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**SUBCHAPTER 1. (RESERVED)**

**SUBCHAPTER 2. INFANT CARE CENTERS**

**Article 1. GENERAL REQUIREMENTS AND DEFINITIONS**

**101351 GENERAL**

- (a) Child care centers providing group infant care shall be governed by the provisions specified in this subchapter. In addition, such centers, except where specified otherwise, shall be governed by Chapter 1, Child Care Center General Licensing Requirements.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73 and 1596.81, Health and Safety Code.

**101352 DEFINITIONS**

Renumbered to Section 101152 by Manual Letter No. 98-11, effective 11/1/98.

**101361 LIMITATIONS ON CAPACITY AND AMBULATORY STATUS**

- (a) It shall be permissible for a child whose developmental needs require continuation in an infant care center to remain in an infant care center up to a maximum age of three years.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

**Article 2. LICENSING (Reserved)**

**Article 3. APPLICATION PROCEDURES (Reserved)**

**Article 4. ENFORCEMENT PROVISIONS (Reserved)**

**Article 5. ADMINISTRATIVE ACTIONS (Reserved)**

**Article 6. CONTINUING REQUIREMENTS****101415 INFANT CARE CENTER DIRECTOR QUALIFICATIONS AND DUTIES**

- (a) In addition to Section 101215.1, the following shall apply:
- (b) The experience requirement specified in Sections 101215.1(h)(1), (2) and (3) shall be completed in an infant care center or a comparable group child care program dealing with children under five years of age.
- (c) At least three of the semester or equivalent quarter units required in Sections 101215.1(h)(1)(B), (h)(2) and (h)(3) shall be related to the care of infants.
- (d) When the director of an infant care center, a single license child care center, or a combination center caring for infants is temporarily away from the center, the director has the authority to delegate his/her responsibilities as specified below:
  - (1) When an assistant director is required, arrangements shall be made for the assistant director to act as a substitute.
    - (A) Arrangements shall be made for a fully qualified infant care teacher to act as a substitute for the assistant director.
  - (2) When an assistant director is not required, arrangements shall be made for a fully qualified infant care teacher to act as a substitute.
  - (3) If the absence is for more than 30 consecutive calendar days, the substitute director shall meet the qualifications of a director.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.750, 1596.72 and 1596.81, Health and Safety Code.

**101415.1 ASSISTANT INFANT CARE CENTER DIRECTOR QUALIFICATIONS  
AND DUTIES**

- (a) In addition to the director, an assistant director shall be present and on duty if the center has 25 or more infants in attendance.
- (b) The assistant infant care center director shall meet the following qualifications:
  - (1) Be a fully qualified infant care teacher.
  - (2) Have completed, with passing grades, at least three postsecondary semester or equivalent quarter units in administration or employee relations at an accredited or approved college or university.
    - (A) The assistant director may complete the three units required in (b)(2) above within one year following initial employment as assistant director.
    - (B) The assistant director shall work under the direction and supervision of the infant or child care center director.
    - (C) Under the leadership of the director, the assistant director shall be responsible for the infant care center or the infant care within a combination center or single license child care center.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

### **101416.2 INFANT CARE TEACHER QUALIFICATIONS AND DUTIES**

- (a) Notwithstanding Section 101216.1, the following shall apply:
- (b) Prior to employment, an infant care teacher shall have completed, with passing grades, at least three postsecondary semesters or equivalent quarter units in early childhood education or child development, and three postsecondary semester or equivalent quarter units related to the care of infants, at an accredited or approved college or university.
  - (1) After employment, a teacher who has not completed the course work required in (c)(1) below shall complete, with passing grades, at least two units each semester or quarter until the education requirements are met.
- (c) To be a fully qualified infant care teacher, a teacher shall have the following:
  - (1) Completion, with passing grades, of 12 postsecondary semester or equivalent quarter units in early childhood or child development education at an accredited or approved college or university.
    - (A) At least three of the units required in (c)(1) above shall be related to the care of infants or shall contain instruction specific to infants.
      - 1. Examples of acceptable course work are pediatric nursing and postnatal care.
  - (2) At least six months of experience in a licensed infant care center or comparable group child care program for children under five years of age.
    - (A) Experience shall be verified as having been performed satisfactorily, at least three hours per day for a minimum of 50 days in a six-month period, as a paid or volunteer staff member under the supervision of a person who would qualify as a teacher or director under this chapter.

**101416.2 INFANT CARE TEACHER QUALIFICATIONS AND DUTIES (Continued)**

- (d) A photocopy of each teacher's transcript(s) documenting successful completion of required course work shall be maintained at the center.
- (e) Under the direction and supervision of the director and the assistant director, the infant care teacher shall provide direct care and supervision to infants at the center.
- (f) Teachers shall visually observe aides whenever aides are working with infants, except as provided for in Section 101416.5(d)(1).
- (g) An infant care teacher shall complete 16 hours of health and safety training if necessary pursuant to Health and Safety Code Section 1596.866.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

**101416.3 INFANT CARE AIDE QUALIFICATIONS AND DUTIES**

- (a) In addition to Section 101216.2, the following shall apply:
- (b) An infant care aide shall work under the direct supervision of the director, the assistant director or a fully qualified teacher, except as provided for in Section 101416.5(d)(1).
- (c) Aides shall participate in the on-the-job training programs provided by the licensee as specified in Section 101216(e).
- (d) An aide shall provide direct care and supervision to infants.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

### **101416.5 STAFF-INFANT RATIO**

- (a) In addition to Sections 101216.3 (c), (e), (g) and (h), and notwithstanding Sections 101216.3 (a), (b), (d) and (f), the following shall apply:
- (b) There shall be a ratio of one teacher for every four infants in attendance.
  - (1) An aide may be substituted for a teacher when all of the following conditions are met:
    - (A) There is a fully qualified teacher directly supervising no more than 12 infants, and
    - (B) Each aide is responsible for the direct care and supervision of a group of no more than four infants.
  - (2) When engaged in activities away from the center, there shall be a minimum of one adult to every two infants in attendance.
    - (A) This ratio may include authorized representatives of infants in care and adult volunteers to supplement the staff-infant ratio.
- (c) A director or the assistant director in an infant care center, a combination center, or a single license child care center, may be counted in the staff-infant ratio when actually working with infants.
- (d) There shall be one teacher to every 12 sleeping infants provided the remaining staff necessary to meet the ratios specified in (b) above are immediately available at the center.
  - (1) An aide who is 18 years of age or older, and who meets the requirements of Sections 101216 and 101216.2(e), may be used in place of a teacher if the conditions specified in (d) above are met.
- (e) There shall be provision for overlap of staff for different shifts so that continuity of care is assured.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.



