

**CALIFORNIA
CHILD CARE CENTER
LICENSING REGULATION HIGHLIGHTS
January 2007**

The following are highlights of some of the key regulations from Title 22, Division 12, Chapter 1 of the Manual of Policies and Procedures for Community Care Licensing. Applicants and licensees are responsible for reading and understanding the regulations. To access the complete regulations, go to the Community Care Licensing Division's web site at: <http://cclid.ca.gov>. Click on "Title 22 Regulations" in the gray area at the left hand side of the screen. Then scroll down to Child Care Centers and click on the blue links.

101152 DEFINITIONS

- Child Care Center means any child care facility of any capacity, other than a Family Child Care Home, in which less than 24-hour per day, non-medical care and supervision are provided to children in a group setting
- The Department means the California Department of Social Services or agency which is authorized to assume licensing responsibilities.

101156 LICENSE REQUIRED

- Unless a child care arrangement is exempt from licensure (101158), no adult, partnership, corporation, public agency or other governmental entity shall operate, establish, manage, conduct or provide care and supervision without a valid license from the Department.

101160 POSTING OF LICENSE

- The license shall be posted in a prominent, publicly accessible location in the center.

101167 TRANSFER AND SALE

- A license is not transferable.
- The licensee shall provide written notice to the department and to the child's parent/legal guardian of the intent to sell the day care center at least 20 days prior to the transfer of the property or business.
- The seller shall notify, in writing, a prospective buyer of the necessity to obtain a license.
- The prospective buyer shall submit an application for a license within five days of the acceptance of the offer by the seller.

101169 APPLICATION FOR LICENSE

- The applicant shall attend an orientation prior to filing an application.
 - The orientation will cover how to complete the application process and the scope of Child Care Center operations subject to regulation by the Department.

101170 CRIMINAL RECORD CLEARANCE

- The Department will conduct a criminal record review of all persons working in a child care facility including:
 - Adults responsible for administration or supervision of staff.
 - Any person, other than a child, residing in the facility.
 - Any person who provides care and supervision to children.
 - Any staff person who has contact with the children.
- Relatives and legal guardians of a child in the facility are exempt.
- A volunteer or student who is always directly supervised by a fingerprinted staff, and who spends no more than 16 hours per week at the facility is exempt.
- Prior to employment, residence or initial presence in the child care facility, all individuals subject to a criminal record review shall obtain a Department of Justice clearance, or request a transfer of a current clearance to be associated with the facility.

101170.2 CHILD ABUSE CENTRAL INDEX

- A Child Abuse Central Index review shall be conducted on the applicant and all individuals subject to a criminal record review prior to licensure, employment or initial presence in the facility.

101171 FIRE CLEARANCE

- All Child Care Centers shall secure and maintain a fire clearance.

101173 PLAN OF OPERATION

- Each licensee shall keep on file a current, written, definitive plan of operation. This document must contain the program methods; goals; admission policies, procedures, and agreement; the administrative organization and staffing plan; a sketch of the building; sample menus and transportation arrangements.

101174 DISASTER AND MASS CASUALTY PLAN

- Each licensee shall have a disaster plan of action in writing.
- Disaster drills shall be documented and conducted every six months.

101175 WAIVERS AND EXCEPTIONS FOR PROGRAM FLEXIBILITY

- The Department has the authority to approve the use of alternate concepts, programs, services, equipment, space, qualifications, ratios and demonstration projects when there is an alternative for safe and adequate services submitted in writing with substantiating evidence to support the request.

101179 CAPACITY DETERMINATION

- A license is issued for a specific capacity which is the maximum number of children that can be cared for at any given time. The number of children is determined by the fire clearance; the physical features of the Child Care

Center, including available space; and the available staff to meet the care and supervision needs of the children.

101182 ISSUANCE/TERM OF LICENSE

- A separate license is issued for each age component.
- At least one director or teacher at the center shall have 15 hours of training on preventive health practices, including pediatric cardiopulmonary resuscitation and pediatric first aid. A staff member with certification in pediatric CPR and first aid shall be present at all times.

101187 LICENSING FEES

- The licensee shall be charged application and annual fees.

101193 DEFICIENCIES IN COMPLIANCE

- If during a licensing evaluation the evaluator determines that a deficiency exists, a notice of deficiency will be issued in writing, unless the deficiency is corrected during the visit.
- The person in charge of the facility shall meet with the evaluator to discuss any deficiencies noted and to jointly develop a plan of correction.

