the GSA personal property disposal process. The CCPM may offer your excess equipment to another GSA child care center.

The Child Care Provider provides all consumables, supplies, materials, and provider curriculum choices for the child care facility. (See [Appendix M for a list of supplies and materials considered your responsibility](#)).

Communications Equipment

GSA (or the sponsoring agency) may provide telephones, telephone lines, copy machines, and fax machines. Computers and internet connection might also be provided. In some cases, child care employees are allowed access to government administrative equipment, such as copy machines. GSA or the sponsoring agency may purchase two-way communication devices (walkie-talkies, cellular telephones, etc.) for emergency purposes. You are responsible to the use and inventory of all government provided equipment.

Chapter 8 Environmental Health and Safety

Environmental health and safety in a child care center includes:

- Physical safety
- Fire protection
- Environmental health

Physical Safety

Your child care facility was designed to include safety features such as finger-pinch door guards, corner guards, water temperature controls, and window covering cords (see [Appendix N, Window Covering Cords](#)). Every time you walk through your child care center, keep an eye open for safety hazards. You and your staff are creative at adapting the environment for a learning opportunity; however, some adaptations may pose a safety risk such as moving furniture too close to doorways or hanging items from sprinkler heads. Train your staff to be alert for potential hazards on an ongoing basis. Your CCPM is a good resource for safety information.

Outdoor environments can also pose risk. Accidents associated with playground equipment are the most common. Other concerns include pesticides, toxic plantings, and sun exposure. Refer to [Chapter 2 Playground section](#) for more information.

Fire Protection

You will need to work with your CCPM and property manager to ensure your center complies with federal, state and local licensing fire safety requirements. Fire extinguishers and separate smoke detectors are not required in every classroom if all classrooms are equipped with sprinklers.

Make sure no items are hanging from the sprinkler system or within 18 inches vertically of the sprinkler heads. Ensure that lofts do not put children within reach of sprinkler systems. You may need to remind your staff not to use gates or furniture to block doorways.

If you have questions about fire protection, contact your CCPM and they will set up a meeting with the regional fire protection engineer to answer your questions on fire protection requirements.

Environmental Health

No Smoking Policy

NAEYC requires “the facility and outdoor play areas to be entirely smoke free. No smoking is permitted in the presence of children.” Even though a child care center meets GSA's smoking policy, it may not necessarily meet the NAEYC smoking standard. Please ensure the child care center meets all requirements. See Chapter 9 for more information on the NAEYC accreditation program.

Integrated Pest Management (IPM)

Your property manager can provide you with the custodial contract for specific guidance on the integrated pest management (IPM) performed at your child care center and on the playground. Children are particularly sensitive to pesticide residues, so the elimination of these chemicals from the air they breathe and the surfaces they touch is critical. Please work with your property manager to ensure pesticides or traps are not accessible to children. Please inform the property manager of applicable licensing requirements, such as advanced reporting requirements to families. For more information, check GSA Integrated Pest Management Guidance at www.gsa.gov/ipm (see also [Appendix O, Integrated Pest Management Guidance](#)).

Safe Drinking Water

Your property manager and CCPM can assist in ensuring all necessary tests and surveys are performed, documented, and readily available for NAEYC accreditation and state licensing authorities. You can request copies of tests and service contracts to place in your child care center's NAEYC program portfolio. State and local child care regulations may require more frequent inspection than GSA policy so please work with your CCPM on requirements.

Drinking water in GSA child care centers will be tested per the GSA Drinking Water Policy or State/local child care regulations, if more stringent. Testing will be done in accordance with the sampling protocol and trigger levels established by EPA's Lead in Drinking Water in Schools and Child Care Facilities.

Management Analysis Review System (MARS) Reviews

Your center will be reviewed during the building's Management Analysis Review System (MARS) review to ensure the child care center is safe, well-managed, well-maintained, and high quality. Reviewing all aspects of the children care center and program allows GSA to correct deficiencies, anticipate needs, and provide support to you, property

managers and field offices. Efforts will be made to schedule inspections in advance and minimize impact on children, such as performing classroom inspections outside of nap time.

For guidance on a variety of child care health and safety issues, check Caring for Our Children National Health and Safety Performance Standards: Guidelines for Out-of-Home Child Care Programs at <http://nrc.uchsc.edu>

US Consumer Product Safety Commission (CPSC)

The U.S. Consumer Product Safety Commission (CPSC) protects the public from unreasonable risks of injury or death from over 15,000 types of consumer products that are under the agency's jurisdiction. The Commission offers services to consumers and shares safety information with the general public.

CPSC has a number of recommendations and guidelines for safe child care settings, equipment, and playgrounds. We follow CPSC recommendations in our centers. More information on these recommendations, as well as complete information on product and toy recalls can be found on the CPSC website <http://www.cpsc.gov>

CPSC offers an e-mail subscription service, which automatically distributes CPSC news releases, recalls, and other information. We strongly suggest that you go on the website and register for this valuable notification service.

Safe to Sleep Campaign

The Safe to Sleep campaign is an initiative of the Eunice Kennedy Shriver National Institute of Child Health and Human Development. It is an expansion of the previous Back to Sleep campaign to reduce the risk of sudden infant death syndrome (SIDS). SIDS is the sudden, unexpected death of a baby younger than 1 year of age that doesn't have a known cause even after a complete investigation. Since the launch of the Back to Sleep campaign in 1994, the SIDS rate has dropped by more than 50 percent across all populations, so your center needs to have very strong Safe to Sleep policies and practices in place. Policies and practices should include the following:

- Always place baby on his or her back to sleep, for naps and at night, to reduce the risk of SIDS.
- Parents should be encouraged to put baby to sleep in a separate sleep area at home.
- Use a firm sleep surface, covered by a fitted sheet, to reduce the risk of SIDS and other sleep-related causes of death. Remove all loose bedding, soft objects

and toys.

For more information on the Safe to Sleep campaign, go to:

<http://www.nichd.nih.gov/SIDS>

Chapter 9 Quality and Training

Program Reviews and Quality Control Tools

The Early Childhood Environmental Rating Scale, Revised Edition (ECERS-R) and Infant/Toddler Environmental Rating Scale, Revised Edition (ITERS-R), the Program Administrator's Scale (PAS), and the Classroom Assessment Scoring System (CLASS) can be used to evaluate the child care center and help prepare for a NAEYC assessment visit. Some State agencies are using these rating scales to also evaluate the program quality and to provide financial incentives for the provider.

Assessments of health and safety practices are another tool GSA uses to ensure the child care center is safe and environmentally healthy. This review, performed by professional consultants, assesses the child care center's policies and operations and is intended to generate valuable feedback to validate good practices and identify areas for improvement.