### **101416.8 STAFFING FOR INFANT WATER ACTIVITIES**

- (a) In addition to Sections 101216.6(a) and 101416.5(b), and notwithstanding Section 101216.6(b), the following shall apply:
- (b) A ratio of one adult to two infants shall be maintained during activities in or near any body of water specified in Sections 101216.6(a)(1) and (3).
- (c) A ratio of one staff member to every four infants shall be maintained during activities in or near any container of water that a child can get into and get out of unassisted. This shall include, but not be limited to, wading pools, basins or water trays.
  - (1) This ratio may include authorized representatives of infants in care and adult volunteers to supplement the staff-infant ratio.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

**101417 TODDLER COMPONENT IN AN INFANT CARE CENTER**

- (a) Licensees serving infants may create a special program component for children who are between 18 months and 36 months of age. The provisions of Sections 101151 through 101239.2 and 101351 through 101439.1 shall apply to each infant care center, and each single license child care center providing care to infants operating a toddler component in addition to the components specified in Health and Safety Code section 1596.956.
- (1) Each infant care center and each single license child care center shall obtain written permission from the child's authorized representative for the placement of the child in the toddler program.

NOTE: Authority cited: Sections 1596.81 and 1596.956, Health and Safety Code. Reference: Section 1596.956, Health and Safety Code.

### **101419.2 INFANT NEEDS AND SERVICES PLAN**

- (a) Prior to the infant's first day at the center, the infant care center director or assistant director shall complete a needs and services plan for the infant.
  - (1) Such plan shall be completed with the assistance of the infant's authorized representative at the personal interview specified in Section 101218.1.
  - (2) The authorized representative shall sign the plan to verify that he/she has participated in preparing it.
- (b) The needs and services plan shall be in writing and shall include the following:
  - (1) The individual feeding plan.
  - (2) Infants up to 12 months of age shall have a completed Individual Infant Sleeping Plan [LIC 9227 (3/20)], which is incorporated by reference.
    - (A) This plan shall be signed and dated by the infant's authorized representative.
  - (3) The individual toilet-training plan, if applicable.
  - (4) Any services needed by the infant that are different from those provided by the center's normal program. Such items shall include but not be limited to:
    - (A) Any special exercises for infants with physical disabilities.
  - (5) A plan for subsequent personal interviews with the authorized representative.
- (c) The authorized representative shall be provided with a copy of the needs and services plan and any subsequent updates.
- (d) The needs and services plan shall be included in the infant's file.
  - (1) The needs and services plan shall be maintained in the infant's file and shall be available to the Department for review.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

### **101419.3 MODIFICATIONS TO INFANT NEEDS AND SERVICES PLAN**

- (a) The written infant needs and services plan shall be updated at least quarterly, or as often as necessary to assure its accuracy.
  - (1) The director, the assistant director or a teacher shall update the plan with the assistance of the infant's authorized representative.
  - (2) The authorized representative shall sign the plan to verify that he/she has participated in updating it.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

### **101423.1 INFANT CARE DISCIPLINE**

- (a) In addition to Section 101223.2, the following shall apply:
- (b) Confinement to cribs, high chairs, playpens or other similar furniture or equipment shall not be permitted as a form of discipline or punishment.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

### **101425 INFANT CARE TRANSPORTATION**

- (a) In addition to Section 101225, the following shall apply:
- (b) Only licensed drivers 18 years old or older shall be permitted to operate any vehicle used to transport infants.
- (c) Motor vehicles used to transport infants shall contain a first-aid kit containing at least the supplies specified in Section 101226(d).
  - (1) When public transportation is used to transport infants, center staff shall have on hand, and available for use, a first-aid kit as specified in (c) above.
- (d) When transporting infants in any motor vehicle, the licensee shall secure each infant in a child passenger restraint system, i.e., a car seat designed for an infant. The child passenger restraint system shall be secured in the vehicle in accordance with the manufacturer's instructions.
  - (1) The manufacturer's instructions shall be maintained in the center for as long as the infant car seat is in use.

**101425 INFANT CARE TRANSPORTATION (Continued)**

- (2) Vehicle Code section 27360 requires that children as specified must be secured in a child passenger restraint system.

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Vehicle Code section 27315(c)(1) provides:

As used in this section, "motor vehicle" means a passenger vehicle, a motortruck, or a truck tractor, but does not include a motorcycle.

Vehicle Code section 27360 provides:

- (a) Except as provided in Section 27363, a parent, legal guardian, or driver shall not transport on a highway in a motor vehicle, as defined in paragraph (1) of subdivision (c) of Section 27315, a child or ward who is under eight years of age, without properly securing that child in a rear seat in an appropriate child passenger restraint system meeting applicable federal motor vehicle safety standards.
- (b) Except as provided in Section 27363, a parent, legal guardian, or driver who transports a child under two years of age on a highway in a motor vehicle, as defined in paragraph (1) of subdivision (c) of Section 27315, shall properly secure the child in a rear-facing child passenger restraint system that meets applicable federal motor vehicle safety standards, unless the child weighs 40 or more pounds or is 40 or more inches tall. The child shall be secured in a manner that complies with the height and weight limits specified by the manufacturer of the child passenger restraint system.
- (c) Subdivision (a) does not apply to a driver if the parent or legal guardian of the child is also present in the motor vehicle and is not the driver.

Vehicle Code section 27363 provides:

- (a) The court may exempt from the requirements of this article any class of child by age, weight, or size if it is determined that the use of a child passenger restraint system would be impractical by reason of physical unfitness, medical condition, or size. The court may require satisfactory proof of the child's physical unfitness, medical condition, or size and that an appropriate special needs child passenger restraint system is not available.
- (b) In case of a life-threatening emergency, or when a child is being transported in an authorized emergency vehicle, if there is no child passenger restraint system available, a child may be transported without the use of that system, but the child shall be secured by a seatbelt.

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**101425     INFANT CARE TRANSPORTATION (Continued)**

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- (c) A child weighing more than 40 pounds may be transported in the backseat of a vehicle while wearing only a lap safety belt when the backseat of the vehicle is not equipped with a combination lap and shoulder safety belt.
- (d) Notwithstanding Section 27360, a child or ward under eight years of age who is four feet nine inches in height or taller may be properly restrained by a safety belt, as defined in paragraph (2) of subdivision (d) of Section 27315, rather than by a child passenger restraint system.
- (e) Notwithstanding Section 27360, a child or ward under eight years of age may ride properly secured in an appropriate child passenger restraint system meeting applicable federal motor vehicle safety standards in the front seat of a motor vehicle under any of the following circumstances:
  - (1) There is no rear seat.
  - (2) The rear seats are side-facing jump seats.
  - (3) The rear seats are rear-facing seats.
  - (4) The child passenger restraint system cannot be installed properly in the rear seat.
  - (5) All rear seats are already occupied by children seven years of age or under.
  - (6) Medical reasons necessitate that the child or ward not ride in the rear seat. The court may require satisfactory proof of the child's medical condition.
- (f) Notwithstanding subdivision (e), a child shall not be transported in a rear-facing child passenger restraint system in the front seat of a motor vehicle that is equipped with an active frontal passenger airbag.

