

FACILITIES

Adequate and well maintained Pre-K for All facilities are an essential foundation for ensuring high-quality instruction in and out of the classroom.

What You Need to Know

INDOOR FACILITY REQUIREMENTS

The indoor space at your pre-K program must be safe for children and provide a high-quality, comfortable learning environment.

Indoor facilities at your pre-K program must:

- Be in good repair. This means that:
 - The indoor space must not present any health and safety risks such as:
 - Tripping hazards
 - Sharp corners or edges
 - There should be no substantial damage to the walls, ceiling, floors, floor covering, furniture, or other features of the space.

- Be in good sanitary condition. This means that:
 - Classroom floors, floor coverings, and other surfaces should be cleaned regularly and whenever they become dirty.
 - Tables should be washed thoroughly after meal time and whenever there is a spill.
 - Trash is not stored in areas accessible to children and families and is removed from the site regularly.
 - Instructional materials and furniture (e.g. easels) should be cleaned regularly and whenever they become dirty.

- Provide sufficient space for children, adults, and furnishings. Specifically:
 - A minimum of 30 square feet per child of usable indoor space must be available in the classroom. *For example, if 18 children are enrolled in a Pre-K for All class, at least 540 square feet of usable indoor space must be available.*
 - During meal and snack time, there should be enough room for staff to walk between the tables while children are seated.
 - Centers must have enough space for instructional materials and for children to play.
 - *Please see the Classroom Furniture and Instructional Materials section of the Policy Handbook for more information.*

OUTDOOR PLAY SPACE

Pre-K for All children must have access to space where they can use their large muscles for at least 60 minutes a day.

You are required to provide outdoor play space that is:

- Located on site, or
- Located within a 2 block radius* of your site, with no major highway or other physical barriers that may pose a safety risk

*Note – The 2 block radius requirement does not apply to classrooms funded through EarlyLearn NYC. Please contact your ACS Operations Manager for more information.

If no outdoor play space is available, you must provide a DECE approved indoor play space and, if possible, provide community walks for students.

To ensure the health and safety of pre-K students, outdoor play areas must be maintained and in good condition.

In all cases, outdoor play space **must** meet the following requirements:

- Be enclosed by climb-proof fencing that is a minimum of 5 feet high
 - No razor or barbed wire can be used at the top of the fence unless it is more than 6 ½ feet high.
- Free of broken glass and other debris.
- Free of poisonous vegetation, and other hazards.
- Rooftop play areas can be provided in fireproof buildings only and must be approved by the DECE, the Department of Buildings, and the Fire Department.
 - Rooftop play areas must be enclosed by a climb-proof fence that is at least 10 feet high with an additional 45° inwardly angled panel.

All equipment in an outdoor play space **must**:

- Be in good repair and free from hazards, such as sharp edges.
- Be free of toxic or poisonous finishes or materials, such as lead and arsenic.
- Provide adequate fall zones and cushioning should children fall off the equipment.

GENERAL FACILITY-RELATED SAFETY REQUIREMENTS

It is important that you comply with all applicable facilities requirements of your licensing agency (e.g. DOHMH), the [NYC Building Code](#), [NYC Fire Code](#), your Pre-K for All contract, and all other applicable city, state, and federal regulations.

Table 1 on the following page provides detailed information in response to frequently asked questions regarding facilities requirements. You must comply with all facility requirements of your licensing agency and other applicable regulations.

