

**FAMILY CHILD CARE HOMES – PART 2 – USER FRIENDLY- DECEMBER 2007**

**PHYSICAL ENVIRONMENT**

**GENERAL AND FIRE SAFETY**

156. The Licensee shall ensure that the physical facilities of the Family Child Care Home and grounds present no hazard to the health and safety of the children.
157. The Licensee shall ensure that the Family Child Care Home and its furnishings are kept in a clean and safe condition. All walls, floors, ceilings and other surfaces shall be clean and in good repair.
158. The Licensee shall ensure that the Family Child Care Home is kept free from rodent and insect infestation.
159. The Licensee shall ensure that screens in good repair are used on all windows, doors or other openings to the outside used for ventilation.
160. The Licensee shall ensure that any room in the Family Child Care Home used by the children are maintained at a minimum temperature of sixty-five (65) degrees Fahrenheit (F.) and a maximum of eighty-five (85) degrees F. unless there is a conflict with Federal and State energy Laws. The minimum and maximum temperatures shall be taken at floor level.
  - A. The Licensee shall be required to temporarily close the Family Child Care Home if the minimum or maximum room temperatures cannot be maintained during all of the hours of operation.
161. The Licensee shall be aware of all weather conditions especially concerning extreme weather conditions such as storms producing excessive wind, rain (flooding), hail, sleet, and snow; poor air quality; heat and humidity including heat advisories; or cold temperatures including wind chill factors that could affect the well being or health of children. Children shall not be allowed to play outside during extreme weather conditions.
162. The Licensee shall ensure that all floor or window fans in the Family Child Care Home are inaccessible to children and bear the safety certification mark of a nationally recognized, independent, third party testing laboratory such as Underwriter Laboratories (UL).
163. The Licensee shall ensure that all heating and cooling equipment is safely shielded to prevent injury to children.
  - A. Use of unvented fuel fired heating equipment, including, but not limited to portable, open-flame, and kerosene space heaters is prohibited.
  - B. Hot water pipes, steam radiators, electric space heaters, and wood-burning stoves shall be equipped with protective guards or insulated to protect children against burns.
  - C. Electric space heaters shall be listed by a nationally recognized, independent third party testing laboratory such as Underwriter Laboratories (UL) and inaccessible to children, and stable.
  - D. Fireplaces shall be securely screened or equipped with protective guards while in use.
164. The Licensee shall ensure that protective covers are installed on all electrical receptacles in all areas accessible to the children.

165. The Licensee shall ensure that the Family Child Care Home has a working telephone.
166. The Licensee shall ensure that telephone numbers of the nearest hospital, ambulance, police department, fire department and poison control center are posted on or near each telephone.
167. The Licensee shall ensure that an operable flashlight is accessible at all times.
168. The Licensee shall ensure that clear glass doors or low windows in rooms used by children in child care at the Family Child Care Home are clearly marked with a vision strip such as a decal(s), sticker(s), rail(s), or mesh located at a child's eye level to reduce the risk of colliding with the glass.
169. The Licensee shall ensure that stairways, inside and outside, over four steps have railings when used by children at the Family Child Care Home. Safety gates approved by the American Society for Testing and Materials (ASTM) at stairways shall be used at all times when infants and toddlers are in child care.
  - A. If the physical characteristics of the Family Child Care Home do not permit the installation of a safety gate(s) in accordance with the manufacturer's instructions, then the Licensee shall have and adhere to a plan which will safely prevent the access of infants and toddlers to stairways.
170. The Licensee shall inspect on a daily basis all exits - stairways, hallways, windows, and doors from rooms and from the Family Child Care Home to ensure each is unobstructed and in working condition.
171. The Licensee shall ensure that all areas in a Family Child Care Home that are more than two (2) feet above the floor or grade below, such as porches, elevated walkways and elevated play areas are provided with guards (barriers) to prevent falls over the open side. The height of the guards shall not be less than forty-two (42) inches high and measured vertically to the top of the guard.
172. The Licensee shall ensure that children are cared for in ground level space in the Family Child Care Home including when night child care is provided.
173. The Licensee shall ensure that every room used for child care has at least two exits or means of escape, at least one of which shall be a door or stairway providing unblocked travel to the outside of the Family Child Care Home at street or ground level. A second exit or means of escape may be a window which is easily opened, not more than forty-four (44) inches above the floor, and has an opening twenty (20) inches wide and twenty-four (24) inches high and opens to a total area of at least 5.7 square feet..
174. The Licensee shall ensure that no room or space shall be used for child care which is accessible only by ladder, folding stairs, or through a trap door.
175. The Licensee may use the basement level space for children in child care only if there is at least one(1) door that exits directly to the outside at ground level with the vertical travel to the ground level is not more than eight (8) feet and at least:
  - A. One (1) window which is easily opened, is no more than forty-four (44) inches above the floor and has an opening twenty (20) inches wide and twenty-four (24) inches high and opens to a total of at least 5.7 square feet; or
  - B. Another door – total of two (2) doors, one of which exits directly to the outside at ground level.

176. The Licensee may use a bathroom for the children in child care that is not on the ground level.
177. The Licensee shall ensure that every bathroom door lock in the rooms used by children in child care at the Family Child Care Home is designed to permit the opening of the locked door from the outside and the opening device is available to the Licensee or Substitute.
178. The Licensee shall ensure that each door used as an exit is not less than thirty-two (32) inches wide.
179. The Licensee shall ensure that every closet door latch in the rooms used by children in child care at the Family Child Care Home is designed so that children can open the door from inside the closet.
180. For a Family Child Care Home licensed before the effective date of these Rules, the Licensee shall ensure that a operable smoke alarm which is listed by a nationally recognized testing laboratory is installed on or six (6) to twelve (12) inches below the ceiling of each level of the Family Child Care Home and the basement.
  - A. All enclosed sleeping areas, such as a bedroom, shall have properly installed operable smoke alarm.
  - B. Smoke alarms shall be tested monthly, and the batteries replaced at least yearly.
181. For a Family Child Care Home licensed on or after the effective date of these Rules, the Licensee shall ensure that an operable smoke alarm, listed by a nationally recognized testing laboratory and powered by the Family Child Care Home's electrical service (hard-wired) with battery back-up, is installed in accordance with its listing on the ceiling of each level of the Family Child Care Home and the basement.
  - A. All enclosed sleeping areas, such as a bedroom, shall have properly installed operable smoke alarms, listed by a nationally recognized testing laboratory and powered by the Family Child Care Home's electrical service (hard-wired) with battery back-up.
  - B. Smoke alarms shall be tested monthly and the batteries replaced at least yearly.
182. The Licensee shall ensure that operable carbon monoxide warning equipment listed by a nationally recognized testing laboratory is at least on the ground level near any sleeping area used by the children in child care at the Family Child Care Home. The equipment shall be installed in accordance with its listing and the manufacturer's instructions.
  - A. Carbon monoxide warning equipment shall be tested monthly and the batteries replaced at least yearly.
183. The Licensee shall not be required to have carbon monoxide warning equipment when the Large Family Child Care Home has:
  - A. No garage or the garage is separate structure from the Large Family Child Care Home; and
  - B. No fuel-fired equipment using fuels such as gas, oil, wood, and kerosene, and all equipment is electric such as the heater, hot water heater, oven, range, dryer, and fireplaces.
184. The Licensee shall ensure that an electrical inspection of the Family Child Care Home shall be conducted every three (3) years by an inspection agency as accepted by the Office of Child Care Licensing.

185. The Licensee shall ensure that at a minimum, a charged portable dry chemical fire extinguisher rated 1A 10 BC, is available in the kitchen, stored out of the manufacturer's container from which it was purchased, and is easily accessible. The extinguisher shall be used and maintained in accordance with the manufacturer's instructions.
- 186.. The Licensee shall ensure that all flammable and hazardous materials, including matches and lighters, medicines, drugs, cleaning materials, detergents, aerosol cans, plastic bags, firearms, ammunition, and other similar materials and objects are stored safely in areas inaccessible to children.
  - A. Firearms and ammunition, if present in the Family Child Care Home, shall be kept in a locked container or locked closet. Ammunition shall be kept separate from firearms.
187. The Licensee shall ensure that the Family Child Care Home's plumbing shall be kept in good working condition.
188. The Licensee shall ensure that the Family Child Care Home shall have at least one (1) flushing toilet and one (1) sink with hot and cold running water both located in the same indoor bathroom available for use by children in child care.
189. The Licensee shall ensure that the Family Child Care Home has at one (1) sink with hot and cold running water in the kitchen/food preparation area.
190. The Licensee shall ensure that garbage is kept in containers in an area inaccessible to children or securely covered.
  - A. Garbage and rubbish shall be removed daily from rooms occupied by children in child care.
  - B. Garbage and rubbish shall be removed from the Family Child Care Home premises on a regular basis but not less than once a week.

