

**MINIMUM STANDARDS  
FOR  
FAMILY DAY CARE HOMES  
FAMILY NIGHTTIME HOMES  
AND  
GROUP DAY CARE HOMES  
GROUP NIGHTTIME HOMES  
REGULATIONS AND PROCEDURES**

*Prescribed by*

**STATE OF ALABAMA  
DEPARTMENT OF HUMAN RESOURCES  
*AN AFFIRMATIVE ACTION/EQUAL OPPORTUNITY EMPLOYER***

**Effective September 30, 2019**

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GROUP NIGHTTIME HOMES  
REGULATIONS AND PROCEDURES**

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# **I. Legal Authority**

## **The legal authority for regulation of child care is based on:**

Child Care Act of 1971-Title 38, Chapter 7, Code of Alabama 1975, 38-7-1 et. seq. (Acts 1971, 3rd Ex. Sess. No. 174, p. 4423, Sections 1-18).

Child Care and Development Block Grant (CCDBG) 2014.

Child Care Safety Act #2018-278.

U. S. Consumer Product Safety Improvement Act of 2008.

Title 41, Chapter 22, Section 19, 41-22-19, see also 41-22-1 et. seq.

Title 26, Chapter 14, 26-14-1 et. seq.

Administrative Code, Section 660-5-27

Hearings and Appeals (See Section K, page 53.)

## II. Regulations

These regulations prescribe minimum standards for family day care homes. Additional regulations for family nighttime homes, group day care homes and group nighttime homes are prescribed in Sections G., H., and I.

For purposes of these regulations, a license is required for persons:

- Providing care for one or more children who are not related to the provider;
- With or without compensation;
- Away from the child's home;
- For more than four (4) hours in a 24 hour period.

### A. Definitions

*In the context of these regulations, the following definitions apply.*

1. **ADULT.** Any person 19 years of age or older.
2. **ASSISTANT CAREGIVER.** A person providing care and guidance of the children in a group day care/nighttime home, under the supervision of the licensee.
3. **CAREGIVER.** A person providing care and guidance of the children in the home.
4. **CHARACTER AND SUITABILITY.** The person maintains business/professional, family, and community relationships that are characterized by honesty, fairness, truthfulness, and concern for the well-being of others to the extent that the person is considered suitable to be entrusted with the care, guidance, and protection of children.
5. **CHILD.** Any person under 19 years of age.
6. **CHILD ABUSE AND NEGLECT.** According to the Code of Alabama 1975, Section 26-14-1, abuse is defined as harm or threatened harm to a child's health or welfare. Harm or threatened harm to a child's health or welfare can occur through nonaccidental physical or mental injury, sexual abuse or attempted sexual abuse or sexual exploitation or attempted sexual exploitation. "Sexual abuse" includes the employment, use, persuasion, inducement, enticement, or coercion of any child to engage in, or having a child assist any other person to engage in any



sexually explicit conduct or any simulation of the conduct for the purpose of producing any visual depiction of the conduct; or the rape, molestation, prostitution, or other form of sexual exploitation of children, or incest with children as those acts are defined by Alabama law. "Sexual exploitation" includes allowing, permitting, or encouraging a child to engage in prostitution and allowing, permitting, encouraging or engaging in the obscene or pornographic photographing, filming, or depicting of a child for commercial purposes. Neglect is defined as negligent treatment or maltreatment of a child, including the failure to provide adequate food, medical treatment, supervision, clothing or shelter.

7. **COMMISSIONER.** The Commissioner of the State Department of Human Resources.
8. **DAY CARE HOME.** A child care facility which is a family home and which receives not more than six (6) children for care during the day.
9. **DEPARTMENT.** The State or County Department of Human Resources.
10. **DEPARTMENT'S REPRESENTATIVE.** An employee or designee of the State or County Department of Human Resources, acting as the authorized agent of the Commissioner in carrying out the responsibilities and duties specified in Code of Alabama 1975.
11. **FACILITY FOR CHILD CARE OR CHILD CARE FACILITY.** A facility established by any person, group of persons, agency, association or organization, whether established for gain or otherwise, who or which receives or arranges for care or placement of one or more children, unrelated to the operator of the facility, apart from the parents, with or without the transfer of the right of custody, in any facility as defined in this chapter, established and maintained for the care of the children.
12. **FAMILY HOME.** A family home is the dwelling in which the applicant/licensee resides. (Residence is determined by address, mortgage payment or rent, voting district, property taxes, etc.)
13. **GROUP DAY CARE HOME.** A child care facility which is a family home and which receives at least seven but no more than twelve children for care during part of the day where there are at least two adults present and supervising the activities.
14. **LAWFUL SCHOOL AGE.** For purposes of these regulations, this term includes children who are five (5) years of age on or before September 1, (or the date on which school begins in the enrolling district pursuant to Code of Alabama 1975, § 16-28-4) of a given year. This definition corresponds with the minimum age at which a child is entitled to admission to public school kindergarten.

15. **LICENSEE.** Any person, group of persons, or corporation, to whom the license or permit is issued.
16. **NIGHT CARE FACILITY.** A child-care facility which is a center or a family home receiving a child or children for care after 7:00 p.m. A "night care facility" is further defined as follows:
  - a. **NIGHTTIME HOME.** A family home which receives no more than six children for care after 7 p.m.
  - b. **GROUP NIGHTTIME HOME.** A child care facility which is a family home which receives at least seven but no more than twelve children for nighttime care, where there are at least two adults present and supervising the activities.
17. **PARENT(S)/GUARDIAN(S).** The parent(s), legal guardian(s), or legal custodian of the child.
18. **RELATED.** Any of the following relationships by blood, marriage, or adoption: parent, grandparent, brother, sister, stepparent, stepbrother, stepsister, half brother, half sister, uncle or aunt, and their spouses.
19. **SUBSTITUTE.** A person, at least 19 years of age, who meets the qualifications and is on call if the licensee must be away from the home.
20. **SUPERVISION.** Responsibility for each child and accountability for his/her care by giving direct and full attention to the children at all times.

## **B. Licensing Procedures**

### **1. Application for a License**

- a. Day care or nighttime care shall not be provided or advertised prior to issuance of a license or a six-month permit.
- b. Any person, group of persons, or corporation may obtain an application for a license to operate a child care facility by contacting the Department of Human Resources.
- c. An application for a license to operate a child care home shall be made on the required form and shall include all requested information. (See Appendix A, page 58, for required form.)
- d. Applications for a license shall not be transferred from one person to another or from one location to another.

### **2. Prohibited Advertisement**

- a. No person, unless licensed or holding a six-month permit, may cause to be published any advertisement which solicits a child or children for care. To solicit a child or children for care means, among other similar actions or terms, to invite, appeal, plead, lure, beg, request, offer, suggest, promote, or implore. Both free and paid advertisement is prohibited.
- b. Prohibited advertisement includes, but is not limited to, printed and published material; descriptive literature and aids; speeches, talks, and presentations; flyers; booklets and pamphlets; signs and posters; illustrations and depictions; newspaper, radio, television, magazine, Internet, and/or other media advertising; letters and direct mail advertising; and any materials used by agents. Prohibited advertisement also includes printed and illustrated material or descriptions on cups, mugs, pens, pencils, or other objects.
- c. The following activity does not constitute prohibited advertisement:
  - (1) Advertisement using a name and address seeking employment applications for staff positions; provided that a license application has been filed with the Department and the advertisement includes the clearly visible phrase, "license application pending."
  - (2) "Under Construction," "Renovation," or "Remodeling" signs (with or without name and address) on the premises; provided that a license application has been filed with the Department and the sign includes the clearly visible phrase, "license application pending."
  - (3) A market survey to determine the need for child care in a locality. Using the name and address of the business or individual is permitted so long as it does not solicit a child or children for care or promote the business.

### **3. Examination and Investigation of the Application**

- a. After receipt of the completed application, an inspection of the home and grounds and an investigation of the applicant and the household members will be made by a Department representative.

- b. The inspection and investigation will be based on minimum standards and regulations as prescribed and published by the Department.
- c. When minimum standards have been met, a license will be issued.

**4. Denial of an Application**

If the application is denied, the Department will notify the applicant in writing, indicating the reason(s) for the Department's decision.

**5. Withdrawal of an Application**

The applicant may withdraw the application either verbally or in writing, at any time during the licensing process.

**6. Six-Month Permit**

- a. The Department may, at its discretion, issue one six-month permit to allow reasonable time for the applicant to become eligible for a full license. A new application is not required at the expiration of the six-month permit. The initial application remains pending during the six-month permit period. A two year license may be issued when the home meets minimum standards.
- b. The Department's decision to issue a six-month permit may be made after the applicant has met all Minimum Standards **except for providing one-half of the required equipment for each age group for which the home is licensed/permitted.** (See Section L., page 55, for equipment list.)
- c. The application shall be denied and the home shall close if Minimum Standards have not been met at the expiration of the six-month permit.