Training

Your center should have an active and up-to-date training plan for all employees. Successful and appropriate training of staff is a proven indicator of quality programs and good outcomes for children, above even years of experience of staff. In addition to the training required by licensing and NAEYC, GSA expects that you are providing the following training:

- **First aid training** –Training is available from your local Red Cross, technical schools, hospitals and other community resources.
- **Child abuse training** - Detection and prevention of child abuse training must be completed annually. Your local licensing authority or other appropriate body can provide training. This training must include the local reporting requirements. A minimum of one and one half to two hours is required.
- **Emergency preparedness and evacuation procedures training** - This verifiable training is in addition to the monthly practice drills. The GSA procedure for reporting and handling accidents and incidents is to be covered.
- **Bloodborne pathogens and universal precautions training** - This annual requirement must meet the guidelines of the Occupational Safety and Health Administration (OSHA) regulations of 1991 applicable to all settings where workers might come into contact with blood. Exposure plans and documented training is required (see [Appendix P, OSHA](#))

[Frequently Asked Questions](#)).

Ideally this level of training is performed as part of the orientation training with staff before they are assigned to work with a group of children. Training as indicated should be refreshed on an annual basis.

Chapter 10 Cost and Affordability

Your center should have an active tuition assistance plan. Generally, the child care center board of directors establishes this plan and is responsible for the fundraising efforts needed to fund this program.

Fundraising on Federal Property

Fundraising on Federal property and in the center is allowed if sponsored by a not-for-profit entity and initiated for a tuition assistance program. Fundraising for the benefit of the child care provider is not allowed, especially if your company is organized as a for-profit business (see [Appendix Q, Authorized Fundraising](#), [Appendix R, GSA Fundraising Legal Opinion](#), and [Appendix S, OPM Fundraising Legal Opinion](#)).

Child Care Subsidies for Federal Employees

To help make child care more affordable for lower income Federal employees, Federal agencies are allowed to assist employees with their child care costs. Legislation was passed in 2000 to allow Federal agencies to subsidize the child care costs for their lower income employees. Each agency establishes its own requirements.

Reimbursement payments are paid directly to the center for those families served by this program. This program is commonly referred to as the “Morella Legislation.” This authority has been codified in U.S.C. 40 section 590. The child care must be licensed and/or regulated by state and/or local authorities to participate in the program. Refer Federal employees to their personnel office to find out if they are eligible to participate or they can go to the following website:

<https://www.opm.gov/policy-data-oversight/worklife/dependent-care/#url=Child-Care-Subsidy>

Child Care Fee Assistance for Members of the U.S. Military:

The following military services: Navy, Air Force, Army and Marines active-duty personnel including Reserves, National Guard, ROTC, MEPS and recruiters (who are not under the Southern Command) are eligible for child care tuition subsidies. To find out more about Military Fee Assistance, visit the Child Care Aware website at

<http://usa.childcareaware.org/military-programs/>

U.S. Coast Guard

The Coast Guard Child Care Subsidy Benefit program was created to assist Coast Guard Members who use any federal child care center, or any state

licensed child care facility in the Continental US (CONUS) and outside the Continental US (OCONUS). This includes child development centers as well as in licensed home child care providers to provide childcare for their children. The benefit is available to Active Duty Crew Members and Active Duty Reservists called to action for 180 days or longer and do not have access to a US Coast Guard Child Development Center (CDC). Those members who work or live on or near a US Coast Guard base where there is a US Coast Guard CDC do not qualify for this benefit and will be required to use that child care facility.

Contact Information: uscgchildcare@gsa.gov

U.S. Customs and Border Protection

The Customs Border Protection's Child Care Subsidy Program was created to assist CBP employees with the cost of providing child care for their children.

Contact Information: cbp.childcare@gsa.gov

National Park Service

The NPS Child Care Subsidy Program has been created to assist Park Service employees with childcare costs by providing payments directly to Licensed Child Care Centers, Licensed Home Child Care Providers or Accredited Centers.

Contact Information: npschildcare@gsa.gov

Chapter 11 Marketing

General Principles

Marketing is the overall strategy for selling the service the center has to offer -- quality child care and developmental opportunities. The specifics may vary but the basic idea is to make the center and its services known to parents and employers, both Federal and non-Federal, in a way that will draw the parent to this center rather than to some other center. The objective of marketing is to increase and stabilize enrollment. Remember your center can support your community by filling empty spaces with non-Federal families after the Federal need is satisfied.

To do this, it is important to use every form of communication available. Bring the center and its programs to the attention of parents of potential enrollees through media stories with pictures about the center in general, about specific events, and about specific boosters of the center -- anything that will advertise your center and its services. The best communications, of course, are through parents satisfied with the service.

When a new center is being marketed, the provider should make every effort to develop an effective and strategic plan by determining who and where the clients are, contacting them through direct and general mailings and through posters and flyers. All of this can be done in the federal building and surrounding buildings, with the Property Manager's permission, and perhaps in elementary schools, churches, and other organizations which serve children or the parents of children. Like all businesses, some money must be invested to reach the goal of increased and stable enrollment for the center. An example of one kind of "expenditure" is a limited number of gift certificates offering a morning, or some other specified time of free child care. Bringing parents into the center, which provides an opportunity to experience quality child care, to see the facility, and to meet the director and staff, is one of the best ongoing marketing strategies. You can also share the following links ...

[GSA Child Care Overview Video](#)

A marketing strategy for an ongoing center involves much of what has been mentioned above, but there can be somewhat different emphases. For instance, focus on age groups with available slots, emphasizing the advantages of that program. Consider adding the extra programs or services for which parents may pay additional fees. These can provide positive marketing opportunities because the extra activities don't require the parent's presence or time, include within the regular day something that would have to be done after the workday ends or on a weekend. One center brings in a hair stylist once a month to give that terrific cut which usually takes up a chunk of many families'

Saturdays! “Extras” provide very little additional money for the center (most of the fees go to the people providing the special services); however, these can provide a “competitive edge” for the center by meeting more needs of the customer and freeing up time for other family activity and travel.

When the center, which provides quality child care and early education, is recognized more widely through positive comments by satisfied families and through various marketing strategies, fundraising will also become easier because potential donors are already familiar with the center and know it to be a worthy cause for tax-deductible dollars.

Strategies to Market to Federal Employees

Keeping the center filled with satisfied customers is your goal. This program’s mission is to serve Federal employees, so you are required to seek and maintain enrollment of Federal families. If your center serves less than 50% Federal children, you will be required to submit a marketing plan to the CCPM. This plan must identify specific strategies you will take to increase Federal enrollment, as is required by the Tribble Amendment. Even though it appears that the Federal center serves a captive audience and families will come to you, you must make efforts to reach and market to the Federal community. Your first step is to know your federal market and what they need.