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- (e) The staff-infant ratio shall be maintained while transporting infants in motor vehicles.
  - (1) The required supervision ratios shall be maintained whether the vehicle is moving or parked.
- (f) Infants in motor vehicles shall have constant adult supervision and shall not be left unattended under any circumstances.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

### **101426.2 INFANT CARE ISOLATION FOR ILLNESS**

- (a) In addition to Section 101226.2, the following shall apply:
- (b) The isolation area shall be equipped with a crib, cot, mat or playpen for each ill infant.
- (c) Any infant in the isolation area shall be under constant visual observation by a director, an assistant director, a teacher or an aide.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

### **101427 INFANT CARE FOOD SERVICE**

- (a) In addition to Section 101227, the following shall apply:
- (b) There shall be an individual feeding plan for each infant.
  - (1) The plan shall be completed and available for use prior to the infant's first day at the center.
  - (2) The director or the assistant director, and the infant's authorized representative and/or physician, shall develop the plan.
    - (A) The authorized representative shall sign the plan to verify that he/she has participated in developing and updating it.
  - (3) The plan shall include the following items:
    - (A) Instructions from the infant's physician relating to special diet or feeding.
    - (B) Feeding schedule.
    - (C) Breast milk or kind of formula.
    - (D) Schedule for introduction of solid and new foods.
    - (E) Food consistency.
    - (F) Food likes and dislikes.
    - (G) Food allergies.
    - (H) Schedule for introduction of cups and utensils.

**101427    INFANT CARE FOOD SERVICE (Continued)**

- (4)    The plan shall be updated as often as the authorized representative wants, or as necessary to reflect changes in any of the areas specified above.
  
- (5)    The infant care center director or assistant director shall discuss current feeding theory with the authorized representative. This discussion should cover the dangers of honey.

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- (A)    Authorities recommend that honey not be fed to any infant for the first year of life. Honey may carry botulism spores that can be harmful to young infants and has been known to cause infant botulism.
  
- (B)    It is recommended that the discussion include the following "Recommendations for Infant Feeding Practices" by the Department of Human Services concerning the sequence for the introduction of solid foods to infants from birth to 12 months.

<b>AGE</b>	<b>FOODS</b>
<b>Birth-12 months</b>	Breast milk, iron-fortified formula, or evaporated milk formula
<b>At 4-6 months</b>	Infant cereal (dry type)
<b>At 5-7 months</b>	Vegetables, fruits and their juices
<b>At 6-8 months</b>	Protein foods (cheese, yogurt; cooked beans, meat, fish, and chicken; egg yolk)
<b>At 10-12 months</b>	Whole egg

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- (c)    The infant shall be fed in accordance with the individual plan.
  - (1)    Bottle-fed infants shall be fed at least once every four hours.
  
  - (2)    The infant care center shall have appropriate food available for the infant.
    - (A)    Where the infant's authorized representative elects to provide food for the infant but forgets to bring it, the center shall provide appropriate food for the infant.
  
  - (3)    Introduction of solid foods shall be in accordance with the individual plan.



**101427 INFANT CARE FOOD SERVICE (Continued)**

- (d) The infant care center shall provide only commercially prepared formulas for infants.
  - (1) Commercial formulas shall be stored and prepared in accordance with label directions.
  - (2) The specific brand of formula shall be specified in the feeding plan.
  - (3) Any change from one formula to another shall be reflected in advance on the feeding plan.

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- (4) Staff of the infant care center shall not prepare infant formula from basic ingredients.

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- (e) The infant's authorized representative may provide formula or breast/mother's milk.
  - (1) Such formula or milk shall be bottled before being accepted by the center.
    - (A) Bottles shall be labeled.
- (f) The infant care center may heat formula or breast/mother's milk.
- (g) A supply of bottles and nipples shall be maintained at the infant care center. Bottles and nipples used by one infant shall not be shared with or used by another infant unless sterilized.
- (h) Infants who are unable to hold a bottle shall be held by a staff person or other adult for bottle feeding. At no time shall a bottle be propped for an infant. An infant shall not be allowed to carry a bottle while ambulatory. A bottle given to an infant able to hold his/her own bottle shall be unbreakable.

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**101427 INFANT CARE FOOD SERVICE (Continued)**

- (i) High chairs or other appropriate seating equipment shall be used to seat infants during feeding. Infants who are unable to sit unassisted in a high chair or other seating equipment shall be held by a staff person or other adult for feeding.
- (j) Bottles, dishes and containers of food brought by the infant's authorized representative shall be labeled with the infant's name and the current date.
  - (1) Formula in a partially consumed bottle shall be discarded at the end of each day.
  - (2) Food shall be discarded if not consumed within 72 hours of the date on the container label.
  - (3) Bottles and dishes provided by the authorized representative shall be rinsed and returned to the authorized representative for sanitizing at the end of each day.
- (k) The infant care center shall not serve honey or corn syrup to any infant.
- (l) Commercially prepared baby food in jars shall be transferred to a dish before being fed to the infant.
  - (1) Any food left over in the dish at the end of the meal shall be discarded.
- (m) If requested, arrangements for privacy shall be made for any mother who has reached an agreement with the infant care center to nurse her infant in the center.
- (n) Bottles and nipples maintained by the infant care center shall be sterilized using any of the following methods after each use:
  - (1) Boiled for a minimum of five minutes and air-dried; or
  - (2) Soaked for a minimum of one minute in a sterilizing solution using 1/2 cup of bleach and five gallons of water and air-dried; or
  - (3) Bottles may be washed and sterilized using a dishwasher.
- (o) Infants shall not be bathed in, and diapers or clothing shall not be rinsed in, the food-preparation area.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

**101428 INFANT CARE PERSONAL SERVICES**

- (a) There shall be a written toilet-training plan for infants being toilet trained.
  - (1) The infant's authorized representative and the director or the assistant director shall develop the plan.
  - (2) The plan shall include the following:
    - (A) Methods of toilet training;
    - (B) Introduction and use of appropriate training equipment; and
    - (C) Introduction and use of appropriate clothing.
  - (3) Infants who are being toilet trained shall not be required to wear diapers unless specifically indicated in the plan.
  - (4) The center shall follow the plan in toilet training the infant.
  - (5) Center staff shall have ready access to the toilet-training plan for infants in their care.
- (b) The infant shall be kept clean and dry at all times.
  - (1) The infant care center shall ensure that the infant has sufficient changes of clothing and diapers so that his/her clothing and diapers can be clean and dry at all times.
  - (2) Each infant's clothing and diapers shall be changed as often as necessary to ensure that the infant is clean and dry at all times.
- (c) Soiled or wet clothing or cloth diapers provided by the infant's authorized representative shall be placed in an airtight container and returned to the authorized representative at the end of each day.
  - (1) The airtight container shall prevent the escape of fluids and odors and be portable enough to give to the authorized representative.
- (d) When changing an infant's diapers, the following shall apply:
  - (1) Each infant shall be diapered on a changing table.
    - (A) No infant shall be left unattended while on a changing table.