**7. Provisions of a License/Permit**

- a. A license issued by the Department is valid for two years unless revoked or suspended by the Department or voluntarily surrendered by the licensee.
- b. A six-month permit issued by the Department is valid for six months unless revoked or suspended by the Department or voluntarily surrendered by the licensee.
- c. The number of children in the home or in the care of the licensee, including children on the premises or on field trips, at any given time, shall not exceed the number specified on the license/permit. Children shall be counted as follows:
  - (1) Children younger than lawful school age (see definition, Section A., 14., page 9), who live in the home shall be counted when they are in the home or on the premises.
  - (2) Children of lawful school age and older, who live in the home, shall not be counted.
  - (3) Children younger than twelve (12) years of age, who are visiting in the home during the hours of child care, who are not accompanied and supervised by an adult, whether related to the licensee or not, shall be counted when they are in the home or on the premises.
- d. The age range of the children received for care shall conform to the specifications on the license/permit.
- e. No home shall be licensed for more than three (3) children younger than twelve (12) months of age. Exceptions may be granted by the Department to allow for multiple-birth sibling groups (such as triplets) to be received for care.

- f. the Department and its authorized representatives shall have the right to inspect:
  - (1) any child care facility seeking a license;
  - (2) any child care facility seeking a renewal of a license;
  - (3) any child care facility which is operating under a license or a six-month permit.

Such inspection shall be made at any reasonable time, **without prior notice**, and may include the **entire** home and grounds. Prelicensing visits/inspections may be made by appointment.

- g. The Department shall have the right to immediately suspend, limit, or restrict the license/permit of a child care home when conditions hazardous to the health and safety of the children exist, including but not limited to:
  - (1) The right to restrict, limit, or suspend specific activities provided by the child care home, such as but not limited to: away-from-the-home activities; transportation of the children; swimming.
  - (2) The right to restrict or limit the use of specific areas of the home, such as but not limited to: outdoor play areas; bathrooms; rooms used by the children.
  - (3) The right to reduce the number of children specified on the license/permit due to restricted use of required space or bathroom facilities or lack of qualified caregivers.
- h. The current license/permit shall be posted in a place in the home easily viewed by the parent(s)/guardian(s).
- i. The license/permit shall not be transferred to another person or to another location and is **void** if the licensee moves to another dwelling.
- j. Violators of provisions or standards prescribed by the Department shall be guilty of a misdemeanor and shall be fined not less than \$100 nor more than \$1000 or be imprisoned in the county jail not longer than one year, or both. (Code of Alabama 1975, § 38-7-16 (7).)

## **8. Renewal of a License**

- a. An application for renewal of a license shall be submitted to the Department at least thirty (30) calendar days prior to the expiration of the current license. The application for renewal shall be made on the Department's required form(s). (See Appendix A, page 58, for a copy of required form.) It is the sole responsibility of the licensee to obtain the required form(s) and submit the form(s) to the Department on time.
- b. The home's license continues in effect until a decision is made by the Department on the application for renewal, provided that:
  - (1) the application for renewal is received by the Department at least thirty (30) calendar days prior to expiration of the license;
  - (2) the application is complete and accurate.
- c. If the application for renewal is not received on time (not received at least thirty (30) calendar days prior to expiration of the license) or if the application is not complete and accurate, the license will expire on the expiration date shown on the license. If the licensee continues to operate after the expiration date, the licensee

will be reported to the District Attorney and the Attorney General for operating an unlicensed child care facility.

- d. If, upon inspection, minimum standards are not being met, corrective or adverse action shall be taken. (See Section J., page 49, for additional information.)

## **9. Department Visits and Consultation**

- a. Visits to the home are made by representatives of the Department to determine if minimum standards are being met, to investigate complaints and to provide consultation.
- b. Visits made for the purpose of determining if minimum standards are being met or to investigate a complaint shall be made without prior notice. Prelicensing visits may be made by appointment.
- c. The licensee shall be informed of complaints of alleged licensing violations made to the Department against the licensee.
- d. The licensee shall not be informed of the identity of the complainant by the Department.

## **C. The Home**

### **1. Location**

- a. Each home licensed shall be the primary residence of the applicant/licensee. (Primary residence is determined by address, mortgage payment/rent, voting district, property taxes, etc.)
- b. Child care shall be provided within the family home, not in a separate building.
- c. If rental property is used, a written statement from the owner of the property granting permission for the applicant to operate a child care home, shall be obtained by the applicant and submitted to the Department at the time of initial application.
- d. At the time of initial application, a written statement of compliance with applicable zoning requirements shall be obtained and submitted to the Department. If no zoning laws or ordinances are applicable, the applicant shall submit a written statement verifying he/she has checked with the local governing authority and there are no applicable zoning laws or ordinances.
- e. At the time of initial application, a written inspection report, with no violations cited, shall be obtained from the fire department with jurisdiction or from the state fire marshal, and submitted to the Department. The home shall comply with the fire code, building and safety codes adopted by the State Fire Marshal's Office. Volunteer fire department approvals and/or inspections will not be accepted.
- f. A written inspection report from the health department may be requested at the discretion of the Department at any time.
- g. Subsequent fire and health department inspection reports, after the initial inspection, may be requested by the Department and copies shall be submitted to the Department by the licensee.

### **2. Indoor area**

The home and grounds shall be maintained in a clean and safe condition.

- a. Injury prevention
  - (1) The home shall be free from apparent hazardous conditions.
  - (2) The home shall have electricity, water, gas (if used for cooking/heating), and a waste disposal system (city sewage or septic tank).
  - (3) The licensee shall have a working telephone in the home.
  - (4) All poisons, cleaning supplies, flammable and other dangerous substances (including but not limited to anything that states, "Keep out of Reach of Children") shall be kept under lock and key or combination lock when not in use.
  - (5) Animals in the home
    - (a) Animals or breeds of animals that have shown aggressive behavior, shall not be kept in the home or on the grounds.
    - (b) Animals that are not aggressive but could pose a threat to the health and safety of the children shall be kept in an area away from the children.

- (c) Animals shall not be allowed in areas of food storage, food preparation or food service during the hours of child care.
- (d) A current certificate of rabies vaccination shall be on file in the home for any animal required by law to be vaccinated.
- (6) If fans are used for ventilation, blades within reach of children shall be enclosed for safety.
- (7) All exposed electrical outlets shall have protective covers. The covers shall be large enough to prevent being swallowed.
- (8) During hours of operation, all guns/firearms shall be unloaded and stored under lock and key or combination lock. Ammunition shall be stored separately from guns/firearms, under lock and key or combination lock.
- (9) All stairs used by the children shall have handrails within child's reach.
- (10) Smoking/tobacco use is prohibited on the premises during the hours of child care, including but not limited to cigarettes, cigars, electronic cigarettes, pipes, etc.
- (11) All medication shall be kept under lock and key or combination lock.
- (12) Clear glass doors, such as patio and storm doors, shall be plainly marked at child level, to prevent accidental impact.
- (13) Tools and machinery shall be kept in an area where the children cannot get to them.
- (14) Hot tubs shall be securely covered or drained during the hours of child care.
- (15) In the event of power failure or other emergency situations, the licensee shall have a flashlight in working condition, in a convenient location.
- (16) Consumption of alcohol is prohibited during hours of child care.
- (17) Non-prescription narcotic or illegal substances are prohibited in the home or on the grounds.
- (18) Bio contaminants shall be:
  - (a) stored in locked areas;
  - (b) removed from the premises;
  - (c) inaccessible to children;
  - (d) disposed of in a covered, plastic lined receptacle.

b. Cleanliness and health

- (1) The bathroom shall be clean.
- (2) Foot stools with non-skid legs shall be available for handwashing and toileting.
- (3) If potty chairs are used, they shall be promptly emptied into the toilet and washed and disinfected after each use.
- (4) The diapering area shall be a washable surface and shall be cleaned and disinfected after each use.
- (5) Sufficient clean, dry diapers and clothing shall be provided for each infant/toddler.
- (6) Wet or soiled diapers and other clothing shall be changed promptly.
- (7) Disposable diapers shall be placed in a covered, plastic-lined trash container inaccessible to children.



- (8) Reusable (cloth) diapers shall be rinsed in the toilet, placed in a plastic bag, and stored out of reach of children.
- (9) Staff shall use universal precautions when changing diapers or being exposed to blood, fecal material, or urine.
- (10) The licensee and each caregiver shall wash his/her hands with soap and warm running water after diapering each child, after assisting with toileting, and after contact with bodily fluids, including wet or soiled diapers, runny noses, spit, vomit, etc. Individual disposable paper towels shall be used for hand drying.
- (11) The licensee and each caregiver shall use single-use disposable gloves for diapering. Clean gloves shall be used for diapering each child. Used gloves shall be disposed of in a covered, plastic-lined container, inaccessible to children, and shall be disposed of daily.
- (12) Spills of body fluids, including blood, feces, nasal and eye discharges, saliva, urine, and vomit shall be cleaned up immediately. Caregivers shall wear gloves unless the fluid can be easily contained by the material (e.g., paper towel or cloth) that is being used to clean up. Caregivers shall be careful not to get any of the fluid in your eyes, nose, mouth or any open sores. Caregivers shall clean and disinfect any surfaces, such as counter tops and floors, on which body fluids have been spilled. Contaminated materials shall be discarded in a plastic bag that has been securely sealed. Mops used to clean up body fluids should be:
  - (a) cleaned;
  - (b) rinsed with a disinfecting solution;
  - (c) wrung as dry as possible;
  - (d) hung to dry completely.
 Be sure to wash your hands after cleaning up any spills.
- (13) Each child's hands shall be washed after diapering and toileting.
- (14) No child shall be left unattended while being diapered.
- (15) The diapering area shall be separate from areas used for serving, preparing, or storing food.
- (16) The home shall be maintained so as to prevent and eliminate rodent and insect infestation.
- (17) Garbage and trash shall be removed at intervals so as not to create a nuisance or a menace to health. Garbage shall be stored in fly-proof and watertight containers with tight fitting covers.
- (18) Bedding, toys, utensils, toilets, and sinks used by a sick child or household member shall be cleaned and disinfected before being used by another person.
- (19) All windows and doors used for ventilation shall be screened.

c. Space

- (1) There shall be at least thirty-two (32) square feet of usable indoor floor space for each child the home is licensed or permitted to serve.
- (2) All rooms used for the care of children shall be well-lighted, adequately ventilated, and comfortably cooled or heated as appropriate to the season.