If you work with a board of directors, they will be key to helping you understand and market to your federal community. You and the board should work together on the development of a comprehensive strategy that includes marketing the availability of tuition assistance.

The key to knowing your federal market is to develop an understanding of which agencies are housed, along with you, in the same and neighboring facilities. Your GSA building management contact or CCPM can provide you with a mailing list of agency contacts.

Every personnel office of every agency in your building and the surrounding buildings should have information and brochures on your program that is shared with new employees. Remind the agency that the center is there to serve as an employee benefit and help them recruit and retain their key employees.

Most large cities have a Federal Executive Board (FEB) or Federal Executive Association (FEA). In some cities these boards are very active and can provide you with a single person with which you can provide information and carry your message to the Federal community. You should position yourself and the center as the local expert on early education and child development. An annual presentation to the FEB or FEA is a

good idea. Your GSA building manager should also be able to provide you with an FEB contact or go to feb.gov.

Keeping the center in the spotlight in a positive way is a proven strategy. You can ask about a permanent “art display” area in the building. If that is not possible, an exhibit or display should be planned every year for “Week of the Young Child”. Information on this event is available on the NAEYC web site: <http://www.naeyc.org>

You should also find out which agencies run employee newsletters and submit articles about the center or generic child development topics. This will keep positive attention focused on the center. Ask the GSA building manager about a building wide newsletter and submit as many articles and pictures as possible.

Sponsor “brown bag lunch and learns” for your parents and include broader topics with appeal to a wider audience. Your GSA building manager can help arrange conference room space and give advice on flyers and advertising for these kinds of events.

As you work on your marketing plan and analyze your federal market, do not forget to analyze your program. What are your strengths and weaknesses, how is the center perceived in the community, what is your reputation? This analysis is very important and will dictate marketing strategies as much as your analysis of your federal customers.

For more in depth information on creating a marketing plan contact your CCPM who can help you find appropriate resources ([insert your Marketing Plan into Appendix T](#)).

Appendix A: Agreements

Insert here

- GSA Form 1582 GSA Revocable License For Non-Federal Use of Real Property
- Special Conditions to the Licensing Agreement
- Board of Directors/ Provider contract
- Memorandums of Understanding (MOU)
- IAA (Interagency Agreement)

Appendix B—Trible Amendment

Public Law 107-217 signed 8/21/2002

Title 40 United States Code

Related to public buildings, property, and works

Sec. 590. Child care

(a) GUIDANCE, ASSISTANCE, AND OVERSIGHT- Through the General Services Administration's licensing agreements, the Administrator of General Services shall provide guidance, assistance, and oversight to federal agencies for the development of child care centers to provide economical and effective child care for federal workers.

(b) ALLOTMENT OF SPACE IN FEDERAL BUILDINGS-

(1) DEFINITIONS- In this subsection, the following definitions apply:

(A) CHILD CARE PROVIDER- The term 'child care provider' means an individual or entity that provides or proposes to provide child care services for federal employees.

(B) ALLOTMENT OFFICER- The term 'allotment officer' means an officer or agency of the Federal Government charged with the allotment of space in federal buildings.

(2) ALLOTMENT- A child care provider may be allotted space in a federal building by an allotment officer if--

(A) the child care provider applies to the allotment officer in the community or district in which child care services are to be provided;

(B) the space is available; and

(C) the allotment officer determines that--

(i) the space will be used to provide child care services to children of whom at least 50 percent have one parent or guardian employed by the Government; and

(ii) the child care provider will give priority to federal employees for available child care services in the space.

(c) PAYMENT FOR SPACE AND SERVICES-

(1) DEFINITION- For purposes of this subsection, the term `services' includes the providing of lighting, heating, cooling, electricity, office furniture, office machines and equipment, classroom furnishings and equipment, kitchen appliances, playground equipment, telephone service (including installation of lines and equipment and other expenses associated with telephone services), and security systems (including installation and other expenses associated with security systems), including replacement equipment, as needed.

(2) NO CHARGE- Space allotted under subsection (b) may be provided without charge for rent or services.

(3) REIMBURSEMENT FOR COSTS- For space allotted under subsection (b), if there is an agreement for the payment of costs associated with providing space or services, neither title 31, nor any other law, prohibits or restricts payment by reimbursement to the miscellaneous receipts or other appropriate account of the Treasury.

(d) PAYMENT OF OTHER COSTS- If an agency has a child care facility in its space, or is a sponsoring agency for a child care facility in other federal or leased space, the agency or the Administration may--

(1) pay accreditation fees, including renewal fees, for the child care facility to be accredited by a nationally recognized early-childhood professional organization;

(2) pay travel and per diem expenses for representatives of the child care facility to attend the annual Administration child care conference; and

(3) enter into a consortium with one or more private entities under which the private entities assist in defraying costs associated with the salaries and benefits for personnel providing services at the facility.

(e) REIMBURSEMENT FOR EMPLOYEE TRAINING- Notwithstanding section 1345 of title 31, an agency, department, or instrumentality of the Government that provides or proposes to provide child care services for federal employees may reimburse a federal employee or any individual employed to provide child care services for travel, transportation, and subsistence expenses incurred for training

classes, conferences, or other meetings in connection with providing the services. A per diem allowance made under this subsection may not exceed the rate specified in regulations prescribed under section 5707 of title 5.

(f) CRIMINAL HISTORY BACKGROUND CHECKS-

(1) DEFINITION- In this subsection, the term `executive facility' means a facility owned or leased by an office or entity within the executive branch of the Government. The term includes a facility owned or leased by the General Services Administration on behalf of an office or entity within the judicial branch of the Government.

(2) IN GENERAL- All workers in a child care center located in an executive facility shall undergo a criminal history background check as defined in section 231 of the Crime Control Act of 1990 (42 U.S.C. 13041).

(3) NONAPPLICATION TO LEGISLATIVE BRANCH FACILITIES- This subsection does not apply to a facility owned by or leased on behalf of an office or entity within the legislative branch of the Government.

(g) APPROPRIATED AMOUNTS FOR AFFORDABLE CHILD CARE-

(1) DEFINITION- For purposes of this subsection, the term `Executive agency' has the meaning given that term in section 105 of title 5, but does not include the General Accounting Office.

(2) IN GENERAL- In accordance with regulations the Office of Personnel Management prescribes, an Executive agency that provides or proposes to provide child care services for federal employees may use appropriated amounts that are otherwise available for salaries and expenses to provide child care in a federal or leased facility, or through contract, for civilian employees of the agency.