#### **PETS**

191. The Licensee shall ensure that any animals or household pets at Family Child Care Home are documented by a licensed veterinarian are free from disease and vaccinated as prescribed by law.
  - A. Animals shall be cared for in a safe and sanitary manner.
  - B. Animals shall only be handled by children under close supervision of the Licensee or adult household member responsible for that pet.
  - C. Animals such as ferrets, turtles, iguanas, lizards or other reptiles, psittacine birds (birds of the parrot family), or any other animals that are known to be carriers of illnesses, or are sick shall not be kept in rooms used by children in the Family Child Care Home.
  - D. Litter boxes or any container or materials used for collecting or containing animal feces or urine shall not be kept in rooms used by children in the Family Child Care Home.
  - D. Parent(s)/guardian(s) shall be informed of the presence of any animals or household pets regardless of the location within the Family Child Care Home.

#### **SMOKING PROHIBITED**

192. The Licensee shall ensure that smoking is prohibited when children attending the Family Child Care Home are present anywhere inside the Family Child Care Home, in the outdoor play area, while transporting children, and in the presence of children during field trips or

routine outings.

**FIRST AID**

193. The Licensee shall ensure that a first aid kit is readily accessible in the Family Child Care Home, but not to children and at least contains, but is not limited to the following:
- A. Disposable nonporous gloves;
  - B. Scissors;
  - C. Tweezers;
  - D. A non-glass thermometer to measure a child's temperature;
  - E. Bandage tape;
  - F. Sterile gauze pads;
  - G. Flexible roller gauze;
  - H. Triangular bandages;
  - I. Safety pins;
  - J. Eye dressing;
  - K. Pen/pencil and note pad;
  - L. Instant cold pack;
  - M. Current American Academy of Pediatrics (AAP) standard first aid chart or equivalent first aid guide;
  - N. CPR Barrier device;
  - O. Small plastic or metal splints;
  - P. Non-medicated adhesive strip bandages; and
  - Q. Plastic bags for cloths, gauze, and other materials used in handling blood.
194. The Licensee shall ensure that a first aid kit is taken along when transporting children on field trips and routine outings and contains the following materials in addition to those cited in Rule #193:
- A. Water
  - B. Liquid soap;
  - C. Any regular and emergency medications needed for a child; and
  - D. List of emergency phone numbers, and parent(s)/guardian(s) phone numbers, and the Poison Control Center phone number.
195. The Licensee shall ensure the Poison Control Center phone number is posted in the Family Child Care Home for easy reference.

**SPACE**

196. For the Family Child Care Home licensed before the effective date of these Rules, the Licensee shall ensure that the Family Child Care Home provides each child with adequate space for free movement and active play.
- A. If the total capacity of the Family Child Care Home is increased, or the indoor space used by children at the Family Child Care Home is increased, the Licensee shall be required to ensure a minimum of twenty-five (25) square feet of indoor space for each child in child care,
197. For the Family Child Care Home licensed on or after the effective date of these Rules, the Licensee shall ensure that the Family Child Care Home has a minimum of twenty-five (25) square feet of indoor space for each child in child care that allows for free movement and active play. Measurements shall be from wall to wall on the inside. Furniture that restricts children's free movement and active play shall be considered a deductible factor when determining square footage.

- A. Toilet rooms, kitchen areas, storage spaces, hallways, furnace rooms and other areas not used by children for sleep or play on a routine basis shall not be counted in computing required square footage.
198. The Licensee shall ensure that an outdoor play area for vigorous play and large muscle activity with attention to the needs of the diversity of children served and their abilities to participate is available on the premises or within safe walking distance of the Family Child Care Home.
- A. The Licensee shall inspect the outdoor play area before children begin to play to ensure there are no hazards such as, but not limited to, animal feces, toxic plants, outdoor equipment – lawn mower, cooking grill; and/or debris and any play equipment is safe for use.
  - B. Tool sheds, garages, and other outdoor facilities that are off-limits to children shall be securely latched and inaccessible while children are in child care.
199. The Licensee shall ensure that the outdoor play area of the Family Child Care Home is fenced when hazards are in close proximity to that area. Such hazards include, but are not limited to, high traffic roads; water in streams, rivers, ponds and lakes; pools; railroads; steep embankments or drop-offs; and high voltage wires or poles/towers.
- A. Fencing shall be sturdy, safe and reinforced at intervals so as to give support, constructed to discourage climbing and not prevent observation of children.
  - B. Fencing shall be a minimum of four (4) feet in height with openings no larger than three and one-half (3 ½) inches.
  - C. Gates shall be equipped with self-closing and positive self-latching closure mechanisms. The latch or securing device shall be high enough or of a type such that small children cannot open it.
  - D. Fenced areas shall have at least two (2) exits, with at least one (1) being remote from the building.
200. For a Family Child Care Home licensed before the effective date of these Rules, the existing fencing of the Family Child Care Home shall be acceptable as long as it is safe, free from hazards and in good repair. When the fencing is replaced, the Licensee shall ensure the new fencing fully complies with Rule #199.
201. For a Family Child Care Home licensed on or after the effective date of these Rules, the Licensee shall ensure that the protective surface of the outdoor play area beneath and in the fall zone of climbing equipment, slides, swings and similar equipment at the Family Child Care Home is of approved resilient material which absorbs falls as follows:
- A. Fall zones shall be determined by the height of the highest climbing surface of the equipment and consist of wood chips, mulch, engineered wood fibers, sand, pea gravel, safety-tested shredded or unitary rubber or rubber-like materials, or rubber mats.
    - i. The use of shredded tires shall be permitted if the Licensee obtains a guarantee from the supplier that the materials are free from steel wires or other contaminants including any unhealthy residue from deterioration of the shredded tires; and
    - ii. All materials used for protective surfaces shall be of a size that prevents choking.
  - B. The materials used in the fall zone shall follow the instructions as listed in the most recent publication of the United States Consumer Product Safety

Commission's (CPSC) *Outdoor Home Playground Safety Handbook* regarding critical heights of tested materials (see CPSC website at <http://www.cpsc.gov/cpscpub/pubs/324.pdf>); or

- C. The materials used in the fall zone shall follow the specific instructions as documented from the supplier to determine the appropriate depth or thickness.
  - D. Protective surfaces of the fall zone shall extend at least six (6) feet in all directions from the equipment. For swings, the protective surfacing shall extend, in back and front, twice the height of the suspending bar.
202. The Licensee shall ensure that all surfaces of the outdoor play area are made up of materials that do not present a safety or choking hazard.
203. For a Family Child Care Home licensed on or after the effective date of these Rules, only pea gravel shall be acceptable as cover for the outdoor play area if using gravel or stone-like surfacing.

### **RIDING TOYS**

204. A Licensee shall ensure that bicycles, tricycles, scooters, and other riding toys are the size appropriate for a child, in good condition and free of sharp edges or protrusions that may injure a child.
205. The Licensee shall ensure that all children wear approved safety helmets while riding bicycles with wheels of twenty (20) or more inches in diameter.
- A. Children shall not share helmets unless helmets are made with a nonporous interior lining and easily cleanable straps. All interior and exterior surfaces of the helmet shall be wiped clean between users.
  - B. Helmets shall be removed before allowing children to use playground equipment.