- (3) The home shall have space for providing privacy to a child as needed, and to members of the licensee's household, whether for resting, studying, or other purposes.
  - (4) Space shall be available for the temporary care and isolation of a sick child or members of the licensee's household.
  - (5) The home shall have clean and appropriate facilities for the protection, storage, preparation, and serving of food.
  - (6) Space shall be provided for storage of each child's personal belongings, such as, but not limited to boxes, plastic bins, milk crates, etc.
- d. Equipment and furnishings
- (1) The licensee shall provide a crib, playpen, bed, or cot for each child who requires rest or sleep during the hours while in care.
    - (a) No child shall sleep with an adult.
    - (b) Each child younger than twelve (12) months of age shall sleep alone in a crib or play pen. If cribs are used, cribs manufactured with slats no more than  $2\frac{3}{8}$  inches apart shall be provided. A waterproof mattress which fits snugly against all sides of the crib shall be provided. Mattresses shall be in good condition, with no tears or exposed foam rubber or other stuffing.
    - (c) In accordance with the U.S. Consumer Product Safety Act of 2008, any crib provided by a child care facility must meet federal safety standards.
      - i. To verify compliance with federal standards, any crib manufactured prior to June 28, 2011, there shall be a Certificate of Compliance on file in the facility and the crib must have a label attached to show the date of manufacture.
      - ii. Any crib manufactured after June 28, 2011, must have a label attached to show date of manufacture.
    - (d) In accordance with recommendations from the American Academy of Pediatrics, unless the infant has a note from a physician specifying otherwise, each infant shall be placed in a supine (on his/her back) position for sleeping to lower the risks of Sudden Infant Death Syndrome (SIDS).
    - (e) In accordance with recommendations from the American Academy of Pediatrics, when an infant can easily turn over from the supine (back) to the prone (front) position, he/she shall be put down to sleep on his/her back, but allowed to adopt whatever position he/she prefers for sleep.
    - (f) In accordance with recommendations from the American Academy of Pediatrics, each infant (younger than twelve (12) months) shall be placed in a prone (front) position part of the time he/she is awake and observed. "Tummy time" helps muscle development and reduces the tendency of back positioning to flatten the back of the infant's head.

- (g) In accordance with recommendations from the American Academy of Pediatrics, unless a physician specifies the need for a positioning device that restricts movement within the child's bed, such devices shall not be used.
  - (h) In accordance with recommendations from the American Academy of Pediatrics, soft materials are prohibited in the infant's sleeping environment (younger than twelve (12) months).
    - ((1)) Soft materials or objects, such as pillows, quilts, comforters, or sheepskins, shall not be placed under a sleeping infant.
    - ((2)) Soft objects, such as pillows, quilts, comforters, bumper pads, sheepskins, stuffed toys, and other gas-trapping objects shall be kept out of the infant's sleeping environment.
  - (i) No infant shall be put to sleep on a sofa, soft mattress, or other soft surface.
  - (j) Each child between 12 and 18 months of age shall sleep alone in a crib or play pen or on a low cot.
  - (k) Two children older than 18 months of age, of the same sex, may share a double or larger size bed, or may sleep alone on a cot or bed.
  - (l) The beds, cots, cribs or play pens shall be clean, sanitary and free of hazards. They shall be maintained in good condition.
  - (m) Bedding shall be adequate and appropriate to the season. Sheets and covers shall be laundered weekly or more often when soiled. Clean sheets shall be provided for use by each child. Clean covers shall be provided for use by each child older than twelve (12) months of age.
  - (n) Beds, when not in use by household members, may be used for children in care provided that they are completely covered with clean linens before being used by the children.
  - (o) Waterbeds shall **not** be used by a child at any time.
  - (p) Upper or top bunk beds shall **not** be used by a child at any time.
  - (q) No child shall sleep or nap on the floor.
- (2) The licensee shall provide a variety of toys, games, and other play equipment appropriate to the ages of children specified on the license/permit and to the interests of the children. The licensee shall provide at least two (2) items from each category for each age group for which the home is licensed or permitted, as listed in Section L., page 57, the Equipment List.
  - (3) Recorded or printed materials shall be viewed by the licensee for appropriateness before being shown to children. All materials with sexually explicit, frightening or violent content shall be kept in an area inaccessible to children.

### 3. Outdoor Area

The home and grounds shall be maintained in a clean and safe condition.

a. Outdoor play area

- (1) Children shall be supervised at all times.
- (2) The outdoor play area shall be free from apparent hazardous conditions.
- (3) There shall be at least one outdoor play area of at least 300 square feet on the grounds. The outdoor play area shall be enclosed by a fence or wall at least four (4) feet in height, free from sharp, protruding edges, except where prohibited by federal regulations. Written documentation shall be submitted to the Department.
- (4) The licensee shall provide at least two (2) different items of active/outside play equipment listed in Section L., page 57, Equipment List, for each age group specified on the license/permit.
- (5) Outdoor play equipment, which is not designed to be portable, shall be securely anchored so that it cannot be tipped over by an adult.
- (6) Concrete or asphalt shall not be used under outdoor play equipment, except wheel toys.
- (7) The outdoor play area shall be free of any stacked wood, construction materials, lumber, or firewood.
- (8) Stairs or steps used by the children shall have handrails within child's reach.

b. Injury prevention

- (1) The home and grounds shall be free from apparent hazards including, but not limited to:
  - abandoned automobiles; unused household appliances; uncovered wells and cisterns; stacked lumber with exposed nails; and explosives.
- (2) Tools and machinery shall be inaccessible to the children in care.
- (3) All poisons shall be kept in a locked area (lock and key or combination lock).
- (4) Animals or breeds of animals that have shown aggressive behavior shall not be kept in the home or on the grounds.
- (5) Animals that are not aggressive but could pose a threat to the health and safety of the children shall be kept in an area away from the children.
- (6) A current certificate of rabies vaccination shall be on file in the home for any animal required by law to be vaccinated.
- (7) Water hazards on the grounds or adjacent to the grounds shall be inaccessible to the children, including but not limited to lakes, ponds, waterfalls, fountains and/or other standing water devices.

c. Swimming and wading

***NOTE: The Department of Human Resources does not inspect activities away from the home, including swimming and wading activities. The licensee shall assume full authority and responsibility for away from the home activities.***

***If the licensee provides activities away from the home, a written statement, signed by each child's parent(s)/guardian(s), shall be on file in the home prior to the child's participation in such activities. The statement shall indicate that the parent(s)/guardian(s) has/have been informed the Department of Human Resources does not inspect activities provided away from the home and that the licensee assumes full responsibility for such activities.***

- (1) When a swimming pool (above ground or in-ground), two (2) feet or more in depth is accessible to the area used for child care, the pool shall be enclosed by a fence or a solid wall which has no doors or windows. The sides of an above ground pool shall not be considered a fence or wall. The fence or wall shall be at least four (4) feet in height, with a locking gate. The gate and all areas of access shall remain locked at all times the pool is not in use.
  - (a) If children are allowed in the pool area, additional supervision shall be required. The adult to child ratio shall be:
    - (i) one adult caregiver for each child younger than 2½ years;
    - (ii) one adult caregiver for every three (3) children 2½ years up to 6 years of age;
    - (iii) one adult caregiver to every five (5) children 6 years of age and older.
  - (b) A person with a current American Red Cross Lifeguard Training Certificate shall be in the pool area at all times when the pool is in use. A copy of the current American Red Cross Lifeguard Training Certificate shall be on file in the home.
  - (c) The pool shall be maintained in a clean and safe condition.
- (2) When a wading structure less than two (2) feet in depth is available to the children, there shall be continuous supervision by an adult caregiver. The wading pool shall be filled with clean water prior to each day's usage. The wading pool shall be emptied when not in use.
- (3) The licensee shall be present during any swimming/wading activities.
- (4) Written permission for participation in swimming/wading activities from each child's parent(s)/guardian(s) shall be on file in the home if swimming/wading is provided.