(3) AFFORDABILITY- Amounts used pursuant to paragraph (2) shall be applied to improve the affordability of child care for lower income federal employees using or seeking to use the child care services.

(4) ADVANCES- Notwithstanding section 3324 of title 31, amounts may be paid in advance to licensed or regulated child care providers for services to be rendered during an agreed period.

(5) NOTIFICATION- No amounts made available by law may be used to implement this subsection without advance notice to the Committees on Appropriations of the House of Representatives and the Senate

Appendix C- Cleaning Checklists

Insert here

Custodial Checklists for Child Care Center and outdoor areas.

Appendix D - Facility Checklist

Insert here

Child Care Facility Checklist

Appendix E- Playground Maintenance Plan

Insert here
playground facility maintenance plan and checklists

Appendix F- Annual Data Survey

Insert here
Annual Survey Reports and Guidance

Appendix G- Enrollment Reports

Insert here

GSA enrollment report

Appendix H- Emergency Preparedness Toolkit

Insert Here

Center Specific Child Care Emergency Preparedness Toolkit

- #1 Child Care Occupant Emergency Plan
- #2 Emergency Supply Checklist
- #3 Emergency Contacts
- #4 Evacuation Site Information, Map and Contacts
- #5 Abbreviated OEP Tool
- #6 Document History
- #7 Coping After
- #8 Severe Weather Policy

Appendix I: Code Adam and Amber Alerts

To help protect children in federal facilities, the U.S. General Services Administration with the Federal Protective Service, has adopted the “Code Adam” Program. These are the steps to follow when an alert is announced that a child is missing:

1. Obtain a detailed description of the child: • Name, age, gender, and race • Weight, height, hair and eye color • Describe what the child is wearing, specifically the color and type of clothing including shoe color and style.
2. Report information about the missing child to the Federal Protective Service or security guards on duty. If no security guard, contact on-site facility manager or delegated official. They will activate the “Code Adam” alert to all building tenants. Also, place a courtesy call to local police (911) to report missing child. Notify your CCPM.
3. Security officials will conduct a search of the building. Tenants might be asked to assist with the search. Please cooperate with security.
4. If the child is found with someone other than Parent or Guardian, use reasonable efforts to delay the departure of the person accompanying the child, but do not put yourself or others at risk. If possible, notify security officials and describe the identity of the person accompanying the child.
5. When a child is found, bring child to security officials or on-site facility manager. They will reunite child with Parent or Guardian. Security personnel will cancel “Code Adam” alert. If child is not found, security officials or on-site facility manager will contact local police again reporting any additional information.

Appendix J- Crime Control Act

Crime Control Act of 1990 — Public Law 101-647

TITLE 42—THE PUBLIC HEALTH AND WELFARE

CHAPTER 132—VICTIMS OF CHILD ABUSE, SUBCHAPTER V—CHILD CARE WORKER EMPLOYEE BACKGROUND CHECKS

Sec. 13041. Requirement for background checks

(a) In general

(1) Each agency of the Federal Government, and every facility operated by the Federal Government (or operated under contract with the Federal Government), that hires (or contracts for hire) individuals involved with the provision to children under the age of 18 of child care services shall assure that all existing and newly-hired employees undergo a criminal history background check. All existing staff shall receive such checks not later than May 29, 1991. Except as provided in subsection (b)(3) of this section, no additional staff shall be hired without a check having been completed.

(2) For the purposes of this section, the term “child care services” means child protective services (including the investigation of child abuse and neglect reports), social services, health and mental health care, child (day) care, education (whether or not directly involved in teaching), foster care, residential care, recreational or rehabilitative programs, and detention, correctional, or treatment services.

(b) Criminal history check

(1) A background check required by subsection (a) of this section shall be—

- (3) based on a set of the employee’s fingerprints obtained by a law enforcement officer and on other identifying information;

(B) conducted through the Identification Division of the Federal Bureau of Investigation and through the State criminal history repositories of all States that an employee or prospective employee lists as current and former residences in an employment application; and initiated through the personnel programs of the applicable Federal agencies.

(2) The results of the background check shall be communicated to the employing agency.

(3) An agency or facility described in subsection (a)(1) of this section may hire a staff person provisionally prior to the completion of a background check if, at all times prior to receipt of the background check during which children are in the care of the

person, the person is within the sight and under the supervision of a staff person with respect to whom a background check has been completed.

Applicable criminal histories

Any conviction for a sex crime, an offense involving a child victim, or a drug felony, may be ground for denying employment or for dismissal of an employee in any of the positions listed in subsection (a)(2) of this section. In the case of an incident in which an individual has been charged with one of those offenses, when the charge has not yet been disposed of, an employer may suspend an employee from having any contact with children while on the job until the case is resolved. Conviction of a crime other than a sex crime may be considered if it bears on an individual's fitness to have responsibility for the safety and well-being of children.

(d) Employment applications

(1) Employment applications for individuals who are seeking work for an agency of the Federal Government, or for a facility or program operated by (or through contract with) the Federal Government, in any of the positions listed in subsection (a)(1) of this section, shall contain a question asking whether the individual has ever been arrested for or charged with a crime involving a child, and if so requiring a description of the disposition of the arrest or charge. An application shall state that it is being signed under penalty of perjury, with the applicable Federal punishment for perjury stated on the application.

(2) A Federal agency seeking a criminal history record check shall first obtain the signature of the employee or prospective employee indicating that the employee or prospective employee has been notified of the employer's obligation to require a record check as a condition of employment and the employee's right to obtain a copy of the criminal history report made available to the employing Federal agency and the right to challenge the accuracy and completeness of any information contained in the report.

(e) Encouragement of voluntary criminal history checks for others who may have contact with children Federal agencies and facilities are encouraged to submit identifying information for criminal history checks on volunteers working in any of the positions listed in subsection (a) of this section and on adult household members in places where child care or foster care services are being provided in a home.

This law has been codified in U.S. Code 40 section 590 (Pub. L. 101-647, title II, Sec. 231, Nov. 29, 1990, 104 Stat. 4808; Pub. L. 102-190, div. A, title X, Sec. 1094(a), Dec. 5, 1991, 105 Stat. 1488.) Amendments 1991 Subsec. (a)(1). Pub. L. 102-190, Sec. 1094(a)(1), substituted ``May 29, 1991. Except as provided in subsection (b)(3) of this section, no additional staff'' for ``6 months after November 29, 1990, and no additional staff''. Subsec. (b)(3). Pub. L. 102-190, Sec. 1094(a)(2), added par. (3).