### **SANITATION**

206. The Licensee shall ensure that a disinfectant solution is used and is either a self-made solution consisting of one-fourth (1/4) cup of household bleach to each gallon of water, which shall be prepared daily, labeled, placed in a bottle that is sealed with a cap and stored out of the reach of children, or a commercially prepared disinfectant which indicates it kills bacteria, viruses and parasites and used in accordance with label instructions.
207. The Licensee shall ensure that the following equipment, items and surfaces are washed and disinfect after use:
- A. Toilet training (potty) chairs which have first been emptied into a toilet;
  - B. Sinks and faucets used for handwashing after the sink is used for rinsing a toilet training chair;
  - C. Diaper-changing surfaces;
  - D. Food preparation and eating surfaces such as counters, tables and high chair trays;
  - E. Toys mouthed by children;
  - F. Mops used for cleaning;
  - G. Bibs; and
  - F. Thermometers.

208. The Licensee shall ensure the following equipment, items, and surfaces are washed and disinfected at least daily:
- A. Toilets and toilet seats;
  - B. Sinks and faucets;
  - C. Diaper pails and lids;
  - D. Water tables and water play equipment;
  - E. Play tables;
  - F. Mats that are not stored separately; and
  - G. Smooth surfaced non-porous floors
209. The Licensee shall take measures to reduce the spread of germs and disease among children in the Family Child Care Home by:
- A. Using only washable toys with diapered child(ren); and
  - E. Washing pacifiers and other items placed in the mouth if dropped to the floor or ground.
210. The Licensee shall ensure that soap, single service towels, and toilet paper shall be available at all times.
211. The Licensee shall ensure that all during the hours in which child care is provided any person in direct contact with children at the Family Child Care Home and all children in child care shall wash their hands regardless of glove usage with soap and running water and use single service towels for drying hands at least at the following times:
- A. Before and after eating or handling any food;
  - B. Before and after giving medications;
  - C. Before and after caring for a child who may be sick;
  - D. Before and after using a water-play table with other children;
  - E. After toileting or diapering;
  - F. After coming into contact with blood, fecal matter, urine, vomit, nasal secretions or other body secretions;
  - G. After handling animals or their equipment or after coming into contact with an animal's body secretions;
  - H. After playing in a sandbox;
  - I. After outdoor play;
  - J. After cleaning; and
  - K. After taking out the garbage.

#### **STANDARD PRECAUTIONS**

212. The Licensee shall ensure the use of standard precautions for protection from disease and infection. Spills of body fluids (i.e., urine, feces, blood, saliva, nasal discharge, eye discharge, and injury or tissue discharges) shall be cleaned up immediately, as follows:
- A. For spills of vomit, urine, and feces on any surface including the floors, walls, bathrooms, table tops, toys, kitchen counter-tops, diaper-changing tables, toilet training chairs, the area shall be cleaned with soap and water and disinfected.
  - B. For spills of blood or blood-containing body fluids and injury and tissue discharges, the area shall be cleaned with liquid soap and water and disinfected. Non-porous gloves shall be used in these situations.
  - C. For cleaning contaminated surfaces, avoid exposure of open skin sores or mucous membranes to blood or blood-containing body fluids and injury or tissue discharges by using non-porous gloves to protect hands when cleaning contaminated surfaces.

- D. Blood-contaminated material and diapers shall be disposed of in a plastic bag with a secure tie.
- E. Mops shall be cleaned, rinsed, disinfected, wrung dry and hung to dry.

**DIAPERING AND TOILETING**

- 213. The Licensee shall ensure that diapers, training pants and other clothing of children are changed when wet or soiled.
  - A. The Licensee shall have an established procedure for checking diapers and training pants at least hourly including visually inspecting children's diapers at least every two (2) hours.
  - B. The Licensee shall ensure that a supply of clean diapers, training pants and extra clothing are available for each child either by providing them directly or requiring the parent(s)/guardian(s) to provide.
  - C. Soiled clothing shall be washed or placed in a sealed plastic container or bag and labeled with the child's name and returned to the child's parent(s)/guardian(s) at the end of the day.
  
- 214. The Licensee shall ensure the diaper-changing and toilet-training area are:
  - A. Separate from the kitchen, food preparation and serving areas;
  - B. Located within ten (10) feet of a handwashing sink;
  - C. Non-absorbent, non-porous, wipeable and washable, even after use of protective paper covering; and
  - D. Toilet training chairs are located in an area which ensures children's privacy and supervision.
  
- 215. The Licensee shall have an established procedure for changing diapers or training pants to include at least the following steps that require:
  - A. Changing diapers or training pants only in the diaper changing or toilet training area;
  - B. Cleaning each child with an individual disposable sanitary wipe or single service washcloth;
  - C. Disposing of a diaper or training pants in accordance with Rule #216;
  - D. Washing the hands of the child and the person who changed the diaper or toilet training pant (regardless of glove usage) with soap and water immediately after each diaper change; and
  - E. Cleaning and sanitizing the diaper changing or toilet training area with a disinfectant solution after each use.
  
- 216. The Licensee shall ensure that:
  - A. Non-disposable soiled diapers and training pants are not rinsed and placed into a separate leak-proof plastic bag, labeled with the child's name, before transporting to a laundry or returning to the child's parent;
  - B. Soiled disposable diapers are placed into a cleanable, foot-activated, and covered container that is used exclusively for diapers and lined with a leak-proof or impervious liner;
  - C. Diaper containers that require a hand to push the used diaper through a narrow opening or have exterior surfaces that must be touched with a hand or the used diaper itself shall be prohibited;
  - D. The diaper container shall be sanitized daily; and
  - E. All soiled diapers are removed from the Family Child Care Home daily or more often unless the Licensee uses a commercial diaper service.

## **EMERGENCY PLANNING**

217. The Licensee shall have a written emergency plan describing procedures for both natural and man-made disasters for such situations as a fire, flood, earthquake, extreme weather conditions, power failure or utility disruptions, chemical or toxic spills, bomb threat or terrorist attack.
- A. The emergency plan shall include procedures for training household member(s) and the Substitute, when applicable, about specific responsibilities during a disaster, accounting for all children, relocation process (if appropriate) and contacting appropriate emergency response agencies and parent(s)/guardian(s).
218. The Licensee shall have a posted written evacuation plan of the Family Child Care Home.
- A. Monthly evacuation drills shall be practiced from all exit locations at varied times during hours of operation of the Family Child Care Home and during varied activities including nap time. Each drill shall be documented and include information on the date and time of day of the drill, who participated, the number of children who participated, and the total amount of time necessary to evacuate the Family Child Care Home.
219. The Licensee shall conduct monthly fire prevention inspections and post a copy of the latest inspection report in a conspicuous place at the Family Child Care Home.
220. The Licensee shall develop a written plan for procedures to shelter-in-place at the Family Child Care Home for an extended period due to a natural or man-made disaster.
- A. This plan shall include a list of emergency supplies for the child care of children and others present including procedures for feeding children and others present during the extended stay at the Family Child Care Home.

## **SLEEPING-NAPPING ACCOMODATIONS**

221. The Licensee shall ensure that each child shall have clean, age-appropriate individual rest equipment such as a crib, playpen, cot, bed or mat and bedding.
- A. A child's rest equipment shall be labeled with the child's name and used only by the child while attending the Family Child Care Home.
- B. Mattresses and sleeping equipment shall be covered with non-absorbent, cleanable covering.
- C. Cots, beds, mats and mattresses, and crib mattresses shall be cleaned when soiled or wet and sanitized at least weekly.
- D. Rest equipment and bedding shall be cleaned and sanitized prior to being assigned to another child.
- E. Each child under eighteen (18) months of age and not walking shall sleep in a crib or playpen. A child who is between twelve (12) and eighteen (18) months of age and is walking may sleep on a cot, bed, or mat and bedding with written permission from the child's parent(s)/guardian(s).
222. The Licensee shall ensure that sleeping mats are stored so that there is no contact with the sleeping surface of another mat or mats are disinfected after each use.