#### 4. Transportation

***NOTE: The Department of Human Resources does not inspect activities away from the home. The licensee shall assume full authority and responsibility for away from the home activities.***

***If the licensee provides activities away from the home, a written statement, signed by each child's parent(s)/guardian(s), shall be on file in the home prior to the child's participation in such activities. The statement shall indicate that the parent(s)/guardian(s) has/have been informed the Department of Human Resources does not inspect activities provided away from the home and that the licensee assumes full responsibility for such activities.***

- a. The licensee shall be responsible for children whom they transport during the hours of care.
- b. When the licensee provides transportation to and from the home or another designated location, the licensee shall be responsible for picking the child up at the designated location and delivering the child to the care of the designated person.
- c. A transportation checklist shall be used any time children are transported, walking or by vehicle, to account for each child at every location. (See Appendix L, page 78, for required form.)
- d. The licensee shall not transport any child in a vehicle without the written consent of the child's parent(s)/guardian(s).
- e. No child shall be left in a vehicle without adult supervision.
- f. The driver of the vehicle shall have a valid driver's license.
- g. Doors of the vehicle shall be locked at all times when the vehicle is moving.
- h. All passengers and the driver shall be secured in a seat belt or a child passenger restraint system:
  - (1) Each child shall be properly secured using an aftermarket or integrated child passenger restraint system meeting applicable state and federal motor vehicle safety standards. Each child passenger restraint system shall be appropriate for the age and size of the child.
  - (2) Each child younger than one (1) year of age or weighing less than twenty (20) pounds shall be secured in an infant only or a convertible seat used in a rear facing position which is properly anchored to the vehicle, installed and used according to the manufacturer's instructions and maintained in good condition.
  - (3) Each child younger than five (5) years of age or weighing less than 40 pounds shall be properly secured in a convertible seat in the forward facing position or in a forward facing seat which is properly anchored to the vehicle, installed and used according to the manufacturer's instructions and maintained in good condition.
  - (4) Each child younger than six (6) years of age shall be properly secured in a booster seat which is properly anchored to the vehicle, installed and used according to the manufacturer's instructions and maintained in good condition.

- (5) Each child six (6) years of age and older shall be secured in an individual seat belt, as prescribed by law, which is properly anchored to the vehicle.
- i. Children shall not be transported in the front seat of any vehicle with a passenger side air bag.

## **5. Emergency Preparedness and Response Plans**

- a. In the event of an emergency situation, the licensee shall maintain a list of names and telephone numbers pertaining to the children in care, assistant caregiver and substitutes. The list shall be readily known and accessible to all caregivers. The list shall include the name and telephone number of each child's parent(s)/guardian(s), each child's responsible relative and each child's doctor.
- b. The name and telephone numbers for law enforcement, fire department, hospital, poison control and the Department of Human Resources shall be posted by the telephone.
- c. A plan for the evacuation and care of the children in the event of a disaster shall be established and posted in a conspicuous place in the home. The licensee shall inform substitutes and all assistant caregiver(s) of his/her duties and responsibilities in case of emergency. A written statement, signed by each substitute and assistant caregiver, verifying that he/she has been informed of the Emergency Preparedness and Response Plan, shall be on file in the home.
  - 1. The plan shall include procedures that will be used to prepare for and respond to the following types of emergency or disaster situations:
    - (a) Weather emergencies and natural disasters which include severe thunderstorms, tornadoes, flash flooding, major snowfall, blizzards, ice storms or earthquakes;
    - (b) Emergency outdoor or indoor lockdown or evacuation due to threats of violence which includes active shooter, bioterrorism or terrorism;
    - (c) Emergency or disaster evacuations due to hazardous materials and spills, gas leaks or bomb threats;
    - (d) Outbreaks, epidemics or other infectious disease emergencies;
    - (e) Loss of power, water or heat;
    - (f) Other threatening situations that may pose a health or safety hazard to the children in the center.
  - 2. The disaster plan shall include details for:
    - (a) Shelter in place or evacuation, how the center will care for and account for the children until they can be reunited with the parent;
    - (b) Assisting infants and children with special needs and/or health conditions;
    - (c) Reunification with parents;
      - (1) Emergency contact information for the parents and the center;

- (2) Procedures for notifying and communicating with parents regarding the location of the children if evacuated;
  - (3) Procedures for communicating with parents during loss of communications, (no phone or internet service available).
  - (d) The location of supplies and procedures for gathering necessary supplies for staff and children if required to shelter in place;
  - (e) What to do if a disaster occurs during the transport of children or when on a field trip or routine trip;
  - (f) Training of staff or reassignment of staff duties as appropriate;
  - (g) Updating the plan on a yearly basis;
  - (h) Contact with local emergency management officials.
3. The plan should also be inclusive of:
- (a) Current emergency plans and procedures;
  - (b) Location and use of fire extinguishers;
  - (c) Location of the first aid and emergency supply kits;
  - (d) Phones for on-site and off-site use;
  - (e) Drills including but not limited to: fire, tornado, lock-down, and relocation.
4. Emergency procedures shall be practiced at least once each quarter so that children are familiar with the types of procedures and are able to be engaged, and not overwhelmed by the fear of an event. The recommended schedule is to rotate only one type of drill each month so that all drills are practiced each quarter or four (4) times per year.



## **D. Licensee and Members of the Household**

### **1. Health**

The health of the applicant/licensee and of the members of the household shall not be detrimental to the physical and mental well-being of the children in care.

- a. Initially, the applicant/licensee shall provide a medical report, on the required form, (see Appendix B, page 66, for required form) from a licensed practicing medical doctor, physician's assistant (as defined in Section 34-4-290 (4), Code of Alabama 1975), or a certified nurse practitioner. The initial report shall be dated within six (6) months prior to the date of the initial application and shall document the date (shall also be within six (6) months) and result of a tuberculin skin test or chest x-ray. The medical report shall attest to the physical ability of the applicant/licensee to care for children and the person's freedom from infectious or contagious diseases. The statement shall be signed by a licensed practicing medical doctor, a physician's assistant, or a certified nurse practitioner and shall be on file with the Department. A copy of the medical statement shall be kept on file by the applicant/licensee.
- b. At least every two (2) years after the date of the initial medical report the licensee shall obtain a report (see Appendix B, page 66, for required form) from a licensed practicing medical doctor, physician's assistant, or certified nurse practitioner, which attests to the licensee's freedom from infectious or contagious diseases and to his/her physical ability to care for children. The report shall be submitted to the Department. A copy shall be kept on file in the home.
- c. A medical report (see Appendix B, page 66, for required form) from a licensed practicing medical doctor, physician's assistant, or certified nurse practitioner, dated within six (6) months prior to the date of the initial application, shall be submitted initially for each household member. The medical report shall document the date (shall also be within six (6) months) and result of a tuberculin skin test or chest x-ray. At least every four (4) years after the date of the initial medical report, each member of the household shall submit another medical report, signed by a licensed practicing medical doctor, physician's assistant, or certified nurse practitioner. Each report shall indicate the person's physical condition and freedom from infectious or contagious diseases.
- d. In addition to the medical report, for each child from two (2) months to five (5) years of age, living in the home, a valid State of Alabama Certificate of Immunization, a valid Alabama Certificate of Medical Exemption, or a valid Alabama Certificate of Religious Exemption shall be submitted to the Department. A copy shall be kept on file in the home.
- e. A medical report (see Appendix B, page 66, for required form) from a licensed practicing medical doctor, or physician's assistant, or certified nurse practitioner, shall be submitted initially (dated within six (6) months prior to the date of the initial application) and at least every two (2) years after the date of the initial report, on all substitutes, assistant caregivers, and household domestic workers who have contact with the children in care or with food served to the children in care. The medical report shall document the date (shall also be within six (6) months) and result of a

tuberculin skin test or chest x-ray. Each report shall indicate the person's physical condition and freedom from infectious or contagious diseases.

- f. An additional medical or psychological evaluation or a drug screening may be required at the discretion of the Department's representative, based on information that raises reasonable suspicion. A release to allow the department representative to confer directly with the doctor or professional performing the evaluation shall be provided by the applicant/licensee upon request. "Reasonable suspicion" is defined as follows: Belief based upon evidence of past or present behavior that reasonable grounds exist to review the employee, staff, or licensee, including board members, suitability and fitness to provide care for children.
- g. A licensee/caregiver who shows indications of a physical, emotional, or mental condition which could be detrimental to the children in care or which would prevent satisfactory performance of duties shall not continue giving care to the children until a written statement from the examining medical doctor, indicating that the licensee/caregiver is able to care for the children, is submitted to the Department. In such situations, the substitute may care for the children until the condition is cleared.

## **2. Character and Suitability**

- a. Applicants/licensees (see definition, Section A., 15., page 10), household members, caregivers (see definition, Section A., 3, page 8), substitutes, domestic workers, volunteers, or other persons who have contact with the children in care or unsupervised access to the children in care shall be of good moral character. Information regarding the character and suitability of applicants for a license and all adult household members shall be reviewed by the Department at the time of the initial application for a license. Subsequent character and suitability reviews shall be conducted at the discretion of the Department. Evidence that an applicant/licensee, household member, caregiver, substitute, domestic worker, volunteer, or other person who has contact with the children or unsupervised access to the children, is of unsuitable character may be the basis for the denial of an initial application, denial of an application for renewal of a license, suspension of a license/permit, or revocation of a license or six-month permit.
- b. The applicant/licensee shall conduct a character and suitability review, as set forth below, of substitutes, caregivers, domestic workers, volunteers, and other persons have contact with the children or unsupervised access to the children.
- c.