101200 INSPECTION AUTHORITY

- The Department has inspection authority to enter and inspect a facility without advance notice.
- The Department has the authority to interview children or staff, and to inspect and audit child or Child Care Center records, without prior consent.

101206 REVOCATION OR SUSPENSION OF LICENSE

- The Department has the authority to suspend or revoke a license.

101208 EXCLUSIONS

- The Department may prohibit an individual from being employed or allowed in a licensed facility or from service as an administrator for the facility.

101212 REPORTING REQUIREMENTS

- The licensee shall report to the Department required information about the center director, any intent to make structural changes to the facility, or any change in the plan of operation that would affect services to children.
- The licensee shall report the following incidents to the Department:
 - Any injury to any child that requires medical treatment.
 - Any unusual incident or child absence that threatens safety.
 - Any suspected physical or psychological abuse of any child.

101213 FINANCES

- The licensee must develop a financial plan to meet operating costs and maintain financial records.

101214 ACCOUNTABILITY

- The licensee is accountable for the general supervision of the Child Care Center and for the establishment of policies concerning its operation.

101215.1 CHILD CARE CENTER DIRECTOR QUALIFICATIONS

- All centers shall have a director who is responsible for the operation of the center, including compliance with regulations, and communications with the Department. The director shall be on the premises during the hours of operation and shall not accept outside employment that interferes with the duties specified.
- When the director is absent, a fully qualified teacher can act as substitute.
- Child care center directors shall have completed one of the following prior to employment:
 - High school graduation or GED and 15 semester units at an accredited college in specified early childhood education classes. Three of the required units shall be in administration or staff relations and 12 units shall include courses that cover the area of child growth and development; child, family and community; and program/ curriculum and four years of teaching experience in a licensed center or comparable group child care program or
 - Two years of experience are required if the director has an AA degree with a major in child development or
 - A Child Development Site Supervisor Permit or Child Development Program Director permit issued by the California Commission on Teacher Credentialing.

101216 PERSONNEL REQUIREMENTS

- The director shall complete 15 hours of health and safety training, if necessary, pursuant to Health and Safety Code Section 1596.866.
- Personnel shall be competent to provide necessary services to meet the individual needs of children in care and there shall be enough staff to meet those needs.
- Licensees may utilize volunteers provided that volunteers are supervised and are not included in the staffing plan.
- Center personnel shall be at least 18 years old.
- All personnel shall be in good health and physically and mentally capable of performing assigned tasks.
- A health screening, including a tuberculosis test is required.
- Personnel shall provide for the care and safety of children without physical or verbal abuse, exploitation or prejudice.

101216.1 TEACHER QUALIFICATIONS

- A teacher shall have completed with passing grades a least six postsecondary semester units of specified early childhood education classes, or have a valid Child Development Assistant permit issued by the California Commission on Teacher Credentialing. A teacher hired with six units must complete at least two additional units each semester until fully qualified.
- A fully qualified teacher shall have 12 postsecondary semester units in early childhood education from an accredited college and six months of work experience in a licensed Child Care Center or similar program. The units specified shall include courses covering child growth and development; child, family and community; and program/curriculum.
- A teacher shall complete 15 hours of health and safety training, if necessary, pursuant to Health and Safety code, Section 1596.866.

101216.2 TEACHER AIDE QUALIFICATIONS

- An aide in a Child Care Center must be 18 years of age, a high school graduate, or be currently participating in an occupational program at high school.
- An aide shall work only under the direct supervision of a teacher.
- An aide may escort or assist children in going to the bathroom and may supervise napping children without being under the direct supervision of a teacher.

101216.3 TEACHER – CHILD RATIO

- There shall be a ratio of one teacher visually observing and supervising no more than 12 children in attendance. The total number of children shall not exceed licensed capacity.
- The licensee may use teacher aides in a teacher-child ratio of one teacher and one aide for every 15 children.
- A ratio of one fully qualified teacher and one aide for every 18 children is allowed if the aide has six semester units of early childhood education from an accredited college.
- The director may be included in the teacher-child ratio when the director is actually teaching a group of children.
- Licensees shall maintain an up-to-date list of qualified substitutes.
- A teacher should not perform housekeeping or maintenance duties that prevent him/her from performing duties related to providing care and supervision to children.
- Persons employed for clerical, housekeeping and maintenance functions are not included as teachers in the teacher-child ratio.

101216.4 TODDLER COMPONENT

- Licensees serving preschool-age children may create a special program component for children between the ages of 18 months and 30 months.