Appendix K- Background Check Process

Insert here

Background Check Guidance for

GSA Child Care Providers

State Repository List

Appendix L- Equipment Inventory

Insert here
Center Inventory

Appendix M- Provider Supplies Responsibilities

DESCRIPTION OF PROVIDER RESPONSIBILITIES FOR CONSUMABLES, SUPPLIES, AND MATERIALS

The child care provider is responsible for providing all consumables, supplies, materials, and provider curricula that are not provided by GSA. Please see the following list of examples of items that are the child care provider's responsibility:

Educational supplies and materials include:

- indoor sand;
- play dough;
- art supplies such as paint, glue, construction paper;
- books;
- games, sorting/stacking/matching games, puzzles;
- props (materials used to complete furniture to enhance meaningful play);
- puppets;
- play food;
- play kitchen dishes;
- dress-up clothes;
- housekeeping accessories (vacuum, broom, mop, etc.);
- dollhouse furniture and family sets;
- woodworking table tools;
- dolls;
- doll clothes;
- play animals;
- parachutes;
- fabric tunnels;
- sand implements (shovels, scoops, buckets, sifters);
- balls;
- hoops;
- flags;
- cardboard blocks;
- off-the shelf curriculum programs;
- teacher curriculum planning resources;
- music;
- CDs;
- tapes;
- cameras;
- Legos;
- counting bears;
- sea shells;
- sorting activities;
- classroom graphs or charts; and,
- iPads/Notepads.

Practical supplies and materials include, but are not limited to:

- plates;
- cups;
- bowls;
- utensils;
- towels;
- gloves;
- cleaning supplies (for provider use only);
- dish detergent;
- sanitizer solution;
- emergency kit contents;
- first aid supplies;
- choke tube testers;
- food/drink;
- linens and cot sheets;
- cutting boards; and,
- replacement of any GSA provided start-up kitchenware.

Office supplies and materials include, but are not limited to:

- copy machine paper and toner (unless provided for in service plan);
- printer cartridges (unless provided for in service plan);
- letter cutters;
- clocks; iPads/Notepads.

Appendix N- Window Cord Resources

The U.S. Consumer Product Safety Commission (CPSC) The U.S. Consumer Product Safety Commission (CPSC) provided resources for safe use of window coverings with cords.

<https://www.cpsc.gov/Safety-Education/Safety-Education-Centers/Window-Covering>

Appendix O- IPM Resources

Integrated Pest Management (IPM) Resources for Child Care Centers from EPA:
<https://www.epa.gov/childcare/information-child-care-providers-about-pesticidesintegrated-pest-management>

Insert here

building specific IPM guidance

Appendix P: Bloodborne Pathogens Frequently Asked Questions

Disclaimer

The information contained here is not considered a substitute for any provisions of the Occupational Safety and Health Act of 1970 or the requirements 29 CFR 1910.1030, Occupational Exposure to Bloodborne Pathogens.

Federal/State OSHA Authority

Federal Authority extends to all private sector employers with one or more employees, as well as federal civilian employees. In addition, many states administer their own occupational safety and health programs through plans approved under section 18(b) of the OSH Act. These plans must adopt standards and enforce requirements that are at least as effective as federal requirements.

Copies of the OSHA [Bloodborne Pathogens Standard](#) are available from the Government Printing Office (GPO Order Number 069-001-0004-8), Superintendent of Documents, Washington, D.C. 20402.

On December 6, 1991, the Occupational Safety and Health Administration (OSHA) promulgated the [Occupational Exposure to Bloodborne Pathogens Standard](#). This standard is designed to protect approximately 5.6 million workers in the health care and related occupations from the risk of exposure to bloodborne pathogens, such as the Human Immunodeficiency Virus (HIV) and the Hepatitis B Virus (HBV).

As a result of the standard, numerous questions have been received on how to implement the provisions of the standard. The purpose of this handout is to provide answers to some of the more commonly asked questions related to the Bloodborne Pathogens Standard. It is not intended to be used as a substitute for the standard's requirements. Please refer to the standard for the complete text.

Who Is covered by the standard?

The standard applies to **all** employees who have occupational exposure to blood or other potentially infectious materials (OPIM).

- Occupational exposure is defined as "reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or OPIM that may result from the performance of the employee's duties."
- Blood is defined as human blood, human blood components, and products made from human blood.
- OPIM is defined as the following human body fluids: saliva in dental procedures, semen, vaginal secretions, cerebrospinal, synovial, pleural, pericardial, peritoneal, and amniotic fluids; body fluids visibly contaminated with blood; along with all body fluids in situations where it is difficult or impossible to differentiate between body fluids; unfixed human tissues or organs (other than intact skin); HIV-containing cell or tissue cultures, organ cultures, and HIV- or HBV-containing culture media or other solutions; and blood, organs, or other tissues from experimental animals infected with HIV or HBV.

Are volunteers and students covered by the standard?

Volunteers and students may be covered by the standard depending on a variety of factors including compensation.

We have employees who are designated to render first aid. Are they covered by the standard?

Yes. If employees are trained and designated as responsible for rendering first aid or medical assistance as part of their job duties, they are covered by the protections of the standard. However, OSHA will consider it a **de minimis** violation - a technical violation carrying no penalties - if employees, who administer first aid as a collateral duty to their routine work assignments, are not offered the pre-exposure hepatitis B vaccination, provided that a number of conditions are met. In these circumstances, no citations will be issued.

The **de minimis** classification for failure to offer hepatitis B vaccination in advance of exposure does **not** apply to personnel who provide first aid at a first aid station, clinic, or dispensary, or to the health care, emergency response or public safety personnel expected to render first aid in the course of their work. Exceptions are limited to persons who render first aid only as a collateral duty, responding solely to injuries resulting from workplace incidents, generally at the location where the incident occurred. To merit the **de minimis** classification, the following conditions also must be met:

- Reporting procedures must be in place under the exposure control plan to ensure that all first aid incidents involving exposure are reported to the employer **before the end of the work shift** during which the incident occurs.
- Reports of first aid incidents must include the names of all first aid providers and a description of the circumstances of the accident, including date and time, as well as a determination of whether an exposure incident, as defined in the standard, has occurred.
- Exposure reports must be included on a list of such first aid incidents that is readily available to all employees and provided to OSHA upon request.
- First aid providers must receive training under the Bloodborne Pathogens Standard that covers the specifics of the reporting procedures.
- All first aid providers who render assistance in any situation involving the presence of blood or other potentially infectious materials, regardless of whether or not a specific exposure incident occurs, must have the vaccine made available to them as soon as possible but in no event later than **24 hours after the exposure incident**. If an exposure incident as defined in the standard has taken place, other post-exposure follow-up procedures must be initiated immediately, per the requirements of the standard.