223. The Licensee shall ensure that cribs are not stacked while in use.
- A. Cribs and playpens shall have slats so placed as to allow gaps of no larger than two and three-eighths (2-3/8) inches.
  - B. Cribs and playpens shall have tops rails at least twenty (20) inches above the mattresses with the mattress set at its lowest position and side rails locked in its highest position.
  - C. Any latches on cribs or playpens shall be safe and secured.
  - D. Crib mattresses shall be firm and tight-fitting.
  - E. Soft surfaces such as soft mattresses, pillows, sofas and waterbeds shall be prohibited as infant sleeping surfaces.
  - F. All pillows, bumper pads, quilts, comforters, sheepskin, stuffed toys, and any other soft products shall be removed from cribs while an infant is in the crib.
  - G. Toys or objects hung over an infant in a crib shall be held securely and be of a size and weight that would not injure an infant if the toy or object accidentally falls or if the infant pulls on the object.
224. The Licensee shall ensure that infants are placed on their backs when putting them down to sleep.
- A. An exception to this Rule may be made due to a child's physical or medical condition. The Licensee shall have documentation from the child's health care provider stipulating the sleeping position for that child.
225. The Licensee shall ensure that seasonably appropriate top and bottom coverings, such as sheets and blankets, are provided for each child.
- A. Sheets and blankets or other bedding shall be cleaned when soiled or wet and at least on a weekly basis.
226. The Licensee shall ensure that rest equipment is maintained in a safe condition.
227. The Licensee shall ensure that cribs, porta-cribs, cots, sleeping bags, mats, or pads shall be placed at least three (3) feet apart, unless separated by screens.

#### **NIGHT CHILD CARE**

228. The Licensee providing night child care shall be on the ground level of the Family Child Care Home with the children in child care (see Rule #172).
229. The Licensee providing night child care shall ensure that quiet activities are provided to children before bedtime.
230. The Licensee providing night child care shall ensure that each child is given individual attention at bedtime and upon awakening.
- A. The Licensee shall discuss with the parent(s)/guardian(s) any special preferences or habits of the child regarding bedtime and awakening.
231. The Licensee providing night child care shall ensure that each child in child care between the hours of 8:00 P. M. and 6:00 A. M., and is sleeping at the Family Child Care Home for four (4) or more hours, has an individual bed equipped with comfortable springs, and mattress, covered with sheets, pillow, pillowcase and blankets.

232. The Licensee providing night child care shall ensure that children over the age of four (4) do not share a dressing area with persons of the opposite sex.
233. The Licensee providing night child care shall ensure that child to child contact is prevented during the hours children are sleeping in the evening and/or overnight.
234. The Licensee providing night child care shall ensure that each child has individual, clean, and comfortable sleeping garments.
235. The Licensee providing night child care shall follow the parent(s)/guardian(s) preference regarding bathing the child as discussed with the parent(s)/guardian(s) and noted in the child's record.
- A. If bathtubs and showers are used, they shall be equipped to prevent slipping.
  - B. Infants shall be bathed in age-appropriate bathing facilities.
  - C. Portable bathing facilities shall be acceptable for bathing children before bedtime.
  - D. Under no circumstances shall a child be bathed in a sink utilized for cleaning dishes and/or utensils.
  - E. Each child shall be bathed in a bathtub, shower or portable bathing equipment that has been sanitized before each use.
  - F. Children shall be bathed individually and not be placed together in a bathtub or shower.
  - G. Water temperature shall be checked to prevent burns or scalding, or for water that is too cold.
  - H. Individual towels and washcloths shall be provided for each child.
236. The Licensee providing night child care shall ensure that no child is left unsupervised while in a bathtub or shower.
- A. A child capable of bathing alone shall be allowed to bathe in private with written permission from parent(s)/guardian(s). The Licensee shall respect that child's privacy but be immediately available to ensure the child's safety to offer assistance when requested by the child.
237. The Licensee providing night child care shall ensure that there is a nightlight in the bathroom, hallway, and sleeping areas as dictated by the individual needs of the children.
238. The Licensee providing night child care shall ensure that combs, toothbrushes, brushes and other such personal items are marked with the owner's name and stored separately and used only by that child.

## **SWIMMING**

239. The Licensee shall ensure that all children shall be under direct observation and supervision at all times while children are wading or swimming. During any swimming activity involving infants and/or toddlers, the children shall be within arm's length of the Licensee.
- A. Permanent or built-in type swimming pools and wading pools that are left filled when not in use, shall be inaccessible to children when not being used by the children. The water in swimming pools used by children in child care shall be treated, cleaned and maintained in accordance with health practices and regulations as determined by the Division of Public Health.
  - B. Small portable or non-fixed wading pools shall be thoroughly cleaned and disinfected after each use.

**PROGRAM FOR CHILDREN**

240. The Licensee shall provide developmentally appropriate activities designed to promote children's development and school-readiness.
- A. *Delaware Infant and Toddler Early Learning Foundations: A Curriculum Framework* regarding infants and toddlers and *Delaware Early Learning Foundations for School Success* regarding preschoolers are available on the Delaware Department of Education website at (add current website).
241. The Licensee shall ensure that activities and materials reflect children's cultures, and communities, including both familiar and new materials, pictures, and experiences.
242. The Licensee shall ensure that adaptations and accommodations be made in activities and materials as needed to support the positive development of all children including those with disabilities.
243. The Licensee shall develop and follow a daily routine or schedule that is posted for easy reference by parent(s)/guardian(s).
244. The Licensee shall ensure that the daily routine or schedule includes opportunities for all of the following:
- A. Indoor and outdoor time periods;  
B. Active and quiet activities;  
C. Individual and group activities that can be done independently and/or assistance,  
D. The ability to choose some materials freely,  
E. Rest or sleep; and  
F. Meals and snacks.
245. The Licensee shall ensure that each child, according to his or her ability, is provided the opportunity for a minimum of twenty (20) minutes of moderate to vigorous physical activity indoors and outdoors, for every three (3) hours the child is in attendance between the hours of 7:00AM to 7:00PM.
246. The Licensee shall ensure that children have periods of outside play each day depending upon weather conditions (see Rule #161).
- A. In the case of prolonged periods of inclement or extreme (hot or cold) weather conditions, the Licensee shall provide alternative indoor space for active physical play.
247. The Licensee shall ensure that each child receives individual attention and physical comfort during routine caregiving and planned activities.
248. The Licensee shall interact with infants providing the following opportunities throughout the day:
- A. Offering frequent face to face interactions when they are awake;  
B. Being held and carried;  
C. Limiting time spent, while awake, in any confining equipment such as a crib, infant seat, swing, high chair or play pen to less than one-half (1/2) hour immediately after which opportunities for freedom of movement in a sanitary area protected from foot traffic;  
D. Talking with infants during play, feeding and routine child care;  
E. Reading to and looking at books with infants while holding or sitting close to them;

- F. Providing varied materials, sights, sounds and other experiences for infants to explore with their senses;
  - G. Responding to infants' actions, sounds and beginning language;
  - H. Giving names to objects and experiences in the infants' environment;
  - I. Providing space and equipment to support infants' developing physical skills such as rolling over, sitting, scooting, crawling and standing; and
  - J. Providing materials and encouragement for infants' beginning pretend play alone, with other children and adults.
249. The Licensee shall interact with toddlers at their eye level, and whenever appropriate, sitting on the floor with toddlers, providing the following opportunities throughout the day:
- A. Offering frequent face to face interactions with the toddlers;
  - B. Having conversations with toddlers during play, feeding, and routine child care;
  - C. Reading to and looking at books with toddlers individually and in small groups;
  - D. Encouraging children to play with one another with adult help;
  - E. Providing materials and encouragement for pretend play alone and with other children and adults;
  - F. Providing varied materials, sights, sounds, and other experiences for toddlers to explore with all their senses;
  - G. Providing opportunities for children to walk, run, climb, stack, balance, scribble, draw, and develop fine and large motor skills;
  - H. Responding to toddlers' words and actions with interest and encouragement;
  - I. Giving names to objects and experiences in the toddlers' environment; and
  - J. Supporting toddlers' development of independence and mastery of feeding, dressing, and other skills.
250. The Licensee shall interact with preschool-age and older children at their eye level, and whenever appropriate, sitting on the floor with the children, providing the following opportunities throughout the day:
- A. Offering frequent face to face interactions with children;
  - B. Having conversations with children during play, meals and routine child care;
  - C. Reading to and looking at books with children individually and in groups;
  - D. Using rhymes, songs, and other ways to help children connect sounds and letters and develop other literacy skills;
  - E. Helping children develop mathematical and scientific concepts through play, projects, and investigations of the Family Child Care Home's environment;
  - F. Supporting the development of social competence through play and cooperative work with other children;
  - G. Providing materials and encouragement for more extended and complex pretend play alone and with other children and staff;
  - H. Providing varied materials, sights, sounds, and other experiences for children to investigate and talk about;
  - I. Providing opportunities for children to walk, run, climb, stack, balance, scribble, draw, write, and refine fine and large motor skills;
  - J. Responding to children's words and actions with interest and encouragement;
  - K. Giving names to objects and experiences in the children's environment; and
  - L. Supporting children's development of independence and mastery of skills.
251. The Licensee shall interact with school-age children and also provide the following daily opportunities when such aged children are in attendance during out of school time:
- A. Active physical play time and/or outdoor activities. If weather conditions do not permit outdoor play, children shall be given opportunities for active physical play indoors.