**Factors to be considered in determining character and suitability shall include but need not be limited to:**

(1) References

- (a) At the time of initial application, each applicant for a license and each adult household member shall provide the Department with the names, addresses, and telephone numbers of at least three persons who are unrelated to the applicant or household member by blood, marriage, or adoption. These persons shall be contacted by the Department to determine the applicant/household member's

character, community reputation, work history, and suitability to care for children or to have contact with children. The Department may, at its discretion, contact additional sources who can attest to the applicant/household member's character and suitability to care for children or to have contact with children.

- (b) The applicant/licensee shall obtain at least three written references for each current and prospective caregiver, substitute, domestic worker, volunteer, or other person who has contact with the children or unsupervised access to the children. References shall attest to the person's character, community reputation, work history, suitability to care for children or to have contact with the children. Reference contacts shall not be related to the person by blood, marriage, or adoption. Written references shall be kept on file in the home. (See Appendix E, page 71, for required reference form.)

(2) Clearance of State Central Registry on Child Abuse/Neglect

- (a) At the time of initial application, a completed REQUEST FOR CLEARANCE OF STATE CENTRAL REGISTRY ON CHILD ABUSE/NEGLECT shall be submitted by the applicant and each adult household member. Results shall be kept in the Department's files.
- (b) The applicant shall obtain a completed REQUEST FOR CLEARANCE OF STATE CENTRAL REGISTRY ON CHILD ABUSE/NEGLECT for each assistant caregiver, substitute, volunteer, domestic worker, and any other person who has contact with the children or unsupervised access to the children. Results shall be kept on file in the home.
- (c) A REQUEST FOR CLEARANCE OF STATE CENTRAL REGISTRY ON CHILD ABUSE/NEGLECT shall be updated every five (5) years. Additional request may be required based on the discretion of the Department.

(3) Criminal History Background Information Checks

- (a) In accordance with Alabama law, (Act 2000-775, Code of Alabama 1975, § 38-13-1 through 12, the criminal history of each applicant for a license, each licensee, each adult household member, substitute, assistant caregiver, volunteer, and domestic worker, as well as any other person who has contact with the children or unsupervised access to the children shall be submitted. This information must be updated every five (5) years.
- (b) Upon receipt of a determination of unsuitability, the affected individual shall be terminated from employment or volunteer work in the home.

- (c) The Department shall suspend or revoke the license or deny the initial application or the application for renewal if the applicant/licensee, household member or another person in the home receives a determination of unsuitable character.
- (d) If a suitability determination letter is received by the licensee from the Department's Criminal History Check Unit stating an individual is suitable for employment based on the absence of any disqualifying convictions, the licensee shall make his or her own determination regarding employment or volunteer work. No right to employment is created by the issuance of a letter stating an individual is suitable for employment.
- (e) The licensee shall inform the Department of any criminal convictions and current criminal charges involving the licensee, household members, substitutes, caregivers, domestic workers, and other persons who have contact with the children or unsupervised access to the children, which occur after a license/permit is obtained. Such reports shall be made within 24 hours and followed by a written report within five (5) days. (See Section F., 2. Page 42, Reports to the Department for details.) This information shall be kept on file by the Department.

(4) Evidence of Unsuitable Character

- (a) Examples of evidence which **may** make an applicant/licensee, household member, assistant caregiver, substitute, domestic worker, volunteer, or any other person, unsuitable to hold a license/permit or have contact with the children or unsupervised access to children, include but are not limited to the following:
  - ((1)) any felony conviction in this or any other state;
  - ((2)) theft and other financial crimes related to business activities;
  - ((3)) misdemeanor convictions in this or any other state;
  - ((4)) operating a motor vehicle while under the influence of or while impaired by the use of intoxicating liquor or drugs;
  - ((5)) offenses involving the reckless operation of a motor vehicle at an excessive speed;
  - ((6)) a crime involving the possession of a controlled substance;
  - ((7)) operating a child care facility without a license/permit/exemption;
  - ((8)) refusal to cease operations of an unlicensed child care facility;
  - ((9)) a history of consistent failure to maintain minimum standards while operating a child care facility;
  - ((10)) refusal or failure to cooperate in any Department investigation or inspection;

- ((11)) making false or misleading statements or reports to the Department;
    - ((12)) past history of the individual regarding his/her truthfulness;
    - ((13)) the individual's ability to care for children;
  - (b) Indicated (founded or substantiated) reports of adult or child abuse/neglect (with or without criminal convictions) in this or any other state.
  - (c) Evidence in item (a) ((1)) through ((13)) and item (b) above, will be evaluated to determine whether or not it constitutes a danger to the children based on the seriousness of the crime, the existence of extenuating circumstances, the propensity to recommit the crime, and evidence of rehabilitation since the crime was committed.
  - (d) An application for a license shall be denied or a license or permit shall be suspended or revoked if the applicant/licensee, a household member, substitute, assistant caregiver, domestic worker, volunteer, or any other person who has contact with the children or unsupervised access to the children, is determined to be of unsuitable character to work with children, to have contact with children or to have unsupervised access to children.
- (5) Pending completion of all required background check components, applicants/licensees, substitutes and assistant caregiver cannot be counted in the staff/child ratio.

### **3. Qualifications**

- a. Applicants for an initial license shall have a high school diploma or G. E. D. (general education diploma). Homes licensed before January 22, 2001 are exempt from this requirement as long as the license remains current.
- b. The licensee shall be at least 19 years of age.
- d. Prior to initial licensing, the applicant/licensee shall submit to the Department a current Infant-Child (Pediatric) Cardiopulmonary Resuscitation Certification (CPR) and a current First Aid Certificate.
- d. The licensee shall submit an updated Infant-Child (Pediatric) Cardiopulmonary Resuscitation Certification (CPR) and an updated First Aid Certificate to the Department when these certifications and/or certificates expire.
- e. Prior to initial licensing, the applicant/licensee shall have at least twenty-four (24) clock hours of training in child care and development through participation in workshops, meetings, recorded/printed materials or one to one consultation. Written documentation shall be submitted to the Department. Child care training shall include at least four (4) hours in each of these areas:
  - (1) child development;
  - (2) health, safety and universal precautions;
  - (3) quality child care and licensing;
  - (4) the child care professional and the family;
  - (5) language development;

(6) positive discipline and guidance.

Training in CPR and First Aid shall not be counted toward required training hours.

f. Thereafter, the licensee shall have at least twenty (20) clock hours of training related to child care each year. Documentation of training shall be on file in the home. Child care training shall include hours in each of these areas:

- (1) child development;
- (2) health, safety and universal precautions;
- (3) quality child care and licensing;
- (4) the child care professional and the family;
- (5) language development;
- (6) positive discipline and guidance.

Training in CPR and First Aid shall not be counted toward required training hours.

g. Pursuant to new changes in the Child Care Development Block Grant (42 U.S.C.S. §§9857 et seq.) the Department is required to implement and enforce additional training requirements of all childcare facilities that participate in the Child Care Subsidy Program.

(1) Prior to receiving any childcare subsidy funds, the applicant/licensee shall have at least one (1) hour of preservice training in each of the following eleven (11) required topic areas:

- (a) Prevention and control of infectious diseases (including immunization);
- (b) Sudden infant death syndrome (SIDS) prevention and use of safe sleeping practices;
- (c) Medication administration;
- (d) Prevention of and response to emergencies due to food and allergic reactions;
- (e) Building and physical premises safety;
- (f) Prevention of shaken baby syndrome and abusive head trauma;
- (g) Emergency preparedness and response planning;
- (h) Handling and storage of hazardous materials/correct disposal of bio contaminants;
- (i) Recognition and reporting of child abuse and neglect;
- (j) First aid and CPR;
- (k) If applicable, appropriate precautions in transporting children.

Pending completion of all required preservice training, applicants/licensees, substitutes, and assistant caregivers cannot be counted in the staff/child ratio.

(2) Thereafter, the licensee shall have at least one (1) hour of annual training in each of the following eleven (11) required topic areas:

- (a) Prevention and control of infectious diseases (including immunization);

- (b) Sudden infant death syndrome (SIDS) prevention and use of safe sleeping practices;
- (c) Medication administration;
- (d) Prevention of and response to emergencies due to food and allergic reactions;
- (e) Building and physical premises safety;
- (f) Prevention of shaken baby syndrome and abusive head trauma;
- (g) Emergency preparedness and response planning;
- (h) Handling and storage of hazardous materials/correct disposal of bio contaminants;
- (i) Recognition and reporting of child abuse and neglect;
- (j) First aid and CPR;
- (k) If applicable, appropriate precautions in transporting children.

**4. Financial Resources**

There shall be financial resources available for the satisfactory care of children served in regard to upkeep of the home and the provisions for nutritious meals, adequate and safe recreational equipment, educational materials and required arrangements for comfortable rest or sleep.

**5. Substitutes**

The licensee shall have at least one (1) substitute. Another licensed child care provider shall not be a substitute. Substitutes shall care for the children in the licensee's home.