What is an exposure control plan?

The exposure control plan is the employer's written program That outlines the protective measures an employer will take to eliminate or minimize employee exposure to blood and OPIM.

The exposure control plan must contain at a minimum:

1. The exposure determination which identifies job classifications and, in some cases, tasks and procedures where there is occupational exposure to blood and OPIM;

2. The procedures for evaluating the circumstances surrounding an exposure incident; and
3. A schedule of how and when other provisions of the standard will be implemented, including methods of compliance, HIV and HBV research laboratories and production facilities requirements, hepatitis B vaccination and post-exposure follow-up, communication of hazards to employees, and recordkeeping.

In the exposure control plan, are employers required to list specific tasks that place the employee at risk for all job classifications?

No. If all the employees within a specific job classification perform duties where occupational exposure occurs, then a list of specific tasks and procedures is not required for that job classification. However, the job classification (e.g., "nurse") must be listed in the plan's exposure determination and all employees within the job classification must be included under the requirements of the standard.

Does the exposure control plan need to be a separate document?

No. The exposure control plan may be part of another document, such as the facility's health and safety manual, as long as all components are included. However, in order for the plan to be accessible to employees, it must be a cohesive entity by itself or there must be a guiding document which states the overall policy and goals and references the elements of existing separate policies that comprise the plan. For small facilities, the plan's schedule and method of implementation of the standard may be an annotated copy of the final standard that states on the document when and how the provisions of the standard will be implemented. Larger facilities could develop a broad facility program, incorporating provisions from the standard that apply to their establishments.

How often must the exposure control plan be reviewed?

The standard requires an annual review of the exposure control plan. In addition, whenever changes in tasks, procedures, or employee positions affect or create new occupational exposure, the existing plan must be reviewed and updated accordingly.

Must the exposure control plan be accessible to employees?

Yes, the exposure control plan must be accessible to employees, as well as to OSHA and NIOSH representatives. The location of the plan may be adapted to the circumstances of a particular workplace, provided that employees can access a copy at the workplace during the work shift. If the plan is maintained solely on computer, employees must be trained to operate the computer. A hard copy of the exposure control plan must be provided within 15 working days of the employee's request in accordance with 29 CFR 1910.1020.

What should be included in the procedure for evaluating an exposure incident?

The procedure for evaluating an exposure incident shall include:

- The engineering controls and work practices in place
- The protective equipment or clothing used at the time of the exposure incident
- An evaluation of the policies and "failures of controls" at the time of the exposure incident.

Universal Precautions

What is meant by the term Universal Precautions?

Universal Precautions is OSHA's required method of control to protect employees from exposure to all human blood and OPIM. The term, "Universal Precautions," refers to a concept of bloodborne disease control which requires that all human blood and certain human body fluids are treated as if known to be infectious for HIV, HBV, and other bloodborne pathogens.

What alternatives are acceptable if soap and running water are not available for handwashing?

Antiseptic hand cleaner in conjunction with clean cloth/paper towels or antiseptic towelettes are examples of acceptable alternatives to running water. However, when these types of alternatives are used, employees must wash their hands (or other affected areas) with soap and running water as soon as feasible. This alternative would only be acceptable at worksites where soap and running water are not feasible.

When should gloves be changed?

Disposable gloves shall be replaced as soon as practical after they have become contaminated, or as soon as feasible if they are torn, punctured, or their ability to function as a barrier is compromised. Hands must be washed after the removal of gloves used as PPE, whether or not the gloves are visibly contaminated.

What are some alternatives when an employee is allergic to the gloves provided?

Hypoallergenic gloves, glove liners, powderless gloves or other similar alternatives must be provided for employees who are allergic to the gloves that are normally provided.

What does OSHA mean by the term "contaminated laundry"?

Contaminated laundry means laundry which has been soiled with blood or other potentially infectious materials or may contain sharps.

How should contaminated laundry be handled?

Contaminated laundry shall be handled as little as possible with a minimum of agitation. Contaminated laundry shall be bagged or containerized at the location where it was used and shall not be sorted or rinsed in the location of use. Other requirements include:

- Contaminated laundry shall be placed and transported in bags containers labeled or color-coded in accordance with paragraph (g)(1)(i) of the standard. When a facility utilizes Universal Precautions in the handling of all soiled laundry, alternative labeling or color-coding is sufficient if it permits all employees to recognize the containers as requiring compliance with Universal Precautions.
- Whenever contaminated laundry is wet and presents a reasonable likelihood of soak-through or leakage from the bag or container, the laundry shall be placed and transported in bags or containers which prevent soak-through and/or leakage of fluids to the exterior.

- The employer shall ensure that employees who have contact with contaminated laundry wear protective gloves and other appropriate personal protective equipment.
- When a facility ships contaminated laundry off-site to a second facility which does not utilize Universal Precautions in the handling of all laundry, the facility generating the contaminated laundry must place such laundry in bags or containers which are labeled or color-coded in accordance with paragraph (g)(1)(i) of the standard.

Which employees must be trained?

All employees with occupational exposure must receive initial and annual training.

Should part-time and temporary employees be trained?

Part-time and temporary employees are covered and are also to be trained on company time.

What are the qualifications that a person must possess in order to conduct employee training regarding bloodborne pathogens?

The person conducting the training is required to be knowledgeable in the subject matter covered by the elements in the training program and be familiar with how the course topics apply to the workplace that the training will address. The trainer must demonstrate expertise in the area of occupational hazards of bloodborne pathogens.

Where could information be obtained for conducting training on the Bloodborne Pathogens Standard?

OSHA's Office of Information and Consumer Affairs (OICA) has developed brochures, factsheets, and a videotape on the standard. Single copies of the brochure and factsheets can be obtained by writing OSHA Publications, 200 Constitution Avenue, NW, Room N3101, Washington, DC 20210 or by calling (202) 219-8148 the videotape is available through the National Audio Visual Center, and the number is (301) 763-1896. All information available through OICA should be used as a supplement to the employer's training program. Other sources of information include local Area and Regional OSHA Offices. In addition, each Regional Office has a Bloodborne Pathogens Coordinator who answers compliance and related questions on the standard.

Who are some examples of persons who could conduct training on the bloodborne standard?

Examples of health care professionals include infection control practitioners, nurse practitioners, and registered nurses. Non-health care professionals include industrial hygienists, epidemiologists or professional trainers, provided that they can demonstrate evidence of specialized training in the area of bloodborne pathogens.

What is included in the training record?

The training record contains the dates of the training, the contents or a summary of the training sessions, the names and job titles of all persons attending the training, and the names and qualifications of the persons conducting the training.

How long must the training records be kept?