- B. The time for socialization, conversation, relaxation, and quiet activities such as board or card games, reading, homework and studying.
  - C. Responsibility consistent with their ages for choosing, planning, carrying out and evaluating their own activities.
252. The Licensee shall ensure that television, digital video display (DVD) and video cassette viewing is as follow:
- A. Children under twenty-four (24) months of age are not engaged in television, DVD or video cassette viewing;
  - B. Not permitted without the written approval of each child's parent(s)/guardian(s);
  - C. Limited to programs which are age-appropriate and educational; and
  - D. Not to exceed one (1) hour daily per child or group of children.
    - i. Viewing time periods may be extended for specific special events or occasions such as a current event, holiday or birthday celebration. Written documentation shall justify the reason(s) for extending the time period.
253. The Licensee shall ensure that the use of the computer shall be as follows:
- A. Prohibited for children under twenty-four (24) months of age;
  - B. Not permitted without the written approval of each child's parent(s)/guardian(s);
  - C. Limited to programs, games and websites which are age-appropriate and educational;
  - D. Provides protections from exposure to inappropriate websites such as those that are sexually explicit, violent, or use inappropriate language;
  - E. Supervised by an adult; and
  - F. Not to exceed one (1) hour daily per child or group of children.
    - i. Usage time periods may be extended for special projects such as homework, researching topics, or special events or interests of a child or group of children. Written documentation shall justify the reason(s) for extending the usage period.
254. The Licensee shall ensure that children are not permitted off the Family Child Care Home premises without the Licensee or Substitute.

#### **EQUIPMENT**

255. The Licensee shall provide developmentally appropriate equipment and materials for a variety of indoor and outdoor activities. Materials and equipment shall promote a variety of experiences that support all children's social, emotional, language/literacy, intellectual, and physical development.
256. The Licensee shall ensure that materials and equipment be available in a quantity to allow all children to benefit from their use and to allow a range of choices with, at least, duplicates of the most popular materials.
257. The Licensee shall ensure that toys, play equipment and other equipment used by the children are of sturdy and safe construction and free from hazards such as causing entrapment, and having rough edges, sharp corners, pinch and crush points, splinters, exposed bolts, small lose pieces and are free from recall.
- A. For information on the recall of children's toys and equipment, please refer to the U.S. Consumer Product Safety Commission website at [www.cpsc.gov](http://www.cpsc.gov).

- 258. The Licensee shall provide infant seats with trays for table play and mealtime for children no longer being held for feeding.
- 259. The Licensee shall ensure that high chairs or feeding tables with attached seats, if used, have a wide base and a T-shaped safety strap(s).
- 260. The Licensee shall prohibit the use of walkers.
- 261. The Licensee shall prohibit toys that explode or fire projectiles.
- 262. The Licensee shall ensure that infants and toddlers do not have access to plastic bags, styrofoam objects or toys, and objects with a diameter of less than one (1) inch.

**POSITIVE BEHAVIOR MANAGEMENT**

- 263. The Licensee shall have a written statement in plain language regarding the positive behavior management of children. The statement on positive behavior management shall be routinely provided to parent(s)/guardian(s) and Substitutes.
- 264. The Licensee shall ensure the use of positive developmentally appropriate methods of behavior management of children which encourage self-control, self-direction, positive self-esteem, social responsibility and cooperation.
  - A. Prevention of behavioral problems shall be emphasized. Prevention strategies shall include providing appropriate, educationally valuable materials and activities in an organized, stimulating environment, and setting realistic expectations for young children when planning the routine or schedule.
  - B. The Licensee shall praise and encourage children for positive behavior and redirect or guide inappropriate behavior into more positive actions, rather than relying on punishment.
  - C. Responses to a child's behavior shall be appropriate to the child's level of development and understanding.
  - D. "Time-outs " if used, shall be employed as a supplement to, not a substitute for, other developmentally appropriate, positive methods of. i."Time-out" shall be limited to brief periods – no more than one (1) minute for each year of a child's age. Before using "time-out", the Licensee shall ensure the reasons for "time-out" are explained to the child in language appropriate to the child's level of development and understanding.
    - i. The first step for "time-out" shall be to remove the child from the group but keep the child within eyesight of the group that continues to participate in the activity. If this step is ineffective, the child may be removed from the room so that he/she is unable to participate, observe or hear the activity. A child removed from the group or room shall remain under visual supervision at all times. Children shall never be left unattended behind closed doors.
    - ii. "Time-out" shall be in an area that comfortably accommodates the child. "Time-out" shall be seen as a positive opportunity for the child to regroup and focus on appropriate behavior. Before rejoining the group or returning to the room, the Licensee shall talk to the child about alternatives to the inappropriate behavior in a way that shows faith in the child's ability to make more positive decisions in the future.
  - E. Corporal punishments inflicted in any way on a child's body including shaking, hair pulling, biting, pinching, slapping, or spanking shall be prohibited.
  - F. Children shall not be yelled at, humiliated, frightened, or verbally, physically or

- sexually abused.
  - G. Disparaging comments about a child's appearance, ability, ethnicity, family and other personal characteristics shall be prohibited.
  - H. Children shall not be deprived of food or toilet use as a consequence of inappropriate behavior.
  - I. Children shall not be tied, taped, chained, caged or placed in mechanical restraints as a consequence of inappropriate behavior.
  - J. Negative or punitive action shall not be taken with children for not going to sleep, toileting accidents, failure to eat all or part of food or failure to complete a prescribed activity.
265. The Licensee shall ensure that positive behavior management techniques and respectful communication interactions are modeled at the Family Child Care Home by him or her self or the Substitute while the children are in child care when relating to others and parent(s)/guardian(s) at the Family Child Care Home

#### **KITCHEN, FOOD AND NUTRITION**

266. The Licensee shall ensure that the kitchen and all food preparation, storage and serving areas and utensils in the Family Child Care Home are kept clean and sanitary.
267. The Licensee shall ensure the kitchen in the Family Child Care Home has hot and cold running water.
268. The Licensee shall ensure the Family Child Care Home has a refrigerator to keep perishable foods cold at forty (40) degrees F. or colder with a working thermometer in the refrigerator.
269. The Licensee shall ensure that a freezer is maintained so that food stored in the freezer stays frozen at zero (0) degrees F or colder) with a working thermometer in the freezer.
270. The Licensee shall ensure all dishes and utensils shall be air dried.
271. The Licensee shall ensure that all dishes, cups and glasses used by the children in child care are free from chips, cracks or other defects.
272. The Licensee shall ensure that each individual child has his or her own clean utensils – fork, spoon, knife, dish, cup or bottle as appropriate to the age of the child to eat with or be feed with. Such utensils or equipment shall not be shared with another child during feeding.
273. The Licensee shall ensure that meals and/or snacks are served in a safe and sanitary manner whether indoors or outdoors.
274. The Licensee shall have a written policy concerning food service including:
- A. A description of all food services provided;
  - B. Times of snacks and meals;
  - C. Procedures related to food allergies, religious dietary requirements and other special needs;
  - D. If applicable, nutritional information and guidelines concerning content of meals, snacks, or foods for special occasions when provided by parent(s)/guardian(s);
  - E. If applicable, procedures to prevent spoilage of food provided by parent(s)/guardian(s);
  - F. If applicable, a procedure to be followed by the Licensee if food provided by the parent(s)/guardian(s) for the child fails to meet nutritional requirements as specified