**Table 1: Facility Safety Requirements
Child Care (Article 47 DOHMH) and School-Based (Article 43 DOHMH) Providers**

Location of Pre-K for All Classrooms in the Building	You may not operate your pre-K program above the <u>third</u> floor or in the basement of a building unless you have received approval from the DOHMH and the NYCDOE.
Modes of Egress	Your facility must have at least two mode of egress (<u>not including fire escapes</u>) that provide access out of the building. Egress paths should be free and clear of any obstructions.
Fire Extinguishers	A minimum of two fire extinguishers must be located on each floor and inspected twice a year.
Posting of Fire Exits	A floor plan must be posted in the lobby showing the location of all fire exits. Each classroom and hallway must have an egress plan posted, showing both paths to safe egress. All exits should have clear and illuminated exit signs.
Fire and carbon monoxide detection systems	Each facility must have a minimum of one smoke detector and one carbon monoxide detector for every six classes. Detectors must be located on each floor and must be installed in the hallways.
Protective guards/coverings	Required for all windows, (including those in hallways and stairwells), columns, radiators, pipes, and poles.
Stairways	Stairways used by children must be equipped with protective barriers and low banisters or handrails.
Finishing and Materials	Walls, ceilings, and floors must be finished with non-toxic finishes, constructed of materials enabling thorough cleaning, and maintained in good repair, with no holes, missing tiles, peeling plaster, or other defects.
Asbestos	You must comply with all applicable federal, state, and local laws and regulations regarding the inspection, containment and removal of friable asbestos containing materials. You must ensure that facilities do not contain any contaminants and other environmental health risks.
Lead-Based Paint	All walls, furniture, and equipment must be free of lead-based finishes.
Storage of Cleaning Supplies	All cleaning supplies must be stored in their original containers and kept in places that are locked and inaccessible to children.
Furniture/Play Space	All furniture and play equipment must be in good repair and free from hazards such as sharp edges, pointed parts, toxic, or poisonous finishes.

**For more information on Group Family Day Care facilities requirements please see Appendix A.*

FACILITY REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT (ADA)

You must comply with all facilities requirements of the Americans with Disabilities Act (ADA).

The ADA requires that you do not discriminate against persons with disabilities. That is, you must provide children and families with disabilities with an equal opportunity to participate in your Pre-K for All program and services. Specifically:

- You cannot exclude children with disabilities from your program.
- You must make reasonable modifications to your facility to integrate children with disabilities into your program.
- You must generally make your facilities accessible to persons with disabilities.

You must be in **readily achievable compliance** with the [ADA Standards for Accessible Design \(fully accessible\)](#) if your building was constructed prior to January 26, 1993. You must be in **strict compliance** if your building was constructed after January 26, 1993.

If Your Facility was Constructed Prior to January 26, 1993

You must make every effort possible to allow people with disabilities to have access to your facilities. Reasonable modifications may include, but are not limited to:

- Installing offset hinges to widen a door opening
- Installing grab bars in toilet stalls
- Rearranging furniture to allow a child in a wheelchair to participate in the program

If Your Facility was Constructed After January 26, 1993

You must meet the Standards for Accessible Design. Key requirements include having:

- Accessible ground and elevated outdoor play spaces
- Accessible routes, ramps, and transfer systems to facilities and play spaces
- Wide entryways to allow for wheelchair access

Frequently Asked Questions

1. During Pre-K for All hours, can children or adults not assigned to a pre-K classroom utilize the classroom space for non-pre-K related activities?

No, during Pre-K for All hours, pre-K classrooms must be utilized exclusively by students and staff assigned to that Pre-K for All class, including students in approved mixed age classrooms.

2. How must teachers store cleaning products and/or hazardous materials?

Cleaning products containing hazardous materials must be stored in teachers' closets/cabinets and locked from the outside. The cleaning products must be put away and locked immediately after use.

3. Is there a classroom temperature that must be maintained?

Yes. Classrooms must be between 68 and 72 degrees Fahrenheit during cold weather (defined as an outside temperature of 55 degrees Fahrenheit or below).

During hot weather, you need to maintain a comfortable indoor air temperature for your staff and students. If outdoor temperatures reach a “Danger” or “Extreme Danger” on the NOAA’s National Weather Service Heat Index (see below), and you do not have a way to maintain cool indoor air temperatures, you should consider closing for the day to ensure the health and safety of your students and staff.

Please see the Calendar/Hours section of the Policy Handbook for more guidance on what to do if your program closes due to inclement weather.

NOAA's National Weather Service

Heat Index

Temperature (°F)

	80	82	84	86	88	90	92	94	96	98	100	102	104	106	108	110
40	80	81	83	85	88	91	94	97	101	105	109	114	119	124	130	136
45	80	82	84	87	89	93	96	100	104	109	114	119	124	130	137	
50	81	83	85	88	91	95	99	103	108	113	118	124	131	137		
55	81	84	86	89	93	97	101	106	112	117	124	130	137			
60	82	84	88	91	95	100	105	110	116	123	129	137				
65	82	85	89	93	98	103	108	114	121	128	136					
70	83	86	90	95	100	105	112	119	126	134						
75	84	88	92	97	103	109	116	124	132							
80	84	89	94	100	106	113	121	129								
85	85	90	96	102	110	117	126	135								
90	86	91	98	105	113	122	131									
95	86	93	100	108	117	127										
100	87	95	103	112	121	132										

Likelihood of Heat Disorders with Prolonged Exposure or Strenuous Activity

Caution
 Extreme Caution
 Danger
 Extreme Danger

4. When is it appropriate to cancel outdoor play?

Adequate periods of outdoor play shall be provided daily for all children. Children should not play outside on days when there is ice on the playground. Low temperatures should not be a barrier to outside play, as long as children are appropriately dressed. In inclement weather, active play shall be encouraged and supported in safe indoor play areas.