- a. Substitutes shall be at least 19 years of age.
- b. Substitutes shall have a high school diploma or a general education diploma (G. E. D.). Substitutes designated before January 22, 2001 are exempt from this requirement.
- c. The licensee shall give the Department the name(s), age(s), address(es) and telephone number(s) of the substitute(s).
- d. For each substitute, the following information shall be on file in the home:
  - (1) name;
  - (2) age;
  - (3) address;
  - (4) telephone number;
  - (5) required medical form, including TB test or chest x-ray;
  - (6) reference data;
  - (7) verification of education;
  - (8) documentation of a current Infant-Child (Pediatric) Cardiopulmonary Resuscitation Certification (CPR) and a current First Aid Certificate;
  - (9) character and suitability information (see Section D., 2., page 26);
  - (10) written verification that he/she has been informed of Emergency Preparedness and Response Plan;
  - (11) written verification that he/she has read the Minimum Standards.

- e. Pursuant to new changes in the Child Care Development Block Grant (42 U.S.C.S. §§9857 et seq.) the Department is required to implement and enforce additional training requirements of all childcare facilities that participate in the Child Care Subsidy Program.

(1) Within 90 days of employment, substitutes shall have at least one (1) hour of preservice training in each of the following eleven (11) required topic areas:

- (a) Prevention and control of infectious diseases (including immunization);
- (b) Sudden infant death syndrome (SIDS) prevention and use of safe sleeping practices;
- (c) Medication administration;
- (d) Prevention of and response to emergencies due to food and allergic reactions;
- (e) Building and physical premises safety;
- (f) Prevention of shaken baby syndrome and abusive head trauma;
- (g) Emergency preparedness and response planning;
- (h) Handling and storage of hazardous materials/correct disposal of bio contaminants;
- (i) Recognition and reporting of child abuse and neglect;
- (j) First aid and CPR;
- (k) If applicable, appropriate precautions in transporting children.

Pending completion of all required preservice training, applicants/licensees, substitutes, and assistant caregivers cannot be counted in the staff/child ratio.

(2) Thereafter, the substitute shall have at least one (1) hour of annual training in each of the following eleven (11) required topic areas:

- (a) Prevention and control of infectious diseases (including immunization);
- (b) Sudden infant death syndrome (SIDS) prevention and use of safe sleeping practices;
- (c) Medication administration;
- (d) Prevention of and response to emergencies due to food and allergic reactions;
- (e) Building and physical premises safety;
- (f) Prevention of shaken baby syndrome and abusive head trauma;
- (g) Emergency preparedness and response planning;
- (h) Handling and storage of hazardous materials/correct disposal of bio contaminants;
- (i) Recognition and reporting of child abuse and neglect;
- (j) First aid and CPR;
- (k) If applicable, appropriate precautions in transporting children.



**6. No outside work or school**

During the hours of child care, the licensee shall not work outside the home or attend school. No other activities that take time and attention away from the children shall be performed in the home during the hours of child care, such as but not limited to home schooling, selling or providing products/services and/or educational requirements. Household duties related to the care of the children shall be performed as necessary.

## **E. Care of the Children**

### **1. Supervision of the Children**

**The children shall be supervised at all times. The licensee shall be responsible for the care and supervision of the children at all times.**

### **2. Infants and children shall be handled gently.**

**The licensee and each caregiver shall support each infant's head while lifting and holding the infant. Rough or harsh handling is prohibited, including but not limited to: shaking; lifting or jerking by one or both arms; pushing; pulling; forcing or restricting movement; lifting or moving by grasping clothing; covering an infant's or child's mouth, face or head, etc.**

### **3. Health**

#### **a. Immunizations**

Each child two (2) months up to five (5) years of age and five (5) year olds who are not enrolled in public or private school kindergarten shall have a valid State of Alabama Certificate of Immunization on file in the home on the child's first day of attendance and the Certificate shall be kept current thereafter unless one of the following certificates is on file in the home:

(1) A valid Alabama Certificate of Medical Exemption.

**OR:**

(2) A valid Alabama Certificate of Religious Exemption.

#### **b. Observations**

Each child shall be observed for illness and injuries upon his/her arrival at the child care home, and if possible, shall be observed in the presence of his/her parent(s)/guardian(s).

#### **c. Illness or injury**

(1) The licensee shall report promptly to the child's parent(s)/guardian(s):

(a) Any injury, suspected illness or other changes observed in the health of their child;

(b) Any exposure to a contagious disease, so that the child may be observed for symptoms of the disease.

(2) No child who is ill shall be admitted to the home. This regulation is not intended to require the exclusion of children in violation of the Americans with Disabilities Act (ADA). The Department of Human Resources is not the enforcement agency for the ADA. Determinations of illness may be based on: the child's inability to participate in the home's activities; the need for additional care that cannot be provided without taking time and attention away from the other children; signs of serious or contagious disease or condition, such as but not limited to food and allergic reactions, fever, diarrhea, vomiting, unexplained rash, scabies, head lice; a physician's diagnosis requiring that the child be separated from other children.

(3) Isolation and removal

- (a) Any child in attendance who becomes ill, has a contagious disease or condition, or suffers an injury that requires professional medical attention shall be separated promptly from the group, but shall have continuous supervision. Toys, bedding, equipment and bathroom facilities used by an ill child or adult shall be cleaned and disinfected prior to use by another person.
- (b) The ill or injured child's parent(s)/guardian(s) shall be notified immediately and required to come for, or arrange for another designated person to come for the child.
- (c) If the parent(s)/guardian(s) or person designated by the parent(s)/guardian(s) cannot be reached or if the injury or illness is severe, the licensee shall obtain emergency medical treatment.
- (4) Contagious diseases/conditions
  - (a) When a contagious disease/condition (a disease/condition which can be transmitted or spread from person to person) has been introduced into the home, parent(s)/guardian(s) of each exposed child shall be notified.
  - (b) The licensee shall urge parent(s)/guardian(s) to notify the licensee when their child is known to have been exposed to a contagious disease/condition outside the home.

d. Medication/Medical Procedures

- (1) No medication or medical procedures (prescription or over-the-counter) shall be administered without a written, signed, authorization form from the child's parent(s)/guardian(s). **Blanket authorization forms are prohibited.** The authorization form shall include time(s) and date(s) to be administered, dosage, storage instructions, and specific directions for administering the medication/medical procedure, such as given by mouth, apply to skin (such as but not limited to sunscreen, bug spray, hand sanitizer), inhale, drops in eyes, etc. An authorization form shall be valid for no more than seven (7) days, unless accompanied by a written physician's statement. (See Appendix H, page 76, for required form.)
- (2) Any prescription drug or over-the-counter drug sent to the home shall be in its original container. Prescription drugs shall have a pharmacy label or shall be accompanied by a physician's written instructions. Over-the-counter drugs shall be clearly labeled with the child's name and directions for administering the drug. A measuring device (if the medication requires measuring) shall be provided for each child's medication.
- (3) All medication (children's or household member's) shall be kept under lock and key or combination lock.
- (4) Medicines/drugs shall be returned to the child's parent(s)/guardian(s) or disposed of properly when no longer needed.
- (5) Time and date of all medication dosages or medical procedures administered by the licensee/caregiver shall be documented, in writing, signed by the person administering the medication or medical procedure (initials not

acceptable), and kept in the child's file in the home. (See Section F., 3., g., page 44, for children's records requirements.) Copies shall be made available to the child's parent(s)/guardian(s) on request.

#### 4. Care of Infants

- a. In accordance with recommendations from the American Academy of Pediatrics, unless the infant has a note from a physician specifying otherwise, each infant shall be placed in a supine (on his/her back) position for sleeping to lower the risks of Sudden Infant Death Syndrome (SIDS).
- b. In accordance with recommendations from the American Academy of Pediatrics, when an infant can easily turn over from the supine (back) to the prone (front) position, he/she shall be put down to sleep on his/her back, but allowed to adopt whatever position he/she prefers for sleep.
- c. In accordance with recommendations from the American Academy of Pediatrics, each infant (younger than twelve (12) months) shall be placed in a prone (front) position part of the time he/she is awake and observed. "Tummy time" helps muscle development and reduces the tendency of back positioning to flatten the back of the infant's head.
- d. In accordance with recommendations from the American Academy of Pediatrics, unless a physician specifies the need for a positioning device that restricts movement within the child's bed, such devices shall not be used.
- e. In accordance with recommendations from the American Academy of Pediatrics, soft materials are prohibited in the infant's sleeping environment (younger than twelve (12) months).
  - (1) Soft materials or objects, such as pillows, quilts, comforters, or sheepskins, shall not be placed under a sleeping infant.
  - (2) Soft objects, such as pillows, quilts, comforters, bumper pads, sheepskins, stuffed toys, and other gas-trapping objects shall be kept out of the infant's sleeping environment.
  - (3) No infant shall be put to sleep on a sofa, soft mattress, or other soft surface.
- f. The diapering area shall be a washable surface and shall be cleaned and disinfected after each use.
- g. Sufficient clean, dry diapers and clothing shall be provided for each infant/toddler.
- h. Wet or soiled diapers and other clothing shall be changed promptly.
- i. Disposable diapers shall be placed in a covered, plastic-lined trash container inaccessible to children.
- j. Reusable (cloth) diapers shall be rinsed in the toilet, placed in a plastic bag, and stored out of reach of children.
- k. Staff shall use universal precautions when changing diapers or being exposed to blood, fecal material, or urine.
- l. The licensee and each caregiver shall wash his/her hands with soap and warm running water after diapering **each** child, after assisting with toileting, and after contact with bodily fluids. Individual disposable paper towels shall be used for hand drying.

