

.21 OUTDOOR SAFETY

A. The provider shall have ample, accessible space for outdoor activity which is free from conditions that may be dangerous to the health or safety of children in care.

INTENT: There must be an outdoor area at or near your home where each child is able to engage in suitable recreational activities without risk of harm.

INSPECTION REPORT ITEM: "Ample, accessible, safe outdoor space"

COMPLIANCE CRITERIA:

- The outdoor activity area is large enough to allow each child to engage in age-appropriate activities.
- The activity area is either on-site or can be reached quickly and safely on foot by the children.
- Children can jump, run, and play games without bumping into each other, fences, trees, or outdoor furniture.
- Within the outdoor activity area:
 - There are no potentially dangerous objects or conditions such as, but not limited to:
 - ◇ Broken glass or other debris,
 - ◇ Exposed nails, screws, or bolts,
 - ◇ Sticker bushes or overgrown weeds,
 - ◇ Lawn mowers and gardening tools,
 - ◇ Motorcycles, cars, and other vehicles,
 - ◇ Heating/air conditioning units
 - ◇ Pool filters
 - ◇ Stairwells or window-wells,
 - ◇ Holes in the ground, and
 - ◇ Herbicides and other chemical lawn treatments considered hazardous to children by the Maryland Department of the Environment;
 - There are no pets or animals that may pose a risk to the children, and no pet-waste is present (see Notes below); and
 - Any potentially dangerous object or condition that is present is made inaccessible to children by means of a suitable fence, enclosure, or other barrier (see Notes below).

ASSESSMENT METHOD: Observation of the outdoor activity area.

Notes:

- Pets and Animals - If you keep a pet or other animal at your home, you must ensure that it does not present any health or safety risk to children using the outdoor activity area. For guidance on keeping pets and animals in a child care environment, see Circular Letter [96-09](#), "Animals in Child Care Facilities."
- Barriers - For guidance on barrier requirements, see Circular Letter [97-06](#), "Barriers to Protect Children from Life-Threatening Safety Hazards."

B. The provider or substitute may not allow a child to play on climbing equipment from which the child could fall 7 feet or more to the ground.

INTENT: Child participation in an activity that may result in a fall to the ground of 7 or more feet is prohibited because the fall is likely to cause serious injury or death.

INSPECTION REPORT ITEM: "Climbing equipment less than 7 feet"

COMPLIANCE CRITERIA: No activity is permitted that may result in a fall to the ground of 7 or more feet.

ASSESSMENT METHOD: Measurement of potential fall distances. Observation during activity. If observation is not possible, discussion with the provider or substitute to determine how the compliance criteria are met.

C. During an outdoor activity, the provider or substitute may not allow a child to:

- (1) Use unsafe activity equipment;**
- (2) Use activity equipment in an unsafe manner; or**
- (3) Wear a clothing item or accessory that may pose a hazard to the child while engaged in the activity.**

INTENT: You must ensure that outdoor recreation equipment is safe and used appropriately, and that no child is wearing anything that might be dangerous to the child during the activity.

INSPECTION REPORT ITEM: "Safe attire and equipment, used safely"

COMPLIANCE CRITERIA:

- All outdoor activity equipment is:
 - Safe (suitable for use by children, in good physical condition, free of sharp edges or points, installed properly if installation is required)
 - Used as intended by the manufacturer.
- Each child is dressed safely for each activity.

ASSESSMENT METHOD: Inspection of activity equipment. Observation of how the equipment is being used and how children are dressed for the activity. If observation is not possible, discussion with you to determine how the compliance criteria are met.

D. The provider shall ensure that children use protective gear when engaged in an activity for which protective gear is required by law.

INTENT: If the law requires children to use protective gear during certain activities, you must make sure they do so.

INSPECTION REPORT ITEM: "Protective gear used if required by law"

COMPLIANCE CRITERIA: As applicable, children use proper protective gear (for example, wear bicycle helmets – see note below).

ASSESSMENT METHOD: Observation to see if protective gear is used. If observation is not possible, discussion with you to determine how compliance criteria are met.

Note: Maryland's "bicycle helmet law" is set forth at §21-1207 of the Transportation Article, Annotated Code of Maryland. It became effective on October 1, 1995.

- The law applies to any child under 16 years old who operates (or rides as a passenger on) a bicycle "on any highway, bicycle way, or other property that is open to the public or used by the public for pedestrian or vehicular traffic." (NOTE: Boardwalk bicycling in Ocean City is exempt from this requirement.)
- The child must wear a helmet that meets or exceeds ANSI, ASTM, or Snell Memorial Foundation standards for protective bicycle headgear.
- Violators are issued a warning by police. No fines or other legal penalties are imposed.

E. The provider shall enclose the outdoor play area if required by the office in order to protect children in care from accessible hazards such as a heavily trafficked area, a body of water, or environmental hazards.

INTENT: You must ensure that the children are kept safe from any potential hazard near the outdoor activity area.

INSPECTION REPORT ITEM: "Outdoor area enclosed"

COMPLIANCE CRITERIA: The outdoor activity area is:

- Suitably enclosed, or
- Located where there are no nearby potential hazards (such as, but not limited to, heavy vehicle traffic, train tracks, construction work, unfenced bodies of water, culverts or ditches, cliffs, or waste disposal sites).

ASSESSMENT METHOD: Observation of the activity area and its surroundings.

F. When walking with children outdoors, the provider or substitute shall exercise reasonable care to protect children from potentially hazardous areas such as traffic intersections or railroad tracks.

INTENT: You must be aware of child safety at all times. During an off-site activity,

you must be especially attentive to the children whenever a potential hazard is present.

G. Trampolines. The provider or substitute:

- (1) May not allow a child in care to use a trampoline located on the premises of the home; and**
- (2) Shall make a trampoline located on the premises of the home inaccessible to children in care.**

INTENT: Trampoline use is a common cause of serious injury to children. If there is a trampoline at the home, children must be kept from using it or gaining access to it.

INSPECTION REPORT ITEM: "Trampoline inaccessible"

COMPLIANCE CRITERIA: No child is permitted to use the trampoline. No child can gain access to the trampoline.

ASSESSMENT METHOD: Observation of where and how trampoline is stored.