- A ratio of six children to each teacher shall be maintained for all children in attendance in the toddler program.
- The maximum group size with two teachers, or one fully qualified teacher and one aide shall not exceed 12 toddlers.
- The toddler program must be physically separate.

101218.1 ADMISSION PROCEDURES

- The licensee shall have policies that allow the center to understand the state of the child's health and development and to assess whether the center can meet the individual needs of the child.
- The child's authorized representative shall receive written information about the center's policies including services, activities, hours, fees and procedures to be followed in the case of emergency, illness or injury.
- The licensee shall post the PUB 393, Child Care Center Notification of Parents' rights Poster, in a prominent accessible area at the center.

101219 ADMISSION AGREEMENTS

- The licensees and the child's authorized representative shall complete a current individual written admission agreement for the child. This document must specify the basic services, payment provisions, modification conditions, refund conditions, rights of the Department, and termination provisions.

101220 CHILD'S MEDICAL ASSESSMENTS

- Prior to, or within 30 calendar days following enrollment, the licensee will obtain a licensed physician's written medical assessment of the child. The assessment must be less than one year old.

101220.1 IMMUNIZATIONS

- Prior to admission to a Child Care Center, children shall be immunized against diseases as required by the California Code of Regulations, Title 17.
- The licensee is permitted to exempt a child from this requirement if either a parent provides a written statement that immunizations are contrary to his/her personal or religious beliefs, or a physician provides a written statement that an immunization should not be given to the child and specifies how long this exemption is expected to be needed.
- A child who does not meet any of these requirements shall not be admitted to a Child Care Center.
- The licensee must document and maintain each child's immunizations records for as long as the child is enrolled.

101221 CHILD'S RECORDS

- A separate, complete and current record for each child must be maintained.
- All information and records obtained from or regarding children are confidential.

101223 PERSONAL RIGHTS

- The licensee shall ensure that each child is accorded the following personal rights:
 - To be accorded dignity in his/her personal relationships with staff.
 - To receive safe, healthful and comfortable accommodations.
 - To be free from corporal or unusual punishment, infliction of pain, humiliation, intimidation, ridicule, coercion, threat, mental abuse or other actions of a punitive nature including interference with functions of daily living such as eating, sleeping or toileting, or withholding of shelter, clothing, medication or aids to physical functioning.
 - To be free to attend religious services or activities of his/her choice.
 - Not to be locked in any room, building or center premises.
 - Not to be placed in any restraining device.
 - The center must inform each child's authorized representative of these rights and provide a copy of the Personal Rights form. This form must also be posted.

101223.2 DISCIPLINE

- Any form of discipline or punishment that violates a child's personal rights is not permitted regardless of authorized representative consent or authorization.

101224 TELEPHONES

- All Child Care Centers shall have working telephone service onsite.

101225 TRANSPORTATION

- Only drivers licensed for the type of vehicle operated shall be permitted to transport children.
- Motor vehicles used to transport children shall be maintained in safe operating condition.
- All vehicle occupants shall be secured in an appropriate restraint system. Children shall not be left in parked vehicles.

101226 HEALTH-RELATED SERVICES

- The licensee shall immediately notify the child's authorized representative if the child becomes ill or sustains an injury more serious than a minor cut or scratch.
- The licensee shall document all minor injuries and notify the child's authorized representative of the nature of the injury when the child is picked up from the center.
- The licensee shall make prompt arrangements for obtaining medical treatment for any child as necessary.

- In centers where the licensee chooses to handle medication:
 - Medications must be kept inaccessible to children.
 - Prescription medications must be administered in accordance with the label directions as prescribed by the child's physician and there must be written approval and instructions from the child's authorized representative before giving medication to the child.
 - Nonprescription medications must be administered in accordance with the product label and there must be written approval and instructions from the child's authorized representative before giving medication to the child.

101226.1 DAILY INSPECTION FOR ILLNESS

- The licensee shall be responsible for ensuring the children with obvious symptoms of illness are not accepted.
- No child shall be accepted without contact between center staff and the person bringing the child to the center.

101226.2 ISOLATION FOR ILLNESS

- A center shall be equipped to isolate and care for any child who becomes ill during the day.
- The child's authorized representative shall be notified immediately when the child becomes ill enough to require isolation, and shall be asked to pick up the child as soon as possible.