- in Rules # 289-291; and
- G. This policy shall be provided to all parent(s)/guardian(s) at enrollment.
275. The Licensee shall ensure that menus are planned in advance, are dated and posted in the kitchen for review by parent(s)/guardian(s). Menus noting actual food served shall be retained for thirty (30) days. Any changes made in actual food served on a particular date shall be documented on the menu on or before that date.
- 276.. The Licensee shall ensure that a supply of food and water shall be kept in stock for emergency situations that require an extended stay at the Family Child Care Home or in case of a power outage. Non-perishable foods, bottled water and any equipment necessary to serve or prepare foods without the use of electricity shall be included in the supply.
277. The Licensee shall ensure that nutritious, appropriately-timed meals and snacks meeting nutritional requirements are served in accordance with the following schedule which indicates the number of hours the child is present at the Family Child Care Home:
- |    |                    |   |
|----|--------------------|---|
| A. | 2 hours – 4 hours  | 1 snack;  |
| B. | 4 hours – 6 hours  | 1 meal and 1 snack;   |
| C. | 7 hours – 11 hours | 2 meals and 1 snack;<br>or 2 snacks and 1 meal based<br>on time of child's arrival; |
| D. | 12 hours or more   | 3 meals and 2 snacks.   |
278. The Licensee shall ensure that meals and snacks are provided in accordance to the current USDA/Child and Adult Care Food Program (CACFP) meal pattern requirements which are adjusted accordingly by the age of the infant and child as specified in **Appendix, Delaware CACFP Meal Pattern Requirements for Infants** and **Delaware CACFP Meal Pattern Requirements for Children**
- A. The Licensee shall have supplemental foods from all basic food groups to serve children if meals or snacks provided by parent(s)/guardian(s) fail to meet nutritional requirements as specified in Rules #289-291.
279. The Licensee shall provide age-appropriate food based on the basic food groups as follows:
- A. Milk: fluid pasteurized cow's milk as age-appropriate;
- B. Proteins: meat, fish, poultry, eggs, yogurt, cheese, peanut butter, dried beans, peas, and nuts;
- C. Fruits and vegetables: include a variety of fresh vegetables and fruits; and
- D. Grains: whole grains and enriched products such as breads, cereals, pastas, crackers and rice.
280. The Licensee shall ensure that all food served to children in the Family Child Care Home is clean, wholesome, free from spoilage and adulteration, correctly labeled and safe for human consumption.
281. The Licensee shall ensure that when fruit juice is served, 100% - unsweetened juice is used, and not a fruit drink or fruit cocktail.
282. The Licensee shall ensure that children are encouraged but not forced to eat.
283. The Licensee shall provide for the introduction of a variety of food textures, finger foods, and a cup in the training of self-feeding and nutrition education.

284. The Licensee shall ensure that powdered milk is not used as a substitute for fluid milk for drinking purposes but may be used in cooking.
285. The Licensee shall ensure that special, therapeutic diets are served only upon written instruction for a child from the child's health care provider.
286. The Licensee shall ensure that if the parent(s)/guardian(s) of a child requests any modification of basic meal patterns (see **Appendix, CACFP Meal Pattern Requirements for Infants** and **CACFP Meal Patterns Requirement for Children**) due to a child's medical need(s) such as food allergies or food intolerance, the parent(s)/guardian(s) provide the Licensee with written documentation from the child's health care provider permitting the modification.
287. The Licensee shall ensure that if the parent(s)/guardian(s) of a child requests any modification of basic meal patterns (see **Appendix, CACFP Meal Pattern Requirements for Infants** and **CACFP Meal Patterns Requirement for Children**) due to a family's food preferences or religious beliefs, the parent(s)/guardian(s) provide the Licensee with written documentation specifying which foods are unacceptable and the food substitution allowed within the same food group.
288. The Licensee shall ensure that every effort will be made to accommodate the needs of the child who is being breast-fed, including allowing the mother to breastfeed her child at a designated place at the Family Child Care Home.

#### **TODDLERS AND OLDER CHILDREN**

289. The Licensee shall ensure that a breakfast served has at least one (1) item each from the milk (A), fruits and vegetables (C) and grain (D) food groups as described in Rule #279.
290. The Licensee shall ensure that a lunch or dinner served has one (1) item from each of the milk (A), protein (B) and grain (D) food groups and two (2) items from the fruit and vegetable (C) food groups as described in Rule #279.
291. The Licensee shall ensure that a snack served has at least one (1) item from two (2) of the food groups as described in Rule #279.
  - A. The Licensee shall, at a minimum, provide a snack(s) meeting nutritional requirements, even if parent(s)/guardian(s) provide meals.
  - B. If milk or fruit/vegetable juice is not included with a snack, water shall also be served with that snack.
292. The Licensee shall ensure that the use of a bottle is discouraged for children after one (1) year of age, and instead, teach and encourage the use of a cup.

#### **INFANTS**

293. The Licensee shall provide meals and/or snacks for infants according to the following Rules except as noted following the procedures of Rules #286-287.
294. The Licensee shall ensure that a written statement specifying food including specific formula or breast milk, and a feeding schedule shall be obtained from the parent(s)/guardian(s) for each infant at least on a monthly basis or as needed.

295. The Licensee shall ensure that a daily written record of each infant's nutritional intake is maintained and provided to the parent(s)/guardian(s) upon request. Any feeding problems experienced by an infant shall be discussed with his/her parent(s)/guardian(s) before the infant's daily departure from the Family Child Care Home.
296. The Licensee shall ensure that an infant is:
- A. Fed on demand or during a span of time consistent with the infant's eating habits;
  - B. Held for all bottle-feeding;
  - C. Not placed in his or her crib with a bottle for feeding; and
  - D. Not fed from a propped bottle.
297. The Licensee shall ensure that when preparing and/or providing bottles of formula:
- A. Bottles and nipples maintained by the Licensee shall be washed and sanitized before use;
  - B. Unprepared formula brought to the Family Child Care Home by parent(s)/guardian(s) or provided by the Licensee shall come from an unopened, factory-sealed container;
  - C. Each infant's bottle of formula shall be individually labeled with the infant's name and refrigerated immediately upon arrival if prepared by parent(s)/guardian(s) or after preparation by the Licensee;
  - D. Bottles of formula shall be warmed under running warm tap water or by placing them in a container of water that is no warmer than 120 degrees F and not be left in warm water for more than five (5) minutes;
  - E. Bottles of formula shall not be warmed or thawed in a microwave oven;
  - F. Mixing formula with cereal, fruit juice or any other foods in a bottle shall be considered a modification of a basic meal pattern and require written documentation from an infant's health care provider permitting the modification;
  - G. Unused portions of formula in a bottle fed to an infant shall be discarded after each feeding that exceeds a period of one (1) hour from beginning of feeding; and
  - H. Unused bottles of formula shall be dated as to when prepared if not returned to the parent(s)/guardian(s) at the end of each day; and
  - I. Refrigerated, unused, prepared formula shall be discarded after forty-eight (48) hours.
298. The Licensee shall ensure that when offering breast milk from a mother to her own infant:
- A. Breast milk shall be fed only to that mother's own infant;
  - B. Frozen breast milk shall be thawed under running cold water or in the refrigerator;
  - H. Bottles of breast milk shall not be warmed or thawed in a microwave oven;
  - O. Bottles of breast milk shall be warmed under running warm tap water or by placing them in a container of water that is no warmer than 120 degrees F and not be left in warm water for more than five (5) minutes;
  - P. Unused portions of breast milk shall be discarded after each feeding that exceeds a period of one (1) hour from beginning of feeding;
  - R. Expressed breast milk shall be discarded if it is in an unsanitary bottle or has been un-refrigerated for more than one (1) hour;
  - S. Refrigerated, unused, expressed breast milk that was never frozen shall be discarded after forty-eight (48) hours, or by three (3) months if frozen and stored in a deep freezer at zero (0) degrees F;
  - T. Unused, frozen breast milk that has been thawed in the refrigerator shall be used within twenty-four (24) hours;
299. The Licensee shall ensure that cow's milk is not served to infants.