**101428 INFANT CARE PERSONAL SERVICES (Continued)**

- (2) Infants may be diapered on a changing pad placed on the floor that meets the requirements of Section 101439(h).
- (3) Soiled disposable diapers shall either be disposed of as recommended on the packaging or placed in an airtight container for daily disposal outside of the center.
  - (A) Containers shall be sanitized daily.
- (4) Soiled cloth diapers shall be placed in an airtight container.
- (5) Diapers provided by the center, when soiled, shall be rinsed, washed and sanitized on a daily basis. If a diaper service is utilized, the diapers shall be placed in the diaper service company container, as instructed, for pickup by the diaper service.
- (6) Towels and washcloths used for cleaning infants shall not be shared with other infants or staff and shall be washed after each use.
- (7) The changing table and changing pads shall be disinfected after each use even when disposal covers are used.
  - (A) Infant changing tables may be covered with disposable paper towels or a similar covering that shall be discarded after each diaper change.
  - (B) The floor space used for diaper changing, if soiled, shall be disinfected after each use.
- (e) Whenever a potty chair is used, the following requirements shall be met:
  - (1) The potty chair shall be placed on the floor and used in accordance with the manufacturer's instructions.
  - (2) After each use, the potty chair shall be promptly emptied into a flushing toilet, and all surfaces shall be thoroughly cleaned and disinfected.
  - (3) No infant shall be left unattended while on a potty chair or seat.
- (f) As part of toilet training, each infant shall receive instruction and assistance in hand washing after use of the toilet.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

**101429      RESPONSIBILITY FOR PROVIDING CARE AND SUPERVISION FOR INFANTS**

(a) In addition to Section 101229, the following shall apply:

- (1) Each infant shall be constantly supervised and under direct visual observation and supervision by a staff person at all times.
- (2) Sleeping infants shall be directly observed by sight and sound at all times.
  - (A) This shall include when the infants are going to sleep, are sleeping, or are in the process of waking up.
  - (B) Staff shall physically check on sleeping infants every 15 minutes and document the following:
    1. Labored breathing.
    2. Signs of distress, which includes but is not limited to flushed skin color, increase in body temperature, and restlessness.
    3. Infants up to 12 months of age who are sleeping in a position other than on their back.
      - a. If the infant's Individual Infant Sleeping Plan [LIC 9227 (3/20)] does not have Section C completed, staff shall return the infant to their back for sleeping.
    4. If staff observes labored breathing or signs of distress as specified in Subsection (a)(2)(B)2., staff shall obtain emergency medical treatment and immediately notify the infant's authorized representative.
  - (C) Documentation shall be maintained in the infant's file and be available to the Department for review. Documentation shall include the following:
    1. Date.
    2. Infant's name.
    3. Time of each 15-minute check.
    4. Initials of staff person who conducted each check.
  - (D) In the event a separately walled room is used as a designated sleeping area, staff must adhere to the staff-infant ratio requirements, as specified in Section 101416.5(d), unless there is a half-wall or transparent wall that allows for constant audial and visual supervision.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

## **101430 INFANT CARE ACTIVITIES**

- (a) Notwithstanding Section 101230, the following shall apply:
- (1) The infant care center shall develop, maintain and implement a written plan to ensure the provision of indoor and outdoor activities designed to meet the needs of infants, including but not limited to:
    - (A) Quiet and active play.
    - (B) Rest and relaxation.
    - (C) Eating.
    - (D) Toileting.
    - (E) Individual attention.
    - (F) Being held by a caregiver.
  - (2) The center shall ensure the participation of infants in the above activities.
  - (3) All infants shall be given the opportunity to sleep without distraction or disturbance from other activities at the center whenever the infant desires.
    - (A) Staff shall place infants up to 12 months of age on their backs for sleeping.
      1. This requirement shall not apply if the infant has a written medical exemption from a licensed physician that allows for an alternative sleep position. The exemption shall be attached to the Individual Infant Sleeping Plan [LIC 9227 (3/20)] and contain the following criteria:
        - a. Instructions on how the infant shall be placed to sleep, including sleep position.
        - b. Duration the exemption is to be in place.
        - c. The licensed physician's contact information.
        - d. Signature of the licensed physician and date of signature.
      2. Upon expiration of the medical exemption, staff shall follow all requirements set forth in Subsection (a)(3)(A).
      3. The medical exemption shall be included in the infant's file and be maintained as specified in Section 101221(d).

**101430**     **INFANT CARE ACTIVITIES** (Continued)

4.       Infants with an Individual Infant Sleeping Plan [LIC 9227 (3/20)] that have Section C of the form completed and signed by an authorized representative shall be placed on their back when first laid down to sleep. In the event the infant changes position, the infant may remain in the alternative position.
  - a.       Upon staff observation that the infant is capable of rolling from their back to their stomach and stomach to their back, the provider shall fill out Section D of the Individual Infant Sleeping Plan [LIC 9227 (3/20)], notify the authorized representative, and obtain the authorized representative's signature on the Individual Infant Sleeping Plan no later than the next business day following observation.
- (B)     No infant shall be forced to sleep, to stay awake or to stay in the designated sleeping area.
  1.       The center is not prohibited from scheduling sleep times for infants over 12 months old.
- (C)     An infant shall not be swaddled while in care.
- (D)     An infant's head shall not be covered while sleeping.
- (E)     If an infant falls asleep before being placed in a crib, staff shall move the infant to a crib as soon as possible.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.



## **Article 7. PHYSICAL ENVIRONMENT**

### **101438.1 INFANT CARE GENERAL SANITATION**

- (a) All items used by pets and animals shall be kept out of the reach of infants.
- (b) Each caregiver shall wash his/her hands with soap and water before each feeding and after each diaper change.
  - (1) Only dispenser soap, such as liquid or powder in an appropriate dispenser shall be used.
  - (2) Only disposable paper towels in an appropriate holder or dispenser shall be used for hand drying.
- (c) Washing, cleaning and sanitizing requirements for areas used by staff with infants, or for areas that infants have access to, are as follows:
  - (1) Floors, except those carpeted, shall be vacuumed or swept and mopped with a disinfecting solution at least daily, or more often if necessary.
  - (2) Carpeted floors and large throw rugs that cannot be washed shall be vacuumed at least daily and cleaned at least every six months, or more often if necessary.
    - (A) Small rugs that can be washed shall be shaken or vacuumed at least daily and washed at least weekly, or more often if necessary.

Commercial-type cleaning machines commonly available through rental stores, grocery stores, etc., may be used to clean carpets and large rugs. A professional cleaning service may also be hired.
  - (3) Walls and portable partitions shall be washed with a disinfecting solution at least weekly, or more often if necessary.