101227 FOOD SERVICE

- Food selection, storage preparation and service shall be safe and healthful and of the quality and quantity necessary to meet the needs of children.
- Meal services are elective.
- Between meals, snacks must be available for all children. Snacks will include servings from two or more of the four major food groups.
- Menus must be in writing and posted at least one week in advance.
- Pesticides and similar toxic substances must not be stored with food.
- Soaps and cleaning compounds must be stored separately from food.
- Kitchens and food areas shall be clean.
- All food shall be protected against contamination.
- Necessary equipment includes a sink, refrigeration, hot and cold running water and storage space. This equipment must be well maintained.

101229 RESPONSIBILITY FOR PROVIDING CARE AND SUPERVISION

- The licensee shall provide care and supervision as necessary to meet the children's needs. No child shall be left without the supervision of a teacher at any time. Supervision includes visual observation.

101229.1 SIGN IN AND SIGN OUT

- The licensee shall develop, maintain and implement a written procedure to sign the child in/out of the center. The person who signs the child in/out shall use his/her full legal signature and shall record the time of day. All sign in/out sheets shall be kept for one month.

101230 ACTIVITES AND NAPPING

- Each center shall provide for a variety of daily activities including quiet and active play, rest and relaxation, eating, and toileting.
- All children shall be given an opportunity to nap or rest without distraction.
- A napping space and a cot or mat must be available for each child under age 5.
- No child shall be forced to stay awake or stay in the napping area longer than the normal napping period.
- A teacher-child ratio of one teacher or aide supervising 24 napping children is permitted provided that the remaining teachers necessary to meet the overall ratios are immediately available at the center.

101231 SMOKING PROHIBITION

- Smoking is prohibited on the premises of a Child Care Center.

101237 ALTERATIONS TO EXISTING BUILDINGHS OR NEW FACILITIES

- Prior to construction or alterations, the licensee shall notify the Department of the proposed change(s).

101238 BUILDINGS AND GROUNDS

- The center shall be clean, safe, sanitary and in good repair at all times.
- All children shall be protected against hazards.
- Licensees shall ensure the inaccessibility of pools and all bodies of water.
- Disinfectants, cleaning solutions, poisons and items that could pose a danger to children shall be stored where inaccessible to children
- Storage areas for poisons shall be locked.
- Firearms and other weapons are not allowed on the premises.

101238.2 OUTDOOR ACTVITY SPACE

- There shall be at least 75 square feet per child of outdoor activity space. The outdoor space shall provide a shaded rest area and permit children to reach the activity space safely.
- The surface of the activity space shall be in a safe condition and free of hazards.
- The areas around and under climbing equipment, swings slides and similar equipment shall be cushioned with material that absorbs falls.
- Sandboxes shall be inspected daily and kept free of foreign materials.
- The playground shall be enclosed by a fence at least four feet high.
- Hazardous equipment such as a fuse box shall be inaccessible.

101238.4 STORAGE SPACE

- Each child shall have an individual storage space for personal items.
- There must be storage space in the playrooms for materials and equipment.

101239 **FIXTURES, FURNITURE, EQUIPMENT, AND SUPPLIES**

- A comfortable temperature shall be maintained at all times.
- All window screens shall be in good repair and free of insects and debris.
- Fireplaces and open-faced heaters shall be inaccessible.
- All containers used for storing solid wastes must have a tight-fitting cover.
- There must be one toilet and hand-washing sink for every 15 children.
- Common towels or washcloths are prohibited.
- Tables and chairs scaled to the size of children must be provided.
- All play equipment and materials used by children must be age-appropriate.
- Furniture and equipment must be maintained in good condition.
- A baby walker shall not be allowed on the premises.
- Permanent playground equipment must be securely anchored to the ground.

101239.1 **NAPPING EQUIPMENT**

- Cots must be maintained in a safe condition.
- Floor mats used for napping must be at least ¾ inch thick, covered with vinyl or similar material that can be wiped, and marked to distinguish the sleeping side from the floor side.
- Bedding must be individually stored and kept clean.

101239.2 **DRINKING WATER**

- Drinking water must be readily available both indoors and outdoors.
- Children must be free to drink as they wish.

SCHOOL-AGE CHILD CARE CENTER

101451 **GENERAL**

- In addition to Child Care Center General Licensing Requirements, school-age centers shall be governed by this chapter.

101471 **SCHOOL-AGE CHILD CARE CENTER FIRE CLEARANCE**

- In addition to Section 101171, School-age centers located on functioning school sites may submit verification of the school fire inspection. The school fire inspection shall be accepted as sufficient fire clearance for licensing purposes.

