

Childcare Resource Checklist

While providing childcare at Local functions and meetings can be a valuable service for members, it is important to recognize the significant potential liability exposure that comes with offering such services through the association. Childcare must comply with stringent federal, state, and local regulations, which can be complex and costly to manage. In California, organizations that provide childcare directly, particularly using volunteers or staff, could be subject to additional requirements under laws such as AB 506 if those individuals supervise children for more than 16 hours per month or 32 hours per year. While this threshold may not apply to most Local activities, it underscores the importance of understanding and mitigating potential risks. Avoiding proper compliance may ultimately prove far more costly if an incident occurs and liability is determined. The financial and legal repercussions can significantly outweigh any short-term savings.

If childcare is a necessity, it is strongly encouraged that Local Chapters/Service Centers utilize established and licensed childcare facilities/providers in the area. Alternatively, Local Chapters and Service Centers might consider adopting a caregiver reimbursement policy, like *CTA Standing Rules 1-Series: Business-Budget, Fiscal and Corporate Matters - Rule 1-7 (Section D)* of the CTA Organizational Handbook (see page 3 of this check list for full language), to cover childcare during business meetings/events.

It is crucial to mitigate the risks associated with childcare services. Therefore, below is a recommended checklist to follow when considering professional childcare providers to help reduce exposure. This approach allows CTA to support educator-parents without taking on the direct risks associated with childcare services (by transferring liability to the professional childcare provider). By relying on professional services, we safeguard both our members and the integrity of the association.

Childcare Provider Checklist

○ **Licensing and Accreditation**

- The provider is fully licensed by the state and local authorities.
- Providers are accredited and established by recognized organizations.
- Obtain current copies of the childcare provider's licenses and certifications.

○ **Insurance and Liability**

- Verify comprehensive liability insurance, including coverage for accidents and injuries on the premises. Ensure the provider has the following coverages (upon request, CTA Risk Management Department can review provider's insurance to ensure compliance):
 - General Liability (GL) with Sexual Abuse & Molestation (SAM)
(Sexual Abuse and Molestation coverage may be provided via a stand-alone policy):
 - \$1,000,000 – Each Occurrence
 - \$2,000,000 – Policy Aggregate

- Business Auto Liability (BA):
 - \$1,000,000 – Combined Single Limit

- Workers' Compensation (WC) Employer's Liability:
 - \$1,000,000 – Each Accident
 - \$1,000,000 – Policy Limit
 - \$1,000,000 – Each Employee

- **Certificates of Insurance (COI) Requirements (GL, SAM, BA and WC):**

- COI names CTA/Local Chapter as an Additional Insured, and must include with certificate the following (ensure coverage is effective during the dates of your event):

- Additional Insured Endorsement Form (CTA/Local Chapter as an Additional Insured).
- Primary & Non-Contributory Endorsement Form (in favor of CTA/Local Chapter).
- Waiver of Subrogation Endorsement Form (in favor of CTA/Local Chapter).

- **Childcare Provider Staff Qualifications**

- Verify that all staff members of the childcare provider have completed and have maintained the following:

- Staff members have completed comprehensive background checks, including criminal history, child abuse clearances, fingerprinting, and Sex Offender Registry screening.
- Staff members hold current certifications in CPR and First Aid.
- Staff members are subject to routine safety protocols for drug screenings.
- Staff members have completed reporter training and inquire about their child abuse prevention training programs.
- Does the third-party provide staff training in areas such as sanitation, supervision, child development, child behaviors, emergency preparedness, nutrition and food safety?

- **Health and Safety Standards**

- Health and Safety topics to inquire about (but not limited to):

- Emergency procedures in place for handling allergies.
- Adheres to appropriate staff-to-child ratios in accordance with regulatory standards.
- Medication administration is discouraged unless for emergency purposes.

- **Communication and Transparency**

- The provider ensures full transparency in operational policies, procedures, and incident disclosures, while permitting parents to observe as appropriate.
- The provider maintains a clear communication policy that includes regular updates and incident reporting for parents.

- **Cost and Contracts**

- Formalize agreements in a contract outlining responsibilities of all parties, including service termination terms (consider review by CTA Risk Management Department). The contract should include (but not limited to):
 - Mutual Indemnification clause and Hold Harmless provision in favor of CTA/Local Chapter.
 - Provider’s insurance shall be Primary & Non-Contributory in favor of CTA/Local Chapter, in the amounts required under “Insurance and Liability”, with CTA/Local Chapter named as an Additional Insured for applicable policies: GL, SAM, BA, and WC.
 - Define payment and refund terms.

- **Legal and Ethical Considerations**

- Confirm provider has no history of regulatory violations or lawsuits.
- Ensure provider follows ethical standards, treating all children with respect and fostering inclusivity.
- Have parents sign a liability waiver acknowledging the provider’s limitations and absolving CTA and/or its chapters of responsibility.

- **Other Essentials**

- No child transportation.
- Childcare personnel should receive a facility orientation covering emergency protocols and evacuation procedures.
- Confirm provider can accommodate children with disabilities and follow ADA standards.
- Ensure language access for parents (translation services if needed).

CTA Standing Rules 1-Series: Business-Budget, Fiscal and Corporate Matters - Rule 1-7 (Section D)

Reimbursement for Caregiver-related Services. Upon satisfying the following criteria, attendees at CTA governance meetings, statewide and regional conferences shall be eligible for reimbursement of actual expenditures of caregiver-related services of 80% of the California State minimum wage, not to exceed \$800 per conference/meeting. *(Amended May 2006, April 2017, May 2023, November 2025)*

- 1) Attendee filing the claim must be a member in good standing.
- 2) Member must submit verifiable documentation of proof of expenditure.

- 3) The child for which home care services reimbursement is requested must be: a legal dependent of the member, and under 16 years of age.
- 4) Caregiver-related services reimbursement would also include coverage for:
 - a) adults with special needs
 - b) elder care
 - c) dependent care
 - d) family member care. *(Amended May 2006, May 2023, November 2025)*
- 5) In lieu of utilizing caregiver services in circumstances when one or more dependents under the age of 12 must accompany the CTA member to a meeting that extends multiple days, a member can be reimbursed for the actual and reasonable dependent transportation costs to travel to and from the meeting, not to exceed a total of \$800. *(Amended November 2025)*
- 6) Member must submit documentation that they are the primary caregiver for the dependent under this section.
- 7) Alignment to federal mandates – The recommended test must meet federal assessments enumerated in ESSA Title I, Part A and the Individuals with Disabilities Education Act. *(Amended May 2005, May 2006, April 2017)*

Similar reimbursements for members attending meetings for Service Center Councils and local chapters will be at the discretion of the Service Center Councils and local chapters. *(Amended May 2023)*

Important Notice

The information in this document has been compiled from publicly available sources and is intended for general guidance only. THIS DOCUMENT DOES NOT CONSTITUTE LEGAL OR PROFESSIONAL ADVICE. Compliance with federal, state, and local laws, regulations, and licensing standards may change and may vary based on specific circumstances, which may require further assessment. This document should be used solely as a reference and not be modified. Failure to follow required guidelines, including those related to licensing, insurance, and safety standards, could result in significant liability. If negligence or non-compliance leads to a claim, significant assets, including financial and liability resources, could be at risk. Members and chapters are strongly encouraged to follow these recommendations and contact the CTA Risk Management Department at (650) 552-5200 or via email at riskmanagement@cta.org with any additional questions, or contact their legal counsel.