**101438.1 INFANT CARE GENERAL SANITATION (Continued)**

- (4) The diaper-changing area, where residue is splashed from soiled diapers and items and surfaces are touched by staff during the diaper-changing process, shall be washed and disinfected after each diaper change. Such areas, items and surfaces shall include but not be limited to:
  - (A) Walls and floors surrounding the immediate diaper-changing area.
  - (B) Dispensers for talc, lotion, soap and paper towels.
  - (C) Countertops, sinks, drawers and cabinets.
- (5) Sinks used to wash infants, or to rinse soiled clothing or diapers, shall be disinfected after each use.
- (d) Objects used by infants that are mouthed shall be washed and disinfected at least daily, or more often if necessary. Such objects shall include, but not be limited to, toys and blankets.
- (e) Linens laundered by the center shall be washed and sanitized at least daily, or more often if necessary. Such linens shall include, but not be limited to, bedding, towels and washcloths used on or by infants.
- (f) A disinfecting solution, which shall be used after surfaces and objects have been cleaned with a detergent or other cleaner, shall be freshly prepared each day using 1/4 cup of bleach per gallon of water. Commercial disinfecting solutions, including one-step cleaning/disinfecting solutions, may be used in accordance with label directions.
- (g) All disinfectants, cleaning solutions and other hazardous materials shall be removed immediately and stored as specified in Section 101238.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

### **101438.2 OUTDOOR ACTIVITY SPACE FOR INFANTS**

- (a) In addition to Section 101238.2, the following shall apply:
- (b) Outdoor activity space shall be physically separate from space used by children in the child care center and school-age child care center components.
- (c) Placement of playpens shall not create hazards to other infants or adults in the play area.
- (d) The outdoor activity space shall be equipped with a variety of age-appropriate toys and equipment.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

### **101438.3 INDOOR ACTIVITY SPACE FOR INFANTS**

- (a) In addition to Section 101238.3, the following shall apply:
- (b) Indoor activity space for infants shall be physically separate from space used by children in the child care center and school-age child care center components.
  - (1) The center may use moveable walls or partitions to separate the above groups in the same room provided that each group has the total amount of square footage in indoor activity space required by this chapter.
  - (2) Moveable walls or partitions, if used, shall be at least four feet high; shall be constructed of sound-absorbing material; and shall be designed to minimize the risk of injury to infants.
- (c) The calculation of indoor activity space for infants shall not include space designated and used for cribs.
  - (1) The sleeping area for infants shall be physically separate from the indoor activity space. This separation shall be accomplished as specified in (b) above.
- (d) The various child care center components in each combination center and each single license child care center may share office space, food-preparation space, storage space and any other general-purpose space.
- (e) The indoor activity space shall be equipped with a variety of age-appropriate washable toys and equipment.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

**101439 INFANT CARE CENTER FIXTURES, FURNITURE, EQUIPMENT AND SUPPLIES**

- (a) In addition to Section 101239, and notwithstanding Section 101239(h), the following shall apply:
- (b) The infant care center shall be equipped with appropriate furniture and equipment including, but not limited to, cribs, cots or mats; changing tables; and feeding chairs.
- (c) The type, height and size of furniture and equipment shall be age appropriate.
- (d) Swings, playpens and all such equipment and furniture shall be assembled or installed according to the manufacturer's instructions, and shall be maintained in good repair and safe condition.
  - (1) Equipment that is purchased already assembled shall not be modified.
  - (2) A baby walker shall not be allowed on the premises of a child care center in accordance with Health and Safety Code Section 1596.846.

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Health and Safety Code Sections 1596.846(b) and (c) state:

- (b) A baby walker shall not be kept or used on the premises of a child day care facility.
- (c) A "baby walker" means any article described in paragraph (4) of subdivision (a) of Section 1500.86 of Part 1500 of Title 16 of the Code of Federal Regulations.

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- (e) High chairs or low-wheeled feeding tables and any such equipment used for seating an infant shall have broad-base legs.
  - (1) Seats and backrests shall be made of washable and moisture-resistant material.
  - (2) An infant shall not be permitted to pull on or climb on or into a high chair.
  - (3) Whenever an infant is in a high chair, the tray shall be properly latched on both sides.
  - (4) An infant shall not be permitted to stand up in a high chair.
  - (5) No infant shall be left unattended while in a high chair.

**101439 INFANT CARE CENTER FIXTURES, FURNITURE, EQUIPMENT  
AND SUPPLIES (Continued)**

- (f) All such equipment or furniture shall be washed with a detergent/disinfectant after each use as specified in Section 101438.1.
- (g) Furniture shall be maintained in good repair and safe condition.
- (h) Infant changing tables shall:
  - (1) Have a padded surface no less than one-inch thick and be covered with washable vinyl or plastic.
  - (2) Have raised sides at least three inches high.
  - (3) Be maintained in good repair and safe condition.
  - (4) While in use, be placed within arm's reach of a sink.
  - (5) Not be located in the kitchen/food-preparation area.
- (i) There shall be a minimum of one hand washing sink to every 15 infants and one potty chair to every five infants being toilet trained.
  - (1) If sufficient potty chairs are not available for the number of infants being toilet trained, a combination of potty chairs and toilets with training seats may be used to meet the ratio specified in (i) above.
  - (2) Infants shall not be permitted to play with potty chairs.
- (j) Toilets and potty chairs and hand washing sinks for infants shall be in close proximity to indoor and outdoor activity space.
- (k) Toy storage containers shall meet the following requirements:
  - (1) Lids and the hardware used to hinge lids on boxes or chests shall be removed.
  - (2) All edges and corners shall be rounded and padded.
  - (3) The container shall be well ventilated.
  - (4) The container shall not be lockable.
  - (5) The container shall be maintained in good repair and safe condition.

**101439 INFANT CARE CENTER FIXTURES, FURNITURE, EQUIPMENT AND SUPPLIES (Continued)**

- (A) Metal toy boxes shall not have rough or sharp edges, and wooden toy boxes shall not have splinters and other rough areas.
- (l) Toys shall be safe, and shall not have sharp points or edges or splinters, or be made of small parts that can be pulled off and swallowed.
  - (1) The combination of toys shall provide and encourage:
    - (A) Auditory stimulation.
    - (B) Visual stimulation.
    - (C) Tactile stimulation.
    - (D) Manipulative skills.
  - (2) Pacifiers shall have a shield or guard large enough so that infants cannot choke on them.
  - (3) Rattles shall be large enough so that they cannot become lodged in an infant's throat and constructed so that they will not separate into small pieces.

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- (4) It is recommended that centers comply with the following U.S. Consumer Product Safety Commission advice for the selection and safe use of children's toys:
  - (A) Avoid toys with small parts.
  - (B) Look for labels that give an age recommendation.
  - (C) Toys should be suited to the skills, abilities and interests of children.

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- (m) Fixtures, furniture, equipment, supplies and toys shall not be made of or contain toxic materials or substances.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

**101439.1 INFANT CARE CENTER SLEEPING EQUIPMENT**

- (a) In addition to Section 101239.1, the following shall apply:
- (b) A crib or portable crib meeting United States Consumer Product Safety Commission safety standards shall be provided for each infant who is unable to climb out of a crib.
  - (1) Mattresses shall be firm and covered with a fitted sheet that is appropriate to the mattress size, fits tightly on the mattress, and overlaps the underside of the mattress so it cannot be dislodged.
  - (2) Mattresses shall be made specifically for the size crib in which they are placed.
  - (3) Stacking wall cribs or cribs stacked one on top of another, often referred to as tiered cribs, shall not be permitted.
  - (4) Cribs shall not limit the ability of staff to see the infant.
  - (5) Cribs shall not limit the infant's ability to stand upright.
  - (6) Crib mattresses shall be:
    - (A) Covered with vinyl or similar moisture-resistant material.
    - (B) Wiped with a detergent/disinfectant daily and when soiled or wet.
    - (C) Maintained in a safe condition with no exposed foam, batting or coils.