101482 **ISSUANCE OF A SCHOOL-AGE CHILD CARE CENTER LICENSE**

- The Department shall issue a license to an applicant according to Health and Safety Code Section 1597.21, after a completed application has been submitted, and all licensing requirements have been met.

**101515 SCHOOL-AGE CHILD CARE CENTER DIRECTOR
QUALIFICATIONS AND DUTIES**

- In addition to Section 101215.1, the following shall apply:
 - All school-age centers shall have a director. In a combination program, the director of the Child Care Center may also direct the school-age component.
 - Units and training may be combined to meet the total educational requirement: 15 units or 300 training hours, or any combination thereof.
 - As an alternative educational requirement, a director may substitute 6 units in early childhood education with 6 units appropriate to school-age children.
 - As an alternative educational requirement, a director of a school-age program that stands alone may substitute 20 training hours for each required unit of education in Section 10125.1(h)(1). Units and training hours may be combined to meet the total educational requirement.
 - In addition to a 3-unit semester administration course, 3 units in early childhood education, child development or school-age courses, the director may substitute 9 core units from the following: recreation, physical education, human services, units earned toward an elementary or middle school teaching credential, early childhood education, child development or school-age child units.
 - A director is required to complete 12 units or 240 training hours prior to employment. The remaining 3 units must be completed within one year of employment.
 - A director may qualify by possessing an Associate of Arts or a Bachelor's Degree from an accredited or approved college provided at least 3 units or 60 training hours are in early childhood education, child development, or school-age child courses; and 3 units in administration or staff relations.
 - Section 1597.21(f) of the Health and Safety code allows a director to use alternative approved sources of education.
 - Verification of education shall be by transcript or certificate with hours completed shown on the certificate.
 - A director needs to have verified experience of at least 3 hours a day for a minimum of 100 days in a calendar year. Health and Safety Code Section 1597.21 allows for alternative types of experience.

**101516.2 SCHOOL-AGE CHILD CARE CENTER TEACHER
QUALIFICATION AND DUTIES**

- In addition to Section 101216.1, the following shall apply:
 - As an alternative education requirement, a school-age teacher may substitute 20 training hours for each required unit. Units and

training hours may be combined to meet the total educational requirements of 12 units or 240 training hours, or any combination thereof.

- School-age teachers may use alternative educational requirements. A teacher may substitute: recreation, physical education, human services, units earned toward an elementary or middle school teaching credential; early childhood education, child development or school-age child units.
- A teacher is required to complete 6 units prior to employment.
- Health and Safety Code, section 1597.21(f), allows a teacher to use alternative approved sources of education.
- Alternative types of experience may also be accepted. To be a fully qualified school-age teacher, experience must be verified showing at least 3 hours a day for a minimum of 50 days in a six-month period.
- In a combination center, a fully qualified teacher shall be designated to work closely with the director planning the daily activities of the school-age center.

101516.5 TEACHER-CHILD RATIO

- In addition to Section 101216.3, the following shall apply:
 - One teacher to supervise no more than 14 children.
 - One teacher and 1 aide can supervise no more than 28 children.
 - Staffing for mixed-aged groups shall be based on the youngest child in the group.
 - Directors may be counted in the ratio when actually working with groups of children.

101520 MEDICAL ASSESSMENTS

- Notwithstanding Section 101216.2, the licensee shall not be required to document medical assessments on school-age children who are enrolled in a public or private school.

101520 IMMUNIZATIONS

- Notwithstanding Section 101220.1, the licensee is not required to document immunizations of children also enrolled in a public or private elementary school.

101521 CHILD'S RECORDS

- In addition to Section 101221, except (b)(8), the following shall apply:
 - The licensee shall obtain from the child's representative, a health background related to the child's ability/inability to participate in center activities.

101526.1 DAILY INSPECTION FOR ILLNESS

- In addition to Section 101226.1, upon arrival or admittance to the center, school-age children shall be observed for signs of illness. If a child is found to be ill, follow Section 101226.2.

101527 FOOD SERVICE

- In addition to Section 101227, before and after school programs shall offer nutritious snacks to children.

101529.1 SIGN-IN AND SIGN-OUT

- In addition to Section 101229.1:
 - Center staff shall sign in school-age children who arrive at the center on their own.