300. The Licensee shall ensure that when feeding food to infants:
- A. An infant too young to use a feeding chair or other age-appropriate seating apparatus shall be held when fed food;
  - B. The introduction to all new foods shall be made only with the parent(s)/guardian(s)' permission.
  - C. New foods shall be introduced one at a time on a gradual basis with the intent of ensuring health and nutritional well being;
  - D. Semi-solid foods may be introduced to infants four (4) to seven (7) months of age as requested by parent(s)/guardian(s) and shall be required once an infant is eight (8) months of age;
  - E. Infant foods shall be warmed by placing them in a container of water that is no warmer than 120 degrees F and not be left in warm water for more than five (5) minutes;
  - F. Infant foods shall not be warmed or thawed in a microwave oven;
  - G. Foods for infants shall be of a texture and consistency that promotes safe and optimal consumption; and
  - H. Baby food for each infant shall be served from a dish unless the entire contents of the jar will be served.
301. The Licensee shall encourage the use of a cup when an infant is developmentally capable of drinking from or holding a cup.
302. The Licensee shall ensure that infants are not offered juices until they are able to drink from a cup in order to develop behaviors that may prevent baby bottle tooth decay.

#### **CHILD HEALTH**

303. The Licensee shall ensure that each child is observed upon arrival and checked for common signs of communicable diseases, physical injury or other evidence of ill health.
304. The Licensee shall have a written plan for the routine and emergency health care of children including procedures to be followed in case of illness and plans for accessing emergency services. The Substitute shall receive a copy of this plan and be trained in its implementation. Parent(s)/guardian(s) shall be given a copy of this plan at the time of enrollment and include:
- A. Procedures to be followed in case of illness or emergency, including methods of transportation and notification of parent(s)/guardian(s);
  - B. Procedures to be followed in case of illness or emergency, when parent(s)/guardian(s) cannot be reached;
  - C. The Licensee's policy regarding administration of medication; and
  - D. A plan for the management of communicable disease including the following:
    - i. The list of symptoms of illness for which a child will be excluded from the Family Child Care Home or sent to his or her own home if symptoms occur after the child has been admitted for the day as specified in Rule #308;
    - ii. The list of reportable communicable diseases for which a child will not be admitted to the Family Child Care Home without a written statement from a health care provider as specified in Rule #310; and
    - iii. Assurances that the parent(s)/guardian(s) whose child may have been exposed to a reportable communicable disease shall receive written notice of the outbreak of such disease at the Family Child Care Home.

305. The Licensee shall ensure that within one (1) month following admission, an age-appropriate health appraisal conducted within the last twelve (12) months prior to admission for each child is on file unless required to without immunization(s) such as specified in the McKinney-Vento Homeless Assistance Act or any applicable local, State and Federal Laws. Health appraisals shall be certified by a health care provider and updated yearly for children preschool-aged or younger and not yet in kindergarten or in accordance with the recommended schedule for routine health supervision of the American Academy of Pediatrics. The health appraisal shall include:
- A. A health history;
  - B. A physical and behavioral examination;
  - C. Growth and development;
  - D. Recommendations regarding required medication, restrictions or modifications of the child's activities, diet or care;
  - E. Medical information pertinent to treatment in case of emergency;
  - F. Documentation of any recommended or required screening or testing such as for blood-lead or tuberculosis;
  - G. Documentation of the immunization status, with a listing of day, month and year of administration for each immunization required by the Division of Public Health as specified in **Appendix, Recommended Childhood and Adolescent Immunization Schedule**. For current information, the Licensee shall contact the Division of Public Health or refer to the CDC website – <http://www.cdc.gov/nip/recs/child-schedule.htm>.
- i. The Licensee shall not permit a child to be admitted who is not age-appropriately vaccinated according to the most recent directive from the Division of Public Health unless a written plan has been established (see below) or as required by Law to be admitted without immunization(s) such as specified in the McKinney-Vento Homeless Assistance Act or any applicable local, State and Federal Laws and regulations.
  - ii. If a child has not received immunizations as required for his age, the Licensee shall a written plan for updating the immunizations within a reasonable time frame is to be submitted to the Licensee within fourteen (14) days of the child's admission or as required by Law such as specified in the McKinney-Vento Homeless Assistance Act or any applicable local, State and Federal Laws and regulations.
  - iii. If the additional required immunizations are not completed within the time frame specified in the written plan, the child shall be excluded from the Family Child Care Home until the immunizations have been obtained and written documentation of such has been submitted to Licensee.
306. The Licensee shall ensure that for school-age children, a copy of the health appraisal required by the child's school is also on file at the Family Child Care Home.
307. The Licensee shall ensure that a child whose parent(s)/guardian(s) objects to immunizations on a religious basis or whose health care provider certifies that such immunizations may be detrimental to the child's health will be exempt from the immunization requirement provided that the parent(s)/guardian(s) submits to the Licensee a notarized statement explaining the exemption is in compliance with State Law.
308. The Licensee shall not permit a child who has symptoms of illness specified below to be admitted or remain in the Family Child Care Home unless written documentation from a health care provider, or verbal approval with written follow-up, states the child has been diagnosed and poses no serious health risk to the child or to other children. The symptoms of illness for possible exclusion, at the discretion of the Licensee, shall include, but not be limited to any of the following:

- A. Temperature: infants four (4) months old and younger, equivalent to 100 degrees or greater even if there has not been a change in behavior;
  - B. Temperature: children older than four (4) months, equivalent to 101 degrees or greater; accompanied by behavior changes or other signs or symptoms of illness-until medical evaluation indicates inclusion in the Family Child Care Home. Oral temperature shall not be taken on children younger than four (4) years (or younger than three (3) years if a digital thermometer is used). Rectal temperature shall be taken only by a licensed health care provider;
  - C. Symptoms and signs of possible severe illness (such as unusual lethargy, uncontrolled coughing, irritability, persistent crying, difficult breathing, wheezing, or other unusual signs) until medical evaluation allows inclusion;
  - D. Uncontrolled diarrhea, that is, increased number of stools, increased stool water, and/or decreased form that is not contained by the diaper- until diarrhea stops;
  - E. Blood in stools not explainable by dietary changes, medication, or hard stools;
  - F. Vomiting illness (two (2) or more episodes of vomiting in the previous twenty-four (24) hours) until vomiting resolves or until a health care provider determines the illness to be non-communicable, and the child is not in danger of dehydration;
  - G. Persistent abdominal pain (continues more than two (2) hours) or intermittent pain associated with fever or other signs or symptoms;
  - H. Mouth sores with drooling, unless a health care provider or health official determines the condition is noninfectious;
  - I. Rash with fever or behavior change, until a health care provider determines that these symptoms do not indicate a communicable disease;
  - J. Purulent conjunctivitis (defined as pink or red conjunctiva with white or yellow eye discharge), until twenty-four (24) hours after treatment has been initiated;
  - K. Scabies, head lice, or other infestation, until twenty-four (24) hours after treatment has been initiated;
  - L. Pediculosis (head lice), until twenty-four (24) hours after treatment has been initiated;
  - M. Tuberculosis, until a health care provider states that the child is on appropriate therapy and can attend child care;
  - N. Impetigo, until twenty-four (24) hours after treatment has been initiated;
  - O. Strep throat or other streptococcal infection, until 24 hours after initial antibiotic treatment and cessation of fever;
  - P. Varicella-Zoster (chicken pox), until all sores have dried and crusted (usually six (6) days);
  - Q. Shingles, only if sores cannot be covered by clothing or a dressing; if not exclude until sores have crusted and are dry;
  - R. Pertussis, until five (5) days of antibiotic treatment;
  - S. Mumps, until nine (9) days after onset of parotid gland swelling;
  - T. Hepatitis A virus, until one (1) week after onset of illness, jaundice or as directed by the health department when passive immunoprophylaxis (currently, immune serum globulin) has been administered to appropriate children and staff;
  - U. Measles, until five (5) days after onset of rash;
  - V. Rubella, until six (6) days after onset of rash;
  - W. Herpetic gingivostomatitis (cold sores), if the child is too young to have control of oral secretions; or
  - X. Unspecified illness if it limits the child's comfortable participation in activities or if it results in a need for greater child care than can be provided without compromising the health and safety of other children.
309. The Licensee may allow a child to return to the Family Child Care Home when the symptoms are no longer present or a health care provider indicates the child poses not serious health risk to the child or to other children.