Training records must be retained for 3 years from the training date.

Appendix Q-Authorized Fundraising Activities

The Public Buildings Cooperative Use Act of 1976, 40 U.S.C 60(a), authorizes fundraising in public areas on Federal property, auditoriums, cafeterias, lobbies, foyers--during and after working hours if the activities can be classified as one of the following:

- Cultural: film, drama, dance, musical, and fine arts programs.
- Educational: library operations, lectures, demonstrations.
- Recreational: athletic events.

Examples of fundraising activities allowable on Federal property include art auctions, talent shows, film presentations, fashion shows, concerts, plays, lectures, dance recitals, book sales, walk/run events (1K, 5K, 10K), “celebrity” athletic events, and sports tournaments.

Fundraising activities that do not fit the definition of a cultural, educational, or recreational activity, are allowable on Federal property if sponsored by on-site child care centers or recognized Federal employee associations ([see 41 CFR 102-74.410 - What is the policy concerning soliciting, vending and debt collection?](#)) Examples include bake sales, jewelry sales, t-shirt sales, employee fairs or bazaars, or cookbook sales.

ADDITIONAL REQUIREMENTS

[41C.F.R. 102-74.395](#) prohibits gambling on Federal property. Gambling includes lotteries, pools, and raffles. To have an event of this type, center parents, board members, and staff would have to sell tickets and hold lotteries, pools, or raffles off Federal property. They are expressly prohibited from selling tickets on Federal property or soliciting Federal employees while on their jobs.

[41C.F.R.102-74.405](#) prohibits the use of alcoholic beverages, except “upon occasions and on property upon which the head of the responsible agency or his or her designee has for appropriate official uses granted an exemption in writing. Contact your agency management and building manager or landlord for guidance before planning a fundraising event at which alcoholic beverages would be served.

ADVERTISING ON FEDERAL PROPERTY

A child care center may advertise its fundraising events on Federal property even if the event itself will be held off Federal property. It may advertise the event by displaying fliers, pamphlets, or posters on authorized bulletin board or distributing materials in Federal building public arena.

A permit generally is not required for displaying materials on authorized bulletin boards. Again, consult your agency management and building manager for guidance.

To distribute materials in public parts of General Services Administration (GSA)-controlled buildings, the center must obtain a permit from the buildings manager pursuant to [41C.F.R. 102-74.415](#). Centers in non-GSA space should contact their respective buildings manager for proper procedures.

PERMITTING

Child care centers can conduct fundraising activities in the public areas of Federal buildings at times other than during the Combined Federal Campaign if a permit is obtained from the building manager to use the space. A child care center intending to conduct a specific fundraising event should contact the building manager well in advance for specific permitting instructions. For each fundraising event held in public areas of a GSA-controlled property, child care center representatives must file a permit application with the GSA facility manager (pursuant to [41C.F.R. Section 102-74.465](#)).

To obtain a permit, applicants must submit the following information:

- (a) Their full names, mailing addresses, and telephone numbers.
- (b) The organization sponsoring the proposed activity.
- (c) The individual(s) responsible for supervising the activity.
- (d) Documentation showing that the applicant has authority to represent the sponsoring organization.
- (e) A description of the proposed activity, including the dates and times during which it is to be conducted and the number of persons to be involved.

Additionally, the fundraising organization must submit a signed statement that:

- The applicant is a representative of and will be soliciting funds for the sole benefit of the center.
- The fundraising organization has received an official ruling of tax-exempt status from the Internal Revenue Service under 26 U.S.C 50 or, alternatively, that an application for such a ruling is still in process (pursuant to [41 CFR 102-74.475](#))

If the fundraising organization does not have nonprofit status, it cannot use public space on Federal property for fundraising unless:

- The child care center vendor is incorporated and certified as a tax-exempt organization, or the fundraising organization affiliates with an employee organization, which could accept and disburse funds on the center's behalf. (Employee associations and agency volunteer committees can be valuable resources for child care center fundraising activities.). It conducts fundraising activities within the licensed assigned child care space. It is not necessary to obtain a permit to conduct an activity within the center's space. (Permits are only granted for the use

of public areas of the building and a child care center is not a public area.) When the center receives a revocable license for use of the space within the Federal building pursuant to GSA Form 1582, the center is authorized to conduct whatever activities are stipulated and necessary to pursue the purpose of the license and required to comply with all rules, orders, regulations and requirements of the Government.

A child care center organized on a for-profit basis is not allowed to fundraise for its own operations even within the child care center.

Appendix R-Fundraising GSA Legal Opinion

January 16, 2003

MEMORANDUM FOR EILEEN STERN

DIRECTOR
OFFICE OF CHILD CARE (PK)

FROM:

LESLY P. WILSON 
SENIOR ASSISTANT GENERAL COUNSEL
GENERAL LAW DIVISION (LG)

SUBJECT:

Concerns of the Ziggurat Child Development Center

This memorandum is in response to your questions relating to the Ziggurat Child Development Center concerning fundraising by the child care center, the use of those funds and other issues pertaining to the operation and participation by various parent groups at the Center.

Generally speaking, the GSA building regulations prohibit individuals from soliciting commercial or political donations, vending merchandise of all kinds, displaying or distributing commercial advertising, or collecting private debts. 41 CFR 102-74.410 (formerly section 41 CFR 101-20.308). Subsection (a) of that section states however, that these restrictions are not applicable to 'national or local drives for funds for welfare, health or other purposes as authorized by 5 CFR part 950, entitled 'Solicitation of Federal Civilian And Uniformed Service Personnel For Contributions To Private Voluntary Organizations,' and sponsored or approved by the occupant agencies.'

In a letter dated January 24, 1992, the Office of Personnel Management stated that although the regulations for the Combined Federal Campaign (CFC), 5 CFR Section 950.102, limits fundraising in the Federal workplace to the annual CFC, there is an exception to this limitation that applies to child care centers. In the letter OPM cites Section 7 of Executive Order 12353, as amended, which allows:

'solicitations conducted by organizations composed of civilian employees or members of the uniformed services among their own members for organizational support or for the benefit of welfare funds for their members.'

OPM concluded that child care centers located at Federal installations fall within this exception and therefore special solicitations may be conducted on their behalf under the policies and procedures approved by the head of the Department or agency. It is our opinion, therefore, that child care centers can conduct fundraising activities in the public areas of Federal buildings at times other than during the Combined Federal Campaign if a permit is obtained from the building manager to use the space.

To obtain a permit, an organization must submit an application which includes the following information:

1. Name, address and telephone number
2. The organization sponsoring the proposed activity
3. The individual responsible for supervising the activity
4. Documentation that the applicant has authority to represent the sponsoring organization
5. A description of the proposed activity.