101538.2 OUTDOOR ACTIVITY SPACE FOR SCHOOL-AGE CHILDREN

- In addition to Section 101238.2:
 - Outdoor activity space for school-age children shall be physically separated from space provided other children at the center.
 - School-age child care programs that are operated on the site of a functioning school ground are exempt from square-footage requirements.

101538.3 INDOOR ACTIVITY SPACE FOR SCHOOL-AGE CHILDREN

- In addition to Section 101238.3, the following applies:
 - Indoor space for school-age children shall be physically separated from space provided other children in the center.
 - School-age child care programs that are operated on the site of a functioning school are exempt from square-footage requirements.

101539 FIXTURES, FURNITURE, EQUIPMENT AND SUPPLIES

- In addition to Section 101239, the following applies:
 - Toilets used by school-age children shall provide individual privacy. Toilet facilities shall not be used simultaneously by children of both sexes.
 - School-age programs that operate on the site of a functioning school are exempt from toilet requirements.

INFANT CARE CENTERS

101351 GENERAL

- Child Care Centers providing infant care shall be governed by the requirements of this subchapter. These centers shall also be governed by the previously listed Child Care Center General Licensing requirements.

101361 LIMITATIONS ON CAPACITY AND AMBULATORY STATUS

- A child, whose developmental needs require continuation in an Infant Care Center, may remain in an Infant Care Center up to the age of three years.

101415 INFANT CARE CENTER DIRECTOR QUALIFICATIONS AND DUTIES

- An infant center director must meet the requirements of Section 101215.1, and the following:
 - Experience requirements shall be completed in an Infant Care Center or a comparable group child care program with children less than five years of age.
 - At least 3 semester units completed must be related to infant care.
 - When the infant director is temporarily away from the center, the director shall appoint a substitute director.
 - In centers where an assistant director is required, the assistant director shall act as a substitute.
 - A fully qualified infant care teacher can act as a substitute for the director, or the assistant director.
 - If the director's absence is more than 30 consecutive days, a substitute director shall meet the qualifications of a director.

101415.1 ASSISTANT INFANT CARE CENTER DIRECTOR QUALIFICATIONS AND DUTIES

- An assistant director shall be present if the center has 25 or more infants in attendance. The assistant director has to be a fully qualified infant teacher and have completed, with passing grades, at least three semester units in administration at an approved college. This course work may be completed within one year of employment of the assistant director.
- The assistant director shall work under the direction of the center director.

101416.2 INFANT CARE TEACHER QUALIFICATION S DUTIES

- In addition to Section 101216.1, infant care teachers need to have taken and passed, at least 3 semesters units in early childhood education or child development, and 3 semester units in the care of infants from an approved college.
- After employment, a teacher who has not completed the 12 required semester units shall complete with passing grades, at least 2 units each semester until the 12 semester units are completed.
- To be a fully qualified infant care teacher, he/she shall:
 - Complete 12 semester units, with passing grades, in early childhood education or child development. At least 3 units shall be related to the care of infants.
 - Have a least 6 months experience in a licensed infant care program or comparable program for children under five years old.

101416.3 INFANT CARE AIDE QUALIFICATION AND DUTIES

- An aide must work under the supervision of the director or a fully qualified teacher, except when observing sleeping infants.
- Aides shall participate in an on-the job training program.
- An aide shall provide direct care and supervision to infants.

101416.5 STAFF-INFANT RATIO

- There shall be a ratio of one teacher to every four infants.
- An aide may be substituted for a teacher if there is a fully qualified teacher directly supervising no more than 12 infants.
- When in activities away from the center there shall be a minimum of one adult to every two infants.
- The director may be counted in the staff-infant ratio when actually working with infants.
- There shall be one staff visually observing no more than 12 sleeping infants, as long as additional staff are available at the center to meet the above ratios when necessary.

101416.8 STAFFING FOR INFANT WATER ACTIVITIES

- A ratio of one adult to two infants shall be required during activities near a swimming pool or any body of water.

101417 TODDLER COMPONENT IN AN INFANT CARE CENTER

- Licensees serving infants may create a special program component for children between 18 and 30 months.
- A ratio of one teacher for every 6 toddlers is required.
- An aide participating in on-the job training can substitute for a teacher when directly supervised by a fully qualified teacher.
- Maximum group size is two teachers to 12 toddlers.
- The toddler program shall be conducted in areas physically separate from those used by older or younger children.

101419.2 INFANT NEEDS AND SERVICES PLAN

- A plan must be completed and on file for every infant prior to attending the center. This plan must be signed by the authorized representative.
- The plan shall include: an individual feeding plan, individual toilet training plan, and any services needed different from those provided by the program.