310. The Licensee shall not permit a child with a reportable communicable disease, as specified by the Division of Public Health to be admitted to or remain at the Family Child Care Home unless:
- A. Written documentation from the child's health care provider states the child has been evaluated and presents no risk to the children or to others;
  - B. The Licensee has reported the illness to the Division of Public Health and been advised the child presents no health risk to others; or
  - C. If there is a conflict in opinions of the health care provider and the Division of Public Health regarding the exclusion of a child, the Licensee shall follow the instructions of the Division of Public Health.
311. The Licensee shall report any reportable communicable disease to the Division of Public Health in accordance with Division of Public Health procedures. For current information on reportable communicable disease, the Licensee shall contact the Division of Public Health or refer to the website – <http://www.dhss.delaware.gov/dhss/dph/dpc/rptdisease.html> .
312. The Licensee shall ensure that when a child has been diagnosed as having a reportable vaccine-preventable communicable disease, all children who have not been immunized against the disease are excluded from the Family Child Care Home in accordance with Division of Public Health procedures.
313. The Licensee shall ensure that if a child who has already been admitted to the Family Child Care Home manifests any of the illnesses or symptoms specified in Rules #308 and 310, the Licensee shall ensure that the child's individual needs for rest, comfort, food, drink and appropriate activity are met until the child can be picked up by the parent/guardian or suitably cared for elsewhere.

#### **ADMINISTRATION OF MEDICATION**

314. The Licensee shall only administer medication if trained and authorized in accordance with State Law to administer medication to children.
315. The Licensee shall ensure that medication is not administered to a child unless the Licensee has received written permission from the child's parent(s)/guardian(s) for each medication to be administered.
316. The Licensee shall ensure that the parent(s)/guardian(s) of a child provide the following information for each medication given:
- A. The name of the child;
  - B. The child's date of birth;
  - C. Medication allergies;
  - D. Doctor's name and phone number;
  - E. Pharmacy and phone number;
  - F. Name of medication;
  - G. Dosage (amount given);
  - H. Time (when given);
  - I. Route of administration (oral; eye, nose or throat drops; topical; or vaginal or rectal suppositories);
  - J. Expiration date;
  - K. Start date;
  - L. End date;
  - M. Reason for medication; and
  - N. Any special directions.

317. The Licensee shall ensure that all prescription medication is in its original container, properly labeled, has not expired, and is authorized by the child's health care provider.
- A. Medication shall only be given to the child whose name appears on the prescription.
318. The Licensee shall ensure that all non-prescription medication is in its original container, properly labeled with directions for its administration, has not expired, and is labeled with the child's name.
- A. Any deviations from the label instructions shall be in writing from the child's health care provider.
319. The Licensee shall not allow the administration of prescription or non-prescription medication that has expired and will immediately contact the parent(s)/guardian(s) of a child whose medication has expired to inform that parent(s)/guardian(s) of the situation.
320. The Licensee shall ensure that all medication in the Family Child Care Home is stored so as to be secure and inaccessible to children.
- A. Medication requiring refrigeration shall be kept in closed containers separate from food.
321. The Licensee shall ensure that unused medication is returned to the parent(s)/guardian(s) when no longer needed by the child.
322. The Licensee shall keep a record of the administration of medication to children including medication dosage, time administered, by whom administered, and any adverse effects observed.
323. The Licensee shall ensure that when a child is receiving medication notes are recorded for that child and the parent(s)/guardian(s) are advised of the parent(s)/guardian(s) are advised of the occurrence of any health problems, such as diarrhea, vomiting, continuous hunger, refusal to eat, nosebleeds, skin rash or high temperature.

#### **CHILD ACCIDENT AND INJURY**

324. The Licensee shall ensure that when an accident or injury occurs to a child during the hours of child care, that emergency action is taken to protect the child from further harm and notify the child's parent(s)/guardian(s).
- A. The Licensee shall maintain an injury report for each incident in the child's file and report to the Office of Child Care Licensing an accident or injury which results in death or inpatient or outpatient treatment as required in Rules #83 & 84B. An injury report shall include name of child, date, description of injury, how it occurred, first aid or medical care required, and signed by the parent(s)/guardian(s).
- B. Whenever an injury report is necessary, the Licensee shall notify the child's parent(s)/guardian(s) to report each incident. The Licensee shall maintain a record of when the parent(s)/guardian(s) were notified or of attempts to notify the parent(s)/guardian(s).

## TRANSPORTATION

325. The Licensee shall ensure that the vehicle and operator of a vehicle used to transport children are in compliance with all applicable Federal, State and local Laws.
326. The Licensee shall ensure that the operator of a vehicle not transport more persons, including children and adults, than the capacity of the vehicle.
327. The Licensee shall inspect the vehicle for safety before allowing children in child care to be transported in the vehicle.
328. The Licensee shall ensure that each child is secured in an individual safety restraint system appropriate to the age, weight, and height of the child at all times while the vehicle, other than a school bus is in motion. All safety restraints shall be federally approved and so labeled according to the current applicable Federal Motor Vehicle Safety Standard. Child safety restraints shall be installed and used in accordance with the manufacturer's specifications and vehicle's instruction and shall be maintained in a safe working condition and free of any recall.
  - A. A child preschool age or younger shall only be transported on a school bus that is properly equipped for child safety restraints unless written permission is received from the parent(s)/guardian(s) of that child allowing the child to be transported on a school bus unrestrained. The Licensee shall explain to parent(s)/guardian(s) in writing that while child safety restraints on school buses for children preschool age or younger are not currently required by State Law, the National Highway Traffic Administration recommends that children in this age group always be transported in school buses properly equipped for child safety restraints.
329. The Licensee shall inform parent(s)/guardian(s) about and obtain written permission from parent(s)/guardian(s) for any transportation provided. This permission shall:
  - A. Identify who is operating each vehicle:
  - B. Specify any special need or problem of a child which might require special attention during transportation; and
  - C. Require the operator of the vehicle to carry of the information with directions on handling any special need or problem.
330. The Licensee shall ensure that the operator of the vehicle shall have a valid driver's license that authorizes the driver to operate the vehicle being driven.
331. The Licensee shall ensure that a working phone and first aid kit are in all vehicles transporting children.
332. The Licensee shall ensure that all doors on vehicles are locked whenever the vehicle is in motion.
333. The Licensee shall ensure that children are never left unattended in the vehicle.
334. The Licensee shall not transport children in the open back of a truck.
335. The Licensee shall ensure that children are loaded and unloaded at the curbside of the vehicle or in a protected parking area or driveway.
336. The Licensee shall ensure that a vehicle used to transport children has an operable heater capable of maintaining a temperature of at least fifty (50) degrees F. in the vehicle.

- 337. The Licensee shall ensure that a vehicle is air-conditioned when the vehicle's interior temperature exceeds eighty-five (85) degrees F. and providing fresh air through open windows cannot reduce the temperature.
- 338. The Licensee shall ensure that each vehicle used to transport children is equipped with an operable dry chemical fire extinguisher listed by the Underwriter's Laboratory.

**FIELD TRIPS**

- 339. The Licensee shall provide constant supervision of children during field trips off the Family Child Care Home premises to ensure safety.
  - A. Volunteering parent(s)/guardian(s) shall be supervised by the Licensee at all time including the transportation of children and not be alone with children other than their own child/children at any time.
- 340. The Licensee shall have a safety policy for children on field trips which includes the following:
  - A. A list of the children present and check the roll frequently to ensure all children are accounted for at all times;
  - B. A copy of and easy access to medical consent forms and emergency contact information for all children;
  - C. A traveling first aid kit available in accordance with Rule #194;
  - D. Children shall have tags or other means of providing the Family Child Care Home's telephone number;
  - E. A plan for transportation of children in the event of an emergency; and
  - F. A documented roll check was conducted both before departing from the field trip site and again when returning to the Family Child Care Home.
- 341. The Licensee shall ensure that volunteering parent(s)/guardian(s) comply with **Transportation** Rules #325-338 when transporting children other than their own children on field trips.