**101439.1 INFANT CARE CENTER SLEEPING EQUIPMENT (Continued)**

- (c) Floor mats or cots that meet the requirements of Section 101239.1(b) shall be provided for all infants who have the ability to climb out of a crib.
- (d) Each crib, mat or cot shall be occupied by only one infant at a time.
- (e) Each infant's bedding shall be used for him/her only. Such bedding shall be replaced when wet or soiled, or when the crib, mat or cot is to be occupied by another infant.
  - (1) Bedding shall be changed daily, or more often if required by Subsection (e) above.
  - (2) Soiled bedding shall be placed in a suitable container and made inaccessible to infants until washed or picked up by a commercial laundering service.
- (f) Cribs shall be free from all loose articles and objects, including blankets and pillows.
  - (1) Pacifiers shall be allowed in the crib if the following provisions are in place:
    - (A) There shall not be anything attached to the pacifier.
    - (B) The pacifier shall be specific to the infant it is being given to.
  - (2) Bumper pads shall not be used.
  - (3) There shall be no objects hanging above or attached to the side of the crib.
- (g) 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 having to step over or reach over any other infant.
  - (1) Placement of cribs, mats or cots shall not hinder entrance or exit to and from the napping space.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.



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**SUBCHAPTER 3. SCHOOL-AGE CHILD CARE CENTER****Article 1. General Requirements and Definitions****101451 GENERAL**

- (a) School-age child care centers providing group care to children, and each single license child care centers operating with only school-age children, shall be governed by the provisions specified in this subchapter. In addition, such centers, except where specified otherwise, shall be governed by Chapter 1, Child Care Center General Licensing Requirements.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

**101452 DEFINITIONS**

Repealed by Manual Letter No. CCL-98-11, effective 11/1/98.

**Article 2. Licensing (reserved)****Article 3. Application Procedures****101471 SCHOOL-AGE CHILD CARE CENTER FIRE CLEARANCE**

- (a) In addition to Section 101171, the following shall apply:
- (b) School-age child care centers located on a functioning schoolsite may submit verification of the school fire inspection from the city or county fire department, the district providing fire protection services, or the State Fire Marshal. The school fire inspection shall be accepted as sufficient fire clearance for licensing purposes.
- (1) The school fire inspection shall not be accepted if any fire safety deficiencies are indicated.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81, 1596.95 and 1597.21, Health and Safety Code.

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

- (a) The Department shall issue a license to an applicant in accordance with the provisions of Health and Safety Code Section 1597.21, which apply only to school-age child care centers, after a completed application has been submitted and upon determination that all licensing requirements have been met.

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Health and Safety Code Sections 1597.21(g) and (h)(1) reads in pertinent part:

- (g) Upon the receipt of a completed application for a license to operate a schoolage day care program at a functioning schoolsite from an organization that is currently licensed to operate a schoolage day care program at another site, the department shall have 30 days to make a final determination on whether to issue a license to operate the program. A functioning schoolsite shall meet the requirements of paragraphs (1) and (2) of subdivision (a) of Section 1596.806.
- (h) (1) If the department, for any reason, is unable to comply with subdivision (g), it shall, within 30 days of the receipt of the application described in subdivision (g), grant a provisional license to the applicant to operate for a period not to exceed six months. The provisional license shall be granted provided the department has conducted a site visit and has not found any life safety risks, the criminal records clearances are complete, and the school fire inspection has been verified. The requirement for criminal records clearances may be satisfied by transfer of current criminal records clearances, pursuant to subdivision (g) [sic\*] of Section 1596.871.

- \* The Department notes that the reference to subdivision (g) of Section 1596.871 appears to be in error in statute. The correct reference is to subdivision (h)(1) of Section 1596.871.

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NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81, 1596.95 and 1597.21, Health and Safety Code.

**Article 4. Enforcement Provisions** (reserved)

**Article 5. Administrative Actions** (reserved)

## **Article 6. CONTINUING REQUIREMENTS**

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

- (a) In addition to Section 101215.1, the following shall apply:
- (b) All school-age child care centers shall have a director.
  - (1) In each combination program that has a school-age child care center component, and each single license child care center serving school-age children, the director of the child care center component shall maintain ultimate responsibility, in the capacity as director, for the combined program; a separate director for the school-age child care center component is not required.
    - (A) In each combination program and each single license child care center operating with school-age children, the director shall designate a fully qualified teacher as specified in Section 101516.2 for the school-age child care center component.
    - (B) The director of the child care center component within a combination program and each single license child care center operating with school-age children shall maintain administrative responsibility for the overall program and shall provide direct supervision and guidance to the school-age child care center component.
- (c) As an alternative educational prerequisite, any school-age director may substitute six of the units in early childhood education or child development required in Section 101215.1(h)(1)(B) with six units appropriate to elementary school-age children, on a unit-per-unit basis, in any one or a combination of the following:
  - (1) Recreation, which includes, but is not limited to, art, music, and dance relevant to elementary school-age children.
  - (2) Physical education, which includes, but is not limited to, indoor and outdoor sports activities relevant to elementary school-age children.
  - (3) Units earned toward an elementary teaching credential.
- (d) As an alternative educational prerequisite, the director of each school-age child care center that stands alone and each single license child care center operating with only school-age children may, pursuant to Health and Safety Code Section 1597.21, substitute 20 training hours for each of the required units of education in Section 101215.1(h)(1). (This alternative shall not apply to a director of a combination program or a single license child care center that includes a component for school-age children.) Units and training hours may be combined to meet the total educational requirement (15 units or 300 training hours, or any combination thereof).

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

- (1) Health and Safety Code Section 1597.21(b) contains the alternative educational requirements that a director as specified in (d) above may meet.

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Health and Safety Code Section 1597.21(b) states:

In addition to an administration course consisting of three units or 60 training hours and three units or 60 training hours in early childhood education, child development, or schoolage child courses, the site director may, as an alternative to existing regulations, complete nine core units or 180 training hours from the following:

- (1) Recreation, which includes, but is not limited to, art, music, and dance.
- (2) Physical education, which includes, but is not limited to, indoor and outdoor sports activities.
- (3) Human services and social welfare, which includes, but is not limited to, nursing, psychology, sociology, or home economics.
- (4) Units earned toward an elementary or middle school teaching credential.
- (5) Early childhood education, child development, or schoolage child units.

A director is required to complete 12 units or 240 training hours prior to employment. The remaining three units [or 60 training hours] must be completed within one year of employment.

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- (2) A director as specified in (d) above may also qualify by possessing any associate of arts or bachelor's degree from an accredited or approved college or university provided at least three units or 60 training hours are in early childhood education, child development or school-age child courses; and three units or 60 training hours are in administration or staff relations.
- (3) In accordance with Health and Safety Code Section 1597.21(f), a director as specified in (d) above may use alternative approved sources of education.