101419.3 MODIFICATIONS TO INFANT NEEDS AND SERVICES PLAN

- The plan shall be updated quarterly or as often as necessary.

101423.1 INFANT CARE DISCIPLINE

- In addition to 101223.3, no infant shall be confined to a crib, high chair, playpen, or any other furniture or equipment as a form of discipline.

101425 INFANT CARE TRANSPORTATION

- Driver has to be 18 years old or older to transport infants.
- The vehicle must contain a first-aid kit.
- Children must be secured in a child passenger restraint system, i.e., a car seat.
- Staff/infant ratios must be maintained whether the vehicle is moving or parked.
- Infants in vehicles shall have constant adult supervision and shall not be left unattended.

101426.2 INFANT CARE ISOLATION FOR ILLNESS

- In addition to 101226.2, the isolation area must have a crib, cot, mat or playpen for each ill infant. This isolation area must be under constant visual supervision by staff.

101427 INFANT CARE FOOD SERVICE

- In addition to 101227, the following shall apply:
 - Each infant shall have an individual feeding plan completed prior to the infant's first day at the center. This plan must be developed by the director, infant's representative and/or physician.
 - The plan shall include: instructions for infant's special diet, feeding schedule, breast milk or formula, schedule for introduction to solid/new foods, food consistency, likes and dislikes, allergies, schedule for introduction of cups and utensils.
 - This plan shall be updated as often as necessary.
 - Bottle fed infants shall be fed at least every four hours.
 - Infant care centers shall have appropriate food available for the infants.
 - The center shall provide only commercially prepared formulas that are stored and prepared in accordance with the label.
 - The infant's representative may provide formula or breast/mother's milk. Such formula or milk shall be bottled before being accepted by the center.
 - Bottles shall be labeled.
 - Center may heat formula or breast/mother's milk.
 - Center must keep a supply of nipples. Bottles/nipples can not be shared between infants unless sterilized.
 - Infants unable to hold a bottle shall be held by staff for bottle feeding.
 - Bottles cannot be propped; infants shall not carry a bottle while ambulatory; a bottle given to an infant able to hold his/her own shall be unbreakable.

- High chairs or appropriate seating equipment shall be used for infants during feeding. Infants unable to sit unassisted shall be held by staff for feeding.
- Bottles, dishes and food containers brought from infant's home shall be labeled with infant's name and current date.
- Formula partially consumed in a bottle shall be discarded at end of each day.
- Food shall be discarded if not consumed within 72 hours of date on the container label.
- The infant care center shall not serve honey.
- Commercially prepared baby food in jars shall be transferred to a dish before being fed to the infant. Any food left over in the dish at the end of a meal shall be discarded.
- Mother may make arrangements with center for privacy to nurse infant.
- Bottles and nipples in center shall be sterilized.
- Infants shall not be bathed in, and diapers or clothing shall not be rinsed in, the food preparation area.

101428 INFANT CARE PERSONAL SERVICES

- There shall be a written toilet-training plan for each infant being toilet trained.
- Whenever a potty chair is used, it shall be placed on the floor and promptly emptied, cleaned and disinfected after each use.
- No child shall be left unattended while on a potty chair or seat.
- Each child shall receive instruction and assistance in hand washing after use of the toilet. The infant shall be kept clean and dry at all times.
- Soiled or wet clothing provided by the infant's representative shall be placed in an airtight container and given to the representative at the end of the day.
- When changing an infant's diaper, each infant shall be on a changing table and no infant shall be left unattended while on the changing table.
- Towels and washcloths used for cleaning infants shall not be shared and shall be washed after each use.
- The changing table shall be disinfected after each use.

101429 RESPONSIBILITY FOR PROVIDING CARE AND SUPERVISION FOR INFANTS

- In addition to 101229, each child shall be constantly supervised and under direct visual observation by a staff person at all times. Under no circumstances shall any infant be left unattended.

101430 INFANT CARE ACTIVITIES

- The center shall implement a written plan to ensure the provision of indoor and outdoor activities designed to meet the needs of the infants, including but not limited to, quiet and active play; rest and relaxation; eating; toileting; individual attention; being held by a caregiver.

- All infants shall be given the opportunity to nap/sleep without distraction or disturbances.
- No infant shall be forced to sleep, stay awake, or stay in the napping area.

