

<http://dcf.vermont.gov/cdd>

## Memorandum

**To:** Registered and Licensed Family Child Care Home Providers (FCCH)  
Center Based Child Care and Preschool Programs (CBCCPP)

**From:** Reeva Murphy, DCF Deputy Commissioner for Child Development

**Subject:** Supervision of Children with Special Needs Receiving Services from Partner Staff

**Date:** October 6, 2016

**Cc:** Jennifer Benedict, Commissioner Ken Schatz, Secretary Rebecca Holcombe, Amy Fowler,  
Secretary Hal Cohen

This memo is to provide clarification regarding children with special needs receiving services from Partner Staff in regulated child care and preschool programs. Partner staff are defined in Section 2 *as a person employed by another entity, other than the FCCH/CBCCPP, who works with a child or group of children within the FCCH/CBCCPP*. Since these individuals are not employed by the Licensee, the regulations do not require Partner staff to comply with background checks, staff records, orientation and training or any of the other requirements that apply to staff employed by the program. Therefore, as indicated in CBCCPP 6.2.1.7 and FCCH 6.2.2.7 *Partner staff shall not be left alone with children and shall not count in staff/child ratios at the [Program]*.

Partner staff may include specialists such as Speech and Language Therapists, Physical Therapists and Occupational Therapists who provide services to children with special needs as part of an IEP, a CIS One Plan, or the equivalent. As indicated in FCCH 3.4 and CBCCPP 3.5 (non-discriminatory enrollment) and Sections 5.9 and 6.3 the regulations require programs to include and accommodate children with special needs and make every effort to ensure they receive appropriate services. Programs shall not prohibit specialists from providing on-site services to children with special needs enrolled in regulated programs.

Sometimes specialists may provide services in the classroom as part of the child's usual routine so that supervision by program staff is provided. If a specialist determines that a quieter space outside the classroom is a better environment for their services, and the program has such space available, programs may use the signing out process to accommodate this. With written parental permission provided one time on the release form in the child's file, a partner staff may sign the child out of the classroom, take the child to a separate space to provide services, then return the child to the classroom and sign them back in. This provides clarity on who is responsible for supervision of the child while program staff are not present.

If you have any questions or concerns about these accommodations for children with special needs, please contact your Licensing Field Specialist.