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

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Health and Safety Code Section 1597.21(f) states:

In addition to existing approved sources of education, the following are approved sources of education that may be used to satisfy the education required of staff at a schoolage child care center:

- (1) Vocational school training in recreation, physical education, human services, social welfare, and education as described in subdivisions (b) and (d).
- (2) Professional training that qualifies as continuing education credits in the child care or elementary education area.
- (3) Standard training programs that are provided by statewide or nationally recognized or community-based youth service organizations and offered or approved by an accredited educational institution or the Commission on Teacher Credentialing.

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- (e) Verification of education allowed by Health and Safety Code Section 1597.21 shall be by transcript or certificate (with hours completed shown on the certificate). To verify course or training program approval, a certification on accredited educational institution letterhead that the course or training program has been approved shall accompany the completion certificate. This certification is only necessary for courses or training programs not offered by an accredited educational institution but approved by such an institution.
- (f) A director as specified in (d) above may also complete alternative types of experience pursuant to Health and Safety Code Section 1597.21. Such experience shall be verified as having been performed at least three hours per day for a minimum of 100 days in a calendar year.
  - (1) Health and Safety Code Section 1597.21(e) contains the alternative types of experience that a director as specified in (d) above may complete.



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

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**HANDBOOK BEGINS HERE**

Health and Safety Code Section 1597.21(e) states:

The department shall accept the following alternative types of experience for site directors and teachers, if the experience was obtained working directly with children: classroom teaching or teacher assisting experience in elementary or middle school education; paid or volunteer work experience in physical education or recreation programs; college work-study or internship in recreation or youth development; paid or volunteer work experience in human services as described in paragraph (3) of subdivision (b); or paid or volunteer work experience in school guidance or in other counseling programs.

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NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.81, 1596.95, 1597.055 and 1597.21, Health and Safety Code.

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<b>101516.2 SCHOOL-AGE CHILD CARE CENTER TEACHER QUALIFICATIONS AND DUTIES</b>	<b>101516.2</b>
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- (a) In addition to Section 101216.1, the following shall apply:
- (b) As an alternative educational prerequisite, a school-age child care teacher may, pursuant to Health and Safety Code Section 1597.21, substitute 20 training hours for each of the required units of education in Section 101216.1. Units and training hours may be combined to meet the total educational requirement (12 units or 240 training hours, or any combination thereof).
  - (1) Health and Safety Code Section 1597.21(d) contains the alternative educational requirements that a teacher may meet.

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Health and Safety Code Section 1597.21(d) states:

As an alternative to satisfying the educational requirements of teachers contained in the regulations, a teacher may substitute 12 units or 240 training hours in any combination of the following:

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**101516.2 SCHOOL-AGE CHILD CARE CENTER TEACHER QUALIFICATIONS AND DUTIES (Continued)**

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**HANDBOOK CONTINUES**

- (1) Recreation, which includes, but is not limited to, art, music, and dance.
- (2) Physical education, which includes, but is not limited to, indoor and outdoor sports activities.
- (3) Human services and social welfare, which includes, but is not limited to, nursing, psychology, sociology, or home economics.
- (4) Units earned toward an elementary or middle school teaching credential.
- (5) Early childhood education, child development, or schoolage child units.

A teacher is required to complete six units or 120 training hours prior to employment.

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- (2) In accordance with Health and Safety Code Section 1597.21(f), a teacher may use alternative approved sources of education.
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Health and Safety Code Section 1597.21(f) states:

In addition to existing approved sources of education, the following are approved sources of education that may be used to satisfy the education required of staff at a schoolage child care center:

- (1) Vocational school training in recreation, physical education, human services, social welfare, and education as described in subdivisions (b) and (d).
- (2) Professional training that qualifies as continuing education credits in the child care or elementary education area.
- (3) Standard training programs that are provided by statewide or nationally recognized or community-based youth service organizations and offered or approved by an accredited educational institution or the Commission on Teacher Credentialing.

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**101516.2 SCHOOL-AGE CHILD CARE CENTER TEACHER  
QUALIFICATIONS AND DUTIES (Continued)**

- (c) Verification of education allowed by Health and Safety Code Section 1597.21 shall be by transcript or certificate (with hours completed shown on the certificate). To verify course or training program approval, a certification on accredited educational institution letterhead that the course or training program has been approved shall accompany the completion certificate. This certification is only necessary for courses or training programs not offered by an accredited educational institution but approved by such an institution.
- (d) A school-age child care center teacher may also complete alternative types of experience pursuant to Health and Safety Code Section 1597.21. To be a fully qualified school-age teacher, such experience shall be verified as having been performed at least three hours per day for a minimum of 50 days in a six-month period.
  - (1) Health and Safety Code Section 1597.21(e) specifies the alternative types of experience that a teacher may complete.

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Health and Safety Code Section 1597.21(e) states:

The department shall accept the following alternative types of experience for site directors and teachers, if the experience was obtained working directly with children: classroom teaching or teacher assisting experience in elementary or middle school education; paid or volunteer work experience in physical education or recreation programs; college work-study or internship in recreation or youth development; paid or volunteer work experience in human services as described in paragraph (3) of subdivision (b); or paid or volunteer work experience in school guidance or in other counseling programs.

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- (e) In each combination program and each single license child care center, a fully qualified teacher as specified in Section 101216.1 shall be designated to work closely with the director in planning the daily activities of the school-age child care center component.
  - (1) The designated teacher shall maintain responsibility for the overall operation of the school-age child care center component under the direction and supervision of the director of the child care center component.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.81, 1597.055 and 1597.21, Health and Safety Code.

**101516.5 TEACHER-CHILD RATIO**

- (a) In addition to Sections 101216.3(c), (e), (g) and (h), and notwithstanding Sections 101216.3(a), (b), (d) and (f), the following shall apply:
- (b) There shall be a staffing ratio of one teacher and one aide present to every 28 children in attendance.
  - (1) A teacher shall supervise no more than 14 children or with an aide a maximum of 28 children.

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Example:

<u>Number of Children</u>	<u>Minimum Staff Required</u>
1 - 14	1 Teacher
15 - 28	1 Teacher and 1 Aide
29 - 42	2 Teachers and 1 Aide
43 - 56	2 Teachers and 2 Aides

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- (c) Staffing requirements for mixed-age groups shall be determined based on the age of the youngest child in the group.
- (d) The director may be counted in the ratio when actually working with a group of children.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.81, 1596.869 and 1597.055, Health and Safety Code.

**101520 MEDICAL ASSESSMENTS**

- (a) Notwithstanding Section 101220, the following shall apply:
  - (1) The licensee is not required to document medical assessments on school-age children who are enrolled in a public or private school.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

**101520.1 IMMUNIZATIONS**

- (a) Notwithstanding Section 101220.1, the following shall apply:
- (1) The licensee is not required to document immunizations of children also enrolled in a public or private elementary school.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

**101521 CHILD'S RECORDS**

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

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- (1) A health background should include but not be limited to:
- (A) Past illnesses or serious injuries.
- (B) Allergies, including food allergies.
- (C) Conditions requiring special attention in the school-age child care center.
- (D) Special problems or fears.