101438.1 INFANT CARE GENERAL SANITATION

- All items used by pets and animals shall be kept out of the reach of infants.
- Each caregiver shall wash his/her hands with soap and water before feeding and after each diaper change.
- Areas that infants have access to shall be washed, cleared and sanitized as follows: floors shall be vacuumed or swept and mopped daily and as often as necessary. Carpeted floors shall be vacuumed daily and cleaned at least every 6 months. Walls shall be washed with disinfecting solution at least weekly.
- The diaper changing area shall be disinfected including walls and floors. After each diaper change, counter tops, sinks, drawers and cabinets near diaper changing area shall be washed.
- Objects that are used by infants that are mouthed shall be washed and disinfected.
- All disinfectants and other hazardous materials shall be stored inaccessible to infants.
- Only dispenser soap in an appropriate dispenser shall be used.
- Only disposable paper towels in an appropriate holder or dispenser shall be used for hand drying.

101438.2 OUTDOOR ACTIVITY SPACE FOR INFANTS

- In addition to Section 101238.2, the following shall apply:
 - Outdoor space shall be physically separated from space used by children not in the infant center.
 - Outdoor space shall be equipped with age-appropriate toys and equipment

101438.3 INDOOR ACTIVITY SPACE FOR INFANTS

- The sleeping area for infants shall be physically separated from the indoor activity space.
- The indoor activity space shall be equipped with age-appropriate washable toys and equipment.

101439 INFANT CARE CENTER FIXTURES, EQUIPMENT AND SUPPLIES

- In addition to Section 101239, the following shall apply:
 - There shall be appropriate furniture and equipment such as cribs, cots or mats, changing tables and feeding chairs.
 - High chairs or low-wheeled feeding tables or any equipment used for seating an infant shall have broad-base legs.

- No infant shall be permitted to stand up in a high chair.
- All equipment shall be washed/disinfected after each use.
- Infant changing tables shall have a padded surface no less than 1 inch thick; raised sides at least 3 inches high; kept in good repair, within an arm's reach of a sink and not located in the kitchen or food preparation area.
- There shall be one hand washing sink for every 15 infants and one potty chair for every 5 infants being toilet trained.
- Infants shall not be permitted to play with the potty chair.
- Toy storage containers shall be safe and maintained in good condition.
- Containers shall not be lockable.
- Toys shall be safe and not have any sharp edges, or small parts.
- Fixtures, furniture, equipment or supplies shall not be made of or contain toxic substances.

101439.1 INFANT CARE CENTER NAPPING EQUIPMENT

- In addition to Section 101239.1, the following shall apply:
 - A standard size six-year crib or porta-crib shall be provided for each infant who is unable to climb out of a crib.
 - Cribs shall not limit the ability of staff to see the infant.
 - Cribs shall not limit the infant's ability to stand upright.
 - Crib mattresses shall be covered with vinyl or similar moisture-resistant material; shall be wiped and disinfected daily and when wet or soiled.
 - Cribs shall be maintained in a safe condition.
 - Each crib shall be occupied by only one infant at a time.
 - Each infant's bedding shall be used by him/her only, and replaced when wet or soiled.
 - Bedding shall be changed daily or more often if required.
 - Cribs, mats or cots shall be arranged so as to provide a walkway and work space between the cribs, mats or cots sufficient to permit staff to reach each infant without stepping over any other infant.

Effective January 1, 2007 – Assembly Bill 633 (Benoit)

Documents to be Made Accessible to the Public

The licensee, upon receipt, shall make accessible to the public any licensing report, any licensing documents that document noncompliance conference between licensing management and the licensee, and/or a copy of an Accusation that indicates the licensing agency's intent to revoke the facility's license.

Documents to be Provided to Parents/Legal Guardians:

Upon receipt by the licensee, the licensee is to provide to parents/guardians the following:

- Copies of any licensing report that documents a Type A citation. This includes facility visits and substantiated complaint investigations.
- Copies of any licensing documents pertaining to a noncompliance conference between licensing management and licensees.
- Copies of a summary of any accusation indicating the Department's intent to revoke the facility's license.
- Copies of any of the above licensing documents the licensee has received in the prior 12 months should be provided to parents/guardians of newly enrolling children.
- The licensee shall keep verification of receipt in each child's file at the facility.

Administration of Child Care Programs:

Within 90 days of employing a new director, a Child Care Center licensee shall secure verification that the newly hired director has completed attendance at an orientation given by Licensing and verification of such shall be kept on file.