- m. The licensee and each caregiver shall use single-use disposable gloves for diapering. Clean gloves shall be used for diapering **each** child. Used gloves shall be disposed of in a covered, plastic-lined container, inaccessible to children, and shall be disposed of daily.
- n. Spills of body fluids, including blood, feces, nasal and eye discharges, saliva, urine, and vomit shall be cleaned up immediately. Caregivers shall wear gloves unless the fluid can be easily contained by the material (e.g., paper towel or cloth) that is being used to clean up. Caregivers shall be careful not to get any of the fluid in your eyes, nose, mouth or any open sores. Caregivers shall clean and disinfect any surfaces, such as counter tops and floors, on which body fluids have been spilled. Contaminated materials shall be discarded in a plastic bag that has been securely sealed. Mops used to clean up body fluids should be:
  - (a) cleaned;
  - (b) rinsed with a disinfecting solution;
  - (c) wrung as dry as possible;
  - (d) hung to dry completely.
 Be sure to wash your hands after cleaning up any spills.
- o. Each child's hands shall be washed after diapering and toileting.
- p. No child shall be left unattended while being diapered.
- q. The diapering area shall be separate from areas used for serving, preparing, or storing food.
- r. Infants shall be handled gently. The licensee and each caregiver shall support each infant's head while lifting and holding the infant. Rough or harsh handling is prohibited, including but not limited to: shaking; lifting or jerking by one or both arms; pushing; pulling; forcing or restricting movement; lifting or moving by grasping clothing; covering an infant's mouth, face or head, etc.

## **5. Child Abuse/Neglect Reporting**

- a. The licensee and any other caregivers are required by law, (Code of Alabama 1975, § 26-14-1 through 26-14-13), to report known or suspected child abuse or neglect to the County Department of Human Resources or the local chief of police, or county sheriff. The report shall be made immediately by telephone or direct oral communication, followed by a written report, containing all known information.
- b. Any person making a report in good faith is immune from any civil or criminal liability.
- c. The law further provides that all reports to the Department of Human Resources and certain other records of child abuse and neglect are considered confidential under penalty of law.
- d. The licensee, household members, and all caregivers shall cooperate with the Department personnel on any child abuse or neglect investigation, including providing information to workers and allowing access to children and records.

## 6. Meals and Snacks

- a. The licensee shall provide breakfast or a morning snack, a mid-day meal and at least one afternoon snack each day for the children in care. No child shall be deprived of a meal or snack if he/she is in attendance at the time the meal/snack is served.
  - (1) Breakfast, if served, shall include at least the following:
    - (a) fruit and/or vegetable;
    - (b) whole grain rich or enriched bread or bread product;
    - (c) fluid milk.
  - (2) Snacks shall include at least two of the following four choices:
    - (a) fluid milk;
    - (b) meat or meat alternate;
    - (c) fruits and/or vegetables;
    - (d) whole grain rich or enriched bread or bread products.
  - (3) Meals shall include at least the following:
    - (a) meat or meat alternate;
    - (b) vegetables/fruits (one vegetable and one fruit);
    - (c) whole grain rich or enriched bread or bread product;
    - (d) fluid milk.
- b. Formula or food for infants and other special diets recommended or prescribed by a physician shall be prepared as directed by the parent(s)/guardian(s). Special foods for any child shall be clearly labeled with the child's name and stored as directed.
- c. Formula, powdered or concentrated, shall be prepared by the parent(s)/guardian(s).
- d. Fluid (liquid) milk shall be served. No powdered milk shall be used for drinking.
- e. Small hard candies and nuts shall **not** be served to children younger than four years of age.
- f. Foods with a shape and consistency that may cause choking shall be prepared appropriately for the age and ability of the child. The following foods shall be served **only** under close supervision: peanut butter; popcorn; small pieces of raw vegetables; raisins; seeds; grapes (cut in half); foods with bones, meats (cut in pieces small enough to prevent choking); and hot dogs (cut length-wise, then chopped in small pieces, not cut in circular pieces).

### Food Service

- a. The licensee, each caregiver, and each child shall wash his/her hands with soap and warm running water before eating, preparing, or serving foods. Individual disposable paper towels shall be provided for drying hands.
- b. Feeding chairs shall be provided for infants. Feeding chairs and tables on which food is served shall be thoroughly cleaned and disinfected prior to and after snacks and meals. Each child's food shall be served from an individual dish or napkin and shall not be placed directly on tables.
- c. Each infant and toddler shall be encouraged to experiment with self-feeding with his/her hands or a spoon. Utensils shall be provided for each child who feeds himself/herself. Disposable utensils and cups shall be used only under close supervision.

- d. All prepared formula and food brought from the child's home shall be labeled with the child's name and properly stored. Milk and prepared formula shall be placed immediately in the refrigerator. Previously opened baby food jars shall not be accepted by the licensee. All formula remaining in the bottle after a feeding shall be discarded.
- e. Each infant shall be held when fed from a bottle. Bottles shall not be propped.
- f. The size of servings shall be adequate to meet each child's needs.
- g. Food, including dessert or milk, shall not be forced on or withheld from a child.
- h. Each child shall be seated while eating.

## **8. Food protection and preparation**

- a. Food shall be in good condition.
- b. No home-canned/preserved foods shall be used.
- c. Food shall be protected from contamination during storage, preparation, and serving.
- d. All food preparation surfaces and utensils shall be thoroughly cleaned before use.
- e. Once food has been served to a child, portions of leftover food shall not be served again.
- f. Tableware, cooking utensils, and all food contact surfaces shall be thoroughly cleaned after each use.
- g. Animals shall not be allowed in food storage, food preparation, or food service areas during hours of child care.
- h. Floors in food preparation and service areas shall be swept or vacuumed daily and mopped as needed to maintain cleanliness.

## **9. Personal Belongings**

- a. The licensee shall require the parent(s)/guardian(s) to provide appropriate seasonal clothing for each child to permit a change when necessary.
- b. Sufficient clean, dry diapers and clothing shall be provided for each infant/toddler. Wet or soiled diapers and other clothing shall be changed promptly.
- c. Adequate space shall be available to each child for storing his/her personal belongings.

## **10. Disciplinary Practices**

- a. Discipline shall be appropriate to the age and developmental level of the children.
- b. The following disciplinary practices are prohibited:
  - (1) Corporal or physical punishment is prohibited, including, but not limited to: spanking; shaking; slapping; kicking; pushing; biting; pinching; hitting; thumping; hair pulling; or ear pulling;
  - (2) Verbal abuse is prohibited, including but not limited to: yelling; shouting; name calling; shaming; making derogatory remarks about a child or a child's family; using language that is inappropriate, offensive, threatens, humiliates, or frightens a child;

- (3) Discipline associated with food, naps, or bathroom procedures is prohibited, including but not limited to: withholding food as punishment; use of food such as hot sauce, lemon juice, vinegar, etc., or soap, as punishment; punishment for lapses in toilet training; punishment for not sleeping during nap/rest time;
- (4) Physical restraint as punishment is prohibited;
- (5) Punishment administered by another child is prohibited;
- (6) Rough or harsh handling of children, whether associated with discipline or not, is prohibited, including but not limited to: shaking; lifting or jerking by one or both arms; pushing; pulling; forcing or restricting movement; lifting or moving by grasping clothing; covering a child's head, etc.

## **11. Outdoor Play**

All children shall spend time outdoors each day, when weather permits.

## **12. Sign in/Sign out Procedures**

- a. The licensee shall require the parent(s)/guardian(s) or other person designated by the parent(s)/guardian(s) to sign (signature required, initials not acceptable) each child in at each arrival to the home, indicating the time of arrival. (See Appendix J, page 78, for required form.)
- b. The licensee shall require the parent(s)/guardian(s) or other person designated by the parent(s)/guardian(s) to sign (signature required, initials not acceptable) each child out at each departure from the home, indicating the time of departure. (See Appendix J, page 78, for required form.)
- c. If a child walks to the home from school or another designated location, or is transported to/from the home by school bus, the licensee/caregiver shall sign (signature required, initials not acceptable) each child in upon arrival and out upon departure, indicating time of arrival/departure.

## **13. Release of the children**

- a. The licensee/caregiver shall not release a child to anyone without written authorization from the child's parent(s)/guardian(s).
- b. Authorized persons who are unfamiliar to the licensee/caregiver shall show photographic identification when picking up a child.

## **14. Visits by parent(s)/guardian(s)**

Parent(s)/guardian(s) shall have the right to visit and observe their child in the home at any time during hours of operation. Parent(s)/guardian(s) shall be informed of this right.



