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CHILDREN, YOUTH AND FAMILIES

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## INTERPRETIVE MEMORANDUM 2011-02

TO: Colorado Part Day Pre-School Programs Operated at School District Campuses

FROM: David A. Collins, Associate Director, Division of Child Care

APPROVED BY: Rosemarie Allen, Director, Division of Child Care. 

DATE: May 16, 2011

RE: § 7.702.83; School District Based Part-Day Preschool Playgrounds

It has come to the attention of the Division of Child Care that Colorado school districts operating part-day pre-school programs have difficulty maintaining compliance with rules regulating the space requirements for playgrounds found at § 7.702.83. The specific regulations addressed by this memorandum are:

1. 7.702.83(B)(3) - The play area must be fenced or have natural barriers, such as hedges or stationary walls at least 4 feet high, to restrict children from unsafe areas.
2. 7.702.83(B)(6) - A shaded area in the fenced play area of at least 150 square feet must be provided by means of trees or other cover to guard children against the hazards of excessive sun and heat.

Many schools have perimeter fencing around the physical boundaries of the campus, but do not have internal fencing around playgrounds. Additionally, these school sites often do not have shaded areas near the playground. These two issues have lead to part-day preschool facilities to be cited in Reports of Inspection for failing to comply with 7.702.83(B)(3), and (6).

As a remedy, the Memorandum is intended to prevent citation for regulatory violation of 7.702.83(B)(3), and (6) where part-day preschool playgrounds do not meet the fencing and shade requirements by allowing part-day pre-school facilities to continue operation in violation of 7.702.83(B)(3), and (6) with the following conditions:

1. Staff ratios shall be reduced on the playground to one (1) staff to eight (8) children; and
2. Part-Day Preschool children shall not be permitted to play outside for longer than thirty (30) minutes where no sunshade is available.

If the rules regulating child care centers are amended to affect the minimum duration of time children shall spend playing outside, this memorandum will remain in effect insofar as it limits outdoor play for school district facilities operated at school sites where shade is not available during playground use.

Where an individual school without permanent shade erects temporary shade covering at least an area of one-hundred and fifty feet (150), close in proximity to the playground, part-day preschool programs may allow children to utilize the program for time durations consistent with current rules and future rule-making.