



THE STATE EDUCATION DEPARTMENT / THE UNIVERSITY OF THE STATE OF NEW YORK

Office of Early Learning
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To: Superintendents of Schools in Districts receiving Universal Prekindergarten Grants (UPK) and/or Statewide Universal Full-Day Prekindergarten (SUFDPK) funding
Superintendents of School Districts with Kindergarten Programs
Pre-K Program Contacts for Agencies receiving Statewide Universal Full-Day Prekindergarten (SUFDPK) funding

From: Erik Sweet, Executive Director of the Office of Early Learning

Subject: Prekindergarten & Kindergarten Guidance for Supporting Toilet Learning

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Toilet training is a significant developmental milestone in a child's life and each child is unique in their own development, growth, and acquisition of personal hygiene skills. Through the early childhood years, a child will be able to demonstrate the following personal care and hygiene skills such as:

- Growing independence in using personal hygiene skills (e.g., washing hands, brushing teeth, toileting, etc.)
- Exhibiting self-help skills when dressing, cleaning up, participating in meals, etc.
- Recognizing and communicating the need to use the restroom or when experiencing symptoms of hunger or illness¹.

For those children who have yet to master the aforementioned skills, it is essential that each child is treated as an individual and care is given as gently and respectfully as possible. This means that school personnel must implement developmentally appropriate and reasonable supports, accommodations, instruction, and encouragement to empower all children to succeed. The New York State Culturally Responsive-Sustaining Framework includes “A Welcoming and Affirming Environment”² as one of the four main principles. Respecting the dignity of all students, including young students who are learning personal care and hygiene, should be a priority and goal for all educational settings.

This memorandum provides toileting guidance and responds to the frequently asked questions the Office of Early Learning receives regarding toileting for children who attend a New York State-Administered prekindergarten or a district kindergarten program.

Learning Environment Considerations

All students deserve a warm and safe environment that creates a sense of belonging and connectedness and helps students to feel supported. Toileting accidents can be a source of

¹[Early Learning Prekindergarten Learning Standards](#) (PK.PDH.7)

² [The New York State Culturally Responsive-Sustaining Framework](#) pg. 20



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embarrassment and distress to a child, especially when a trusted adult or peer reacts in an insensitive way. How an adult or peer reacts can significantly impact the child's social-emotional health, self-esteem, as well as interest in learning. Being proactive is key. Toileting is a skill to be taught and mastered over time and incorporating the following best practices can assist in planning and fostering children's independence.

- Involve the child's family in developing a toileting plan to build skills. This plan should include common vocabulary words and a consistent routine that is both culturally responsive and developmentally appropriate to be used both in the home and at school.
- Build bathroom times into the daily schedule to establish a consistent routine, while also allowing children to access the bathroom as needed.
- School personnel should frequently check in with children who are being toilet trained (e.g., arrival time, before/after snack, and meals, transitioning between activities, etc.) rather than depending on them to tell the adult. This will remind the child to use the toilet facilities before an accident occurs.
- Read books and incorporate toileting picture books into the classroom library and centers where appropriate (e.g., dramatic play, science areas).
- Ensure that each child has one or more sets of extra clothes available. Parents may need to be reminded to send in a replacement set of clothing each time that the child has a toileting accident.
- Be encouraging to the child. When there is an accident, have a private conversation with the child reassuring that they may use the bathroom any time the need arises and remind them of the toileting plan in a positive manner.
- Have a plan and protocol in place for changing the child in private when there is an accident so as not to disrupt the classroom routine (e.g., an adult staff member directly supervises the children from the bathroom doorway where they are able to enter the restroom quickly to provide assistance).
- Stay calm and positive. Children are sensitive to other's reactions to their behavior.
- Provide positive praise and support for the child's efforts.

Frequently Asked Questions

Q: Must children be “toilet trained” to attend prekindergarten or kindergarten?

A: No. Mastery of self-care skills, including toilet training, cannot be a requirement for student enrollment; therefore, children who are not toilet trained cannot be excluded from either prekindergarten or kindergarten enrollment.

Q: Can a district deny entrance to an eligible child because there is a concern about the child's toileting skills?



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A: No. State statute (Education Law §3602-e(1)(c) and §1712(1)) clearly define eligibility age and district residency as the only criteria required for entrance into prekindergarten and kindergarten. The district does not have the authority to apply additional criteria, such as being toilet trained, as a condition for enrollment or attendance.

Q: Are there any special considerations for emergent multi-lingual learners (EMLs)?

A: Yes. Different cultures have different expectations regarding toileting and when it should be achieved. It is the program's collective responsibility to learn about the student's culture and toileting expectations in addition to building relationships with both students and their families. In addition to the best practices identified above, the program must ensure that the learning environment is a place that feels safe and where students can see themselves represented and reflected (e.g., photographs, texts in multiple languages, gestures, and/or visual cues)³.