In instances of extreme heat, you are encouraged to utilize the NOAA’s National Weather Service Heat Index (see above) to determine if outdoor play is appropriate. You should use caution when taking students out in the heat and should make sure they are hydrated and in the shade (if available).

Considerations When Developing an Outdoor Play Policy

In developing a policy for when it is appropriate for children to be outside, you should consider the following:

- The DECE encourages programs to follow the recommendations of the New York City Office of Emergency Management or the National Weather Service when inclement weather is predicted.
- The Early Childhood Environment Rating Scale – Revised (ECERS-R), one of the DECE’s primary tools for assessing program quality, recommends that programs minimize the days when children are unable to play outside.
- Children should be dressed properly and be allowed to play outdoors unless there is a “danger associated with the outdoor exposure.”
- You should be flexible where there is bad weather and, if necessary, try to reschedule play time for a different time of the day.

Appendix A: Group Family Day Care Facility Safety Requirements

It is important that you understand all applicable facilities requirements of the [New York State Office of Children and Family Services \(OCFS\)](#), the [NYC Building Code](#), [NYC Fire Code](#), your Pre-K for All contract, and all other applicable city, state, and federal regulations.

Table 2 provides detailed information in response to frequently asked questions regarding facilities requirements for GFDCs. You must comply with all facility requirements of your licensing agency and other applicable regulations.

Table 2: GFDC Facility Safety Requirements

Location of Pre-K for All Classrooms in the Building	Programs can operate up to the 5 th floor in an apartment building. Programs cannot operate above the 2 nd floor of a single family dwelling.
Modes of Egress	You must have two modes of egress. Fire escapes are considered a mode of egress.
Fire Extinguishers	Multi-purpose fire extinguishers approved to be used in residences must be maintained in good working condition and placed in the kitchen and outside the furnace room. Fire extinguishers with gauges must show a full charge and fire extinguishers with seals must have unbroken seals.
Emergency Evacuation	The emergency evacuation diagram must be posted in a visible location. The emergency evacuation diagram must include a designation of primary and secondary evacuation routes and methods of evacuation.
Fire and carbon Monoxide Detection Systems	There must be an operational smoke detector on each floor of a program. In addition, there must be a smoke detector located either within rooms where children nap, or in adjoining rooms if there is no door.
Protective Guards/Coverings	Radiators and pipes located in rooms occupied by children must be covered to protect the children from injury when the heating system is in use. Windows above the first floor, other than those identified for emergency evacuation, that are accessible to children must be protected by permanent carriers or restrictive locking devices which prevent a window from opening fully.
Stairways	Barriers, porches, decks, or stairs with more than two steps must have railings with a barrier extending to the floor or ground to prevent children from falling. Acceptable types of barriers include, but are not limited to, balusters, intermediate rails, and heavy screening.

Finishing and Materials	Toxic paints or finishes must not be used on room surfaces, furniture, or any other equipment, materials, or furnishings which may be used by children or are within their reach.
Asbestos	Programs must comply with all applicable federal, state, and local laws and regulations regarding the inspection, containment and removal of friable asbestos containing materials. Programs must ensure that facilities do not contain any contaminants and other environmental health risks.
Lead-Based Paint	All walls, furniture, and equipment must be free of lead-based finishes.
Storage of Cleaning Supplies	Cleaning materials must be stored in their original containers unless the product's use or your Health Plan indicates the product be mixed with water before use. In this case, the container used for the mixed product must state the name of the cleaning material. Cleaning materials must not contaminate play surfaces, food, or food preparation areas, or constitute a hazard to children. They must also be kept in a place inaccessible to children.
Furniture/Play Space	Programs must ensure furniture and play spaces are in safe locations and used specifically for their intended purpose. Materials and equipment used by children must be sturdy and free from rough edges and sharp corners.