

# Smoke-Free Day Care

## Legal Requirements

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### Day Care Fact Sheet #2

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Day care facilities provide a safe environment for children while they are away from their parents and homes.

There are laws in the Commonwealth of Pennsylvania governing smoking in day care facilities.

#### **The Law**

Pennsylvania Code: 3 sections of Title 55 prohibit smoking in day care facilities. Sections 3270.68, 3280.68, and 3290.66 all include the following provisions:

(a) Cigarettes, pipes or cigars may not be smoked in a child care space, a play space or a food preparation area when children are in care or when food is being prepared.

(b) Ashes and cigarette or cigar butts are prohibited in a child care space, a play space or a food preparation area.

Section 3290.66 also includes the following provision:

(c) At the time of a child's enrollment, the operator shall inform the parent of the smoking policy at the facility.

Following the requirements of these provisions is crucial to protecting the health of the children at your facility.

There is much more that you can do, including adopting a voluntary smoke free policy that goes even further than the legal minimum requirements.

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