Q: Are there any special considerations for prekindergarten students with disabilities?

A: Yes. It is the program's collective responsibility to know and implement any toileting skills goals or services (e.g., specially designed instruction, nursing, self-care, etc.) as identified in the child's IEP. In addition to the best practices identified above, the program must ensure that the learning environment is a place that feels safe and where students can see themselves represented and reflected. Photographs, gestures, and visual cues can help students develop language around toileting.

Q: When a child has a toileting accident, who is responsible for assisting in the clean-up (e.g., wiping a child, bagging soiled clothing, etc.)

A: Toileting is not required to be performed by a nurse - see attachment C of our [Provision of Nursing Services in School Settings - Including One-to-One Nursing Services to Students with Special Needs](#). The school should determine who is best to assist a child in toileting as it is a local decision and should be a shared responsibility to best support student needs. To ensure the safety of children, school districts should inquire with their insurance company to identify the number of staff who must be present when assisting with toileting.

Q: A district's teacher's contract stipulates that teachers are not required to assist with toileting. Are they required to assist?

A: If teachers are prohibited via the teacher contract, then the school district must hire staff to ensure children's toileting needs are met.

Q: Can a district require parents to come in and change the child due to privacy issues?

A: No. School districts should not be requiring family members to leave home or work to change their child. It causes undue hardship on both the child and the family. Leaving a child sitting in their soiled clothing, even for a short period of time, can impact the health and wellbeing of a child (e.g., urinary tract infections, rashes, and irritated skin). School districts must support the child in their toileting journey.

³ [NYSSED's Culturally Responsive Sustaining Education Framework](#), pg. 15



Q: Can a child be sent home from school when a toileting accident occurs?

A: No. A child should not be sent home when a toileting accident occurs. School personnel should reference a child's individual toileting plan. Any time you send a child home, it disrupts the learning process, impacts the child's social-emotional well-being, and negative feelings can develop toward school. The district does not have the authority to apply additional criteria, such as being toilet trained, as a condition for enrollment or attendance.

Q: If a child is still learning, is there special equipment required, such as changing tables or potty chairs?

A: Yes. Child-size toilets or modified toilet seats with step stools are recommended. The use of separate potty chairs is not recommended for use in prekindergarten or kindergarten classroom settings because sanitary handling of bodily fluids is difficult. Equipment used for diaper changing needs to be appropriate to the size of the child and be in a private location. For more information, please contact your district's medical director/school nurse if the program is provided in a school setting, or use the following links:

[Managing Emergency Health Care and Communicable Diseases in the School](#)

[Setting !\[\]\(05be7c7a8995decd503647c99211f7c2_img.jpg\)](#)

[Safety and Health | Department of Labor \(ny.gov\)](#)

[The New York State Center for School Health \(NYSCSH\)](#)

[1910.1030 - Bloodborne pathogens. | Occupational Safety and Health Administration](#)

Q: What can be done if a child is not progressing with toileting skills?

A: The district should include the family in the development of a plan that supports the child using the toilet independently. Working with the family to establish vocabulary words and a routine that can be used consistently at both home and school can assist in developing this skill. If learning does not progress, seek support from school nursing staff, the district director of school health services (a.k.a., medical director) or a private healthcare provider.

Q: Should staff wear gloves when assisting a child with toileting?

A: Yes. Due to the need for hand hygiene and personal protective equipment (e.g., disposable gloves) when dealing with body fluids, a sink with soap and hand drying method(s) should be readily accessible in the location where staff change or assist students with toileting.

When changing students or assisting them with toileting staff should:

- Wash hands before putting on clean disposable gloves.



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- Use cleansing wipes designed for cleaning the perineal area (groin area) or toilet paper. The use of paper towels is not recommended as they can irritate the skin in the perineal area.
- Dispose of the used wipes in a trash bag, and used toilet paper may be flushed.
- After cleaning the student or assisting the student to wipe after using the toilet, staff should remove gloves and wash hands again before assisting student with putting on clean undergarments, or clothing.
- Lastly, staff should encourage (and assist as needed) the student to wash their hands after using the toilet.
- Wet or dirty clothes should be placed in a plastic bag that can be sealed tightly and stored out of reach of children until sent home to be laundered. Rinsing children's clothing or laundering soiled clothing at school is discouraged because it provides an opportunity to contaminate hands and other surfaces.

NOTE: School district administration should ensure school personnel are familiar with blood borne pathogens and the use of Standard Precautions when dealing with blood and body fluids in accordance with the school/school district's Bloodborne Pathogens (BBP) plan and training. [The Centers for Disease Control and Prevention - Standard Precautions](#) provides more detailed information.

If you have any questions, please feel free to contact the Office of Early Learning at OEL@nysed.gov or (518) 474-5807.