42 CFR 102-74.470.

If funds are to be solicited, the applicant must also certify in writing that the organization has received an official ruling of tax-exempt status from the IRS under 26 U.S.C. 501(c)(3). 42 CFR 102-74.475. Consequently, if the child care center wishes to hold a fundraiser in the Federal building, the sponsor must have a tax-exempt designation from the IRS, or have applied for non-profit status. Because of this requirement, for-profit centers must have a non-profit board to be the sponsoring agent for the fundraiser. If the center itself is certified as a non-profit entity, it could sponsor the fundraiser. If a parent advisory committee or some other representative parent group of the center wishes to sponsor a fundraiser, the group which holds the non-profit designation, such as the board, must participate in the fundraiser in order to obtain the permit to use the space. In order to hold a fundraiser in the building if the center does not have a non-profit board and the center itself does not have a non-profit status, the center must have the sponsorship of an employee association or other non-profit group designated by the agency to sponsor fundraising activities within the building.

The authority to do fundraising within a Federal building does not restrict the center to conducting such activities as a bake sale. Under this authority, the center could decide to sponsor a fundraising event involving a sale by a commercial vendor where the child care center receives a portion of the proceeds. The decision whether to sponsor a particular vendor and the percentage of proceeds earmarked for the child care center should be made solely by the child care center and not the government as long as the activities being engaged in do not reflect negatively on the agency.

Since the CFC rules recognize that civilian employees may conduct solicitations among themselves for organizational support or for the benefit of welfare funds for their members, it would also seem appropriate to allow a parent group, in addition to the board, to conduct fundraising among the parents within the center itself. It is not necessary to obtain a permit to conduct an activity within the center's space. (Permits are only granted for the use of public areas of the building and a child care center is not a public area. See 41 CFR 102-74.465) When the center receives a revocable license for use of the space within the Federal building pursuant to GSA Form 1582, the center is authorized to conduct whatever activities are stipulated and necessary to pursue the purpose of the license and required to comply with all rules, orders, regulations and

requirements of the Government. Legally the center has the authority to conduct fund raising activities within the public areas of the building. Consequently, it follows that the center also has the authority to conduct fund raising activities within the confines of the space that is designated in the license agreement. It is, of course, possible for the parties to agree in the contract between the board and the provider that fund raising will not be conducted within the child care center's space.

With regard to the uses of the money obtained through fundraising, GSA has traditionally taken the position that all fundraising was to be used for the tuition assistance programs that are required in the Special Conditions to the License Agreement. (See, Board of Directors Child Care Resource Book, Appendix J) These funds were to be used in addition to the funds that may be received by the center through the subsidy program authorized by the Morella Amendment and codified in 40 U.S.C. 590(g). GSA also recognizes that fund raising may be used to assist the center in providing special programs and other activities for the children as enhancements to the general program of the provider. It was not anticipated that these funds were to be used to enhance salaries or provide bonuses for staff members. There is nothing, however, that would prevent individual parents from privately giving a bonus to staff members if they chose to do so.

You have also questioned the potential conflict of interest of members of the board who are also government employees. Generally, 18 U.S.C. 205 is not violated when a government employee sits on the board of directors of any cooperative, voluntary, professional, recreational, or similar organization or group not established or operated for profit, if a majority of the organization's or group's members are current officers or employees of the United States or of the District of Columbia, or their spouses or dependent children, and the representation is not inconsistent with the faithful performance of the employee's duties. Simply stated, government employees may act as a representative on a non-profit board and may communicate with Federal departments and agencies concerning the organization if the majority of the members of that board are also government employees as long as there is no conflict with their official capacity. However, Subsection 205(d)(2) specifically prohibits an employee from representing an employee organization, which would include a child care center, back to the government

- 1) when the representation involves claims against the Government;
- 2) when there are formal adversarial matters where the organization or group is a party and
- 3) when the employee is lobbying for grants, contracts and cash on behalf of the organization.

If the member of the Board held a government position that was responsible for funding for the center or for any decisions related to renovation or alteration of the space there may be, at a minimum, the appearance of an impropriety. We would suggest that any employee that may act in these roles in their official capacity consult the applicable Office of General Counsel for a review of the matter.

Please feel free to contact me if you have any additional questions concerning this matter.

Appendix S-OPM Fundraising Legal Opinion

OPM Fundraising Authority Memo

October 29, 1999, the United States Office of Personnel Management (OPM) Director of Office of Workforce Relations, Steven R. Cohen, wrote to Directors of Personnel and stated the following:

The purpose of this memorandum is to restate guidance previously issued by OPM to address two questions related to fundraising for child care on federal property:

- (1) Can fundraising activities for child care centers located on Federal installations be conducted? And
- (2) Are there restrictions about such fundraising activities during the Combined Federal Campaign (CFC)?

Because the Federal Government has recognized the importance of developmentally appropriate child care for Federal employee, many child care centers have been established at Federal installations. These centers provide accessibility to child care to increasing numbers of Federal employees. However, many families are unable to afford the tuition rates at the child care centers their agencies sponsor.

In an effort to financially assist as many families as possible, child care centers have applied for and received eligibility in the CFC. In addition, some centers have requested permission to conduct additional charitable fundraising activities beyond the CFC donations.

While Section 950.102 of the CFC regulations at 5 CFR part 950 limits fundraising in the federal workplace to the annual CFC, there is an exception to this limitation on solicitations that applies to child care centers. Section 7 of Executive Order 12353 (as amended) allows "solicitations conducted by organizations composed of civilian employees or members of the uniformed services among their own members for organizational support for the benefit of welfare funds for their members. Such solicitations shall be conducted under the policies and procedures approved by the head of the department or agency concerned."

We have determined that child care centers located at Federal installations fall within this exception and, therefore, special solicitations may be conducted under the policies and procedures approved by the head of the department or agency that sponsors the child care center. One important requirement is that the department or agency's standards of conduct and any restrictions of the Office of Government Ethics regarding fundraising should be reviewed carefully.

In conformity with the Office of Personnel Management's longstanding position that other charitable solicitation should not be conducted during the CFC campaign, we are requiring that such solicitations not take place during the fall of each year when the local CFC campaigns are in progress.

Nothing in this memorandum is meant to limit the opportunities for child care centers to seek support from non-Federal sources, from Federal employees outside the workplace, or to limit the opportunity for a Federal employee in a private capacity to support the centers. If you have questions, please call the Family-Friendly Workplace Advocacy Office, (202) 506-5520

Please see your Regional Child Care Coordinator for a copy of the original memo.

Appendix T: Marketing Plan

Insert here

Center Marketing Plan to Federal Employees