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NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

#### **101526.1 DAILY INSPECTION FOR ILLNESS**

- (a) In addition to Section 101226.1, the following shall apply:
- (b) Upon arrival at or admittance to the center, school-age children shall be observed for signs of illness.
  - (1) If a child is found to be ill, the procedure(s) specified in Section 101226(a), (b) or (c), or in Section 101226.2, shall be followed.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73 and 1596.81, Health and Safety Code.

#### **101527 FOOD SERVICE**

- (a) In addition to Section 101227, the following shall apply:
- (b) Center programs providing before- and/or after-school care shall make available and offer nutritious snacks to children.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73 and 1596.81, Health and Safety Code.

#### **101529.1 SIGN IN AND SIGN OUT**

- (a) In addition to Section 101229.1, the following shall apply:
- (b) Center staff shall sign in a school-age child who arrives at the center on his/her own.
- (c) Center staff shall sign out a school-age child whose authorized representative has agreed in writing to allow the child to leave the center on his/her own.
  - (1) The director and the child's authorized representative shall sign and date the agreement allowing the child to leave the center on his/her own.
  - (2) The signed agreements shall be filed in the child's record.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

**101538.2 OUTDOOR ACTIVITY SPACE FOR SCHOOL-AGE CHILDREN**

- (a) In addition to Section 101238.2, the following shall apply:
- (b) In each combination program and each single license child care center, outdoor activity space provided for school-age child care center children shall be physically separated from space provided for other child care center children.
  - (1) Physical separation between school-age and other child care center children shall not apply when a planned activity is being conducted.
- (c) Each school-age child care program and each single license child care center operating with only school-age children that meets the requirements of Health and Safety Code Section 1596.806 is exempt from square-footage requirements for outdoor activity space.
  - (1) Health and Safety Code Sections 1596.806(b), (b)(1) and (d) pertain to the exemption from square-footage requirements for outdoor activity space for each school-age child care program and each single license child care center operating with only school-age children that meet the requirements of Health and Safety Code Section 1596.806.

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Health and Safety Code Sections 1596.806(b), (b)(1) and (d) state:

- (b) School grounds, other than rooms used as classrooms, used by a schoolage child care program operated on a functioning schoolsite pursuant to either paragraph (1) or (2) of subdivision (a) shall be exempt from all of the following requirements imposed by the department on child day care facilities:
  - (1) Fencing, outdoor activity space, toilet, and isolation space requirements....
- (d) For purposes of this section, "schoolage child care program" means a program for children who are four years and nine months or older and are currently enrolled in a school or are dependent children living within the same household as a child attending a school, operated by an entity that contracts with the school to provide staff and program....

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- (d) The exemption from square-footage requirements for outdoor activity space is only valid if the entire program is operated in accordance with Health and Safety Code Section 1596.806.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.806 and 1596.81, Health and Safety Code.

**101538.3 INDOOR ACTIVITY SPACE FOR SCHOOL-AGE CHILDREN**

- (a) In addition to Section 101238.3, the following shall apply:
- (b) In each combination program and each single license child care center, indoor activity space provided for school-age child care center children shall be physically separate from space provided for infant care and child care center children.
  - (1) Moveable walls or partitions, if used, shall be at least four feet high and shall be safe for use around children.
  - (2) Physical separation between school-age and other child care center children shall not apply when a planned activity is being conducted.
- (c) School-age child care programs that meet the requirements of Health and Safety Code Section 1596.806 are exempt from square-footage requirements for indoor activity space.
  - (1) Health and Safety Code Sections 1596.806(a), (a)(1), (a)(2) and (d) pertain to the exemption from square-footage requirements for indoor activity space for school-age child care programs that meet the requirements of Health and Safety Code Section 1596.806.

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Health and Safety Code Sections 1596.806(a), (a)(1), (a)(2) and (d) state:

- (a) A room used as a classroom by a schoolage child care program shall not be required to meet the square footage or toilet requirements for child day care centers if the program is operated on either of the following:
  - (1) A functioning schoolsite in the same facilities that have housed school children during the day, before or after school hours, or before and after school hours.
  - (2) A functioning schoolsite in facilities certified as usable as a classroom for instructions....
- (d) For purposes of this section, "schoolage child care program" means a program for children who are four years and nine months or older and are currently enrolled in a school or are dependent children living within the same household as a child attending a school, operated by an entity that contracts with the school to provide staff and program....

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**HANDBOOK ENDS HERE**

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**101538.3 INDOOR ACTIVITY SPACE FOR SCHOOL-AGE CHILDREN**  
(Continued)

- (d) The capacity per room for a school-age child care program that meets the requirements of Health and Safety Code Section 1596.806 shall not exceed the number of children for which a room of this size is commonly approved for school use during the school day.
- (e) The exemption from square-footage requirements for indoor activity space is only valid if the entire program is operated in accordance with Health and Safety Code Section 1596.806.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.806 and 1596.81, Health and Safety Code.

**101539 FIXTURES, FURNITURE, EQUIPMENT AND SUPPLIES**

- (a) In addition to Section 101239, the following shall apply:
- (b) Toilets used by school-age children shall provide individual privacy.
  - (1) Toilet facilities shall not be used simultaneously by children of both sexes.
- (c) School-age child care programs that meet the requirements of Health and Safety Code Section 1596.806 are exempt from toilet requirements.
  - (1) Health and Safety Code Sections 1596.806(a), (a)(1), (a)(2), (b), (b)(1) and (d) pertain to the exemption from toilet requirements for school-age child care programs that meet the requirements of Health and Safety Code Section 1596.806.

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Health and Safety Code Sections 1596.806(a), (a)(1), (a)(2), (b), (b)(1) and (d) state:

- (a) A room used as a classroom by a schoolage child care program shall not be required to meet the square footage or toilet requirements for child day care centers if the program is operated on either of the following:
  - (1) A functioning schoolsite in the same facilities that have housed school children during the day, before or after school hours, or before and after school hours.

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**HANDBOOK CONTINUES**

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**101539     FIXTURES, FURNITURE, EQUIPMENT AND SUPPLIES**  
(Continued)

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**HANDBOOK CONTINUES**

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- (2)     A functioning schoolsite in facilities certified as usable as a classroom for instruction....
- (b)     School grounds, other than rooms used as classrooms, used by a schoolage child care program operated on a functioning schoolsite pursuant to either paragraph (1) or (2) of subdivision (a) shall be exempt from all of the following requirements imposed by the department on child day care facilities:
  - (1)     Fencing, outdoor activity space, toilet, and isolation space requirements....
  - (d)     For purposes of this section, "schoolage child care program" means a program for children who are four years and nine months or older and are currently enrolled in a school or are dependent children living within the same household as a child attending a school, operated by an entity that contracts with the school to provide staff and program....

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- (d)     The exemption from toilet requirements is only valid if the entire program is operated in accordance with Health and Safety Code Section 1596.806.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.806 and 1596.81, Health and Safety Code.

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