## **F. Administration**

### **1. General administrative responsibilities of the applicant/licensee**

- a. The applicant/licensee shall apply for a license to operate a child care home on the required form(s). (See Appendix A, page 60, for a copy of required form(s).) (See also Licensing Procedures, Section B., page 11, for additional information.)
- b. An application for renewal of the license shall be submitted to the Department at least thirty (30) calendar days prior to the expiration of the license on the required form(s). (See Appendix A, page 60.) It is the sole responsibility of the licensee to obtain the required form(s) and to submit the form(s) to the Department as required.
- c. The applicant/licensee shall read and be familiar with the Minimum Standards and assume final authority and responsibility for meeting and maintaining Minimum Standards.
- d. There shall be financial resources available to provide for the satisfactory care of the children in care in regard to upkeep of the home and the provision of nutritious meals, safe play equipment, and required arrangements for comfortable rest/sleep.
- e. The following documents shall be posted in a place in the home easily seen by parent(s)/guardian(s):
  - (1) the home's current license or permit;
  - (2) the most recent licensing evaluation form;
  - (3) the most recent deficiency report form;
  - (4) public notice form;
  - (5) the name and telephone number for law enforcement, fire department, hospital, poison control and the Department of Human Resources;
  - (6) Emergency Preparedness and Response Plans;
  - (7) corrective/adverse action notices.
- f. Any information regarding children and facts learned about children and their relatives shall be kept confidential and shall not be shared except:
  - (1) with the parent(s)/guardian(s) or person(s) authorized by parent(s)/guardian(s) to receive such information, or
  - (2) with the Department. (See Code of Alabama 1975, Section 38-7-13)
- g. The licensee shall provide the parent(s)/guardian(s) and the Department with a written statement of the rules and policies of the home. These rules and policies shall be given to parent(s)/guardian(s) when the child is enrolled and shall include at least the following:
  - (1) A statement of child care services to be provided including days and hours of care and fees;
  - (2) Information about the substitutes and how they will be used;
  - (3) Information about any animals on the premises;
  - (4) Information about pools on the premises and if the children will have access to the pool;
  - (5) Parent(s)/guardian(s) shall be informed of their right to visit and observe their child in the home at any time during the hours of care;

- (6) Statement regarding Minimum Standards requirements for illness and injury; (See Section E., 3., c., page 34, for details);
- (7) A daily schedule;
- (8) Disciplinary practices (See Section E., 10., page 39-40, for details);
- (9) An Emergency Preparedness and Response Plan that addresses situations covered on pages 23-24 of The Minimum Standards.
- h. The licensee shall provide parent(s)/guardian(s) and the Department in writing, of any changes in the home's rules and policies.
- i. The licensee's social security number or tax ID number shall be made available to the parent(s)/guardian(s) on request.

## 2. Reports to the Department

- a. Enrollment reports, indicating the number and ages of children enrolled in the home, shall be submitted to the Department upon written request from the Department.
- b. The licensee shall report any known or suspected child abuse or neglect to the County Department of Human Resources, the local chief of police or the county sheriff. (See Section E., 5., page 37, for additional information.)
- c. The following shall be reported verbally ***within 24 hours***, and followed by a written report within 5 days:
  - (1) any injury/illness requiring professional medical treatment of any child;
  - (2) any injury/illness requiring emergency medical treatment;
  - (3) any death occurring in the home;
  - (4) changes in caregivers or substitutes (new or additional caregivers or substitutes);
  - (5) any change in the name of the licensee;
  - (6) any change in the name or number of the street address of the licensed home made by a government agency (**Note: any change in location requires a new license**);
  - (7) change in the telephone number of the licensee, caregiver, or substitute;
  - (8) serious accidents or serious illness of the licensee or household members;
  - (9) serious damage to the home or grounds;
  - (10) changes in members of the household (new household members moving into the home, household members moving out of the home, birth of a child);
  - (11) any arrest of the licensee, household members, caregivers, substitutes, domestic workers, volunteers, or any other persons who have contact with the children or unsupervised access to children;
  - (12) final disposition of any child abuse/neglect investigation involving the licensee, household members, caregivers, substitutes, domestic workers, volunteers, or any other persons who have contact with the children or unsupervised access to children;
  - (13) any disastrous event.
- d. Any physical or structural changes in the home or on the grounds such as but not limited to: remodeling; renovations; or installation of a swimming pool, shall be reported to the Department in advance.

- e. Any change in location (move to another home) shall be reported to the Department in advance. (**Note: A new license must be applied for and obtained before receiving children in the new location.**)

### 3. Records to be kept by the licensee

- a. Copies of initial and updated medical reports for the licensee.
- b. Written verification of education for the applicant/licensee.
- c. Written verification of training for the applicant/licensee, including:
  - (1) written documentation of a current Infant-Child (Pediatric) Cardiopulmonary Resuscitation Certification (CPR) and a current First Aid Certificate;
  - (2) a current American Red Cross Lifeguard training certificate if the home has a pool and the children in care are allowed in the pool area;
  - (3) written verification of training received through workshops, meetings, recorded/printed materials, or one to one consultation.
- d. The following information shall be kept in an individual file in the home for each assistant caregiver and each substitute:
  - (1) three (3) references;
  - (2) State Central Registry on Child Abuse/Neglect Clearance Form must be issued within the last five (5) years and updated every five (5) years thereafter (See Section D., 2., c., (2) page 27, for details). Forms can be obtained from the Department's website;
  - (3) Criminal history background information, (See Section D., 2., c., (3), page 28 for details) including:
    - (a) A Suitability Determination letter from the Department must be issued within the last five (5) years and updated every five (5) years thereafter.
    - (b) Identification verification of name, date of birth, race and sex in the form of a photo identification from any governmental agency, such as a driver's license, non-driver's identification, or program participation card.
  - (4) medical reports;
  - (5) results of tuberculin skin tests or chest x-rays;
  - (6) written verification regarding emergency procedures;
  - (7) written verification of having read the Minimum Standards;
  - (8) written verification of education;
  - (9) written verification of training, including:
    - (a) written documentation of a current Infant-Child (Pediatric) Cardiopulmonary Resuscitation Certification (CPR) and a current First Aid Certificate;
    - (b) a current American Red Cross Lifeguard training certificate if the home has a pool and the children in care are allowed in the pool area;

- (c) written verification of training received through workshops, meetings, videotapes, or one to one consultation (not required for substitutes).
- e. Records on caregivers and substitutes shall be kept for at least two (2) years after the caregiver or substitute leaves.
- f. A current certificate of rabies vaccination for animals required by law to be vaccinated.
- g. Children's records shall be on file in the home on the child's first day of attendance and shall include at least:
  - (1) Child's Pre-Admission Record, on the required form, including: child's name; birthdate; home address; name, address, and telephone number of child's parent(s)/guardian(s); name, address, and telephone number of mother's and father's employer; emergency contact information; name, address, and telephone number of child's doctor; signed authorization for emergency medical treatment; special needs or instructions; list of persons child may be released to; signed statement that parent(s)/guardian(s) understands that the Department does not inspect activities away from the facility; permission signed by the child's parent(s)/guardian(s) for the child to participate in activities away from the facility, transportation provided by the facility, and swimming/wading provided by the facility; child's first day of attendance; child's withdrawal date. (See Appendix G, page 74, for required form.);
  - (2) written authorization, signed by the parent(s)/guardian(s) to administer medication or medical procedures, if applicable, and written record of medication administration (see Appendix H, page 76, for required form);
  - (3) immunization certificates. (See Section E., 3., a., page 34, for details.)
- h. Children's records shall be kept for at least two (2) years after the child leaves care.
- i. Any other information about the children shall be kept in the children's records.
- j. Any information regarding children and facts learned about children and their relatives shall be kept confidential and shall not be shared except;
  - (1) with the parent(s)/guardian(s) or person(s) authorized by parent(s)/guardian(s) to receive such information, or
  - (2) with the Department. (See Code of Alabama 1975, Section 38-7-13.)
- k. Confidentiality
  - (1) Children's records and information about children and their families shall be kept confidential.
  - (2) Confidential information about children and their families shall not be used or disclosed for any purpose not directly related to the well-being of the child.
  - (3) Any discussion about children and their families shall be treated as confidential.
  - (4) Confidential information including children's records shall be accessible only to authorized persons.
  - (5) The Department shall have the right to inspect records, including children's records.

1. Transportation checklists (see Appendix L, page 80) and sign in/sign out sheets (see Appendix J, page 78) shall be kept on file in the home for the current year plus two (2) additional years.

## **G. Nighttime Care**

**In addition to the preceding regulations, homes offering nighttime care after 7 p.m., shall meet the following regulations:**

1. The number and age of children in nighttime care shall not exceed the number and age range of children for which the nighttime home is licensed.
2. Bathing
  - a. If any child in care is bathed, clean water shall be provided for each child. Each child shall be bathed separately. Each child shall be supervised while bathing.
  - b. Individual soap, individual towel, and an individual washcloth shall be provided for each child who is bathed at the home.
3. In addition to requirements for sleeping (See Indoor Area, Equipment and Furnishings, Section C., 2., d., page 18):
  - a. Each child younger than eighteen (18) months of age who receives his/her regular night's sleep in a nighttime home, shall sleep alone in a crib.
  - b. In accordance with recommendations from the American Academy of Pediatrics, unless the infant has a note from a physician specifying otherwise, each infant shall be placed in a supine (on his/her back) position for sleeping to lower the risks of Sudden Infant Death Syndrome (SIDS).
  - c. Each child who is eighteen (18) months of age or older, who receives his/her regular night's sleep in a nighttime home, shall sleep in a bed.
4. Each child's toilet articles (such as combs, toothbrushes, etc.) shall be labeled with the child's name, kept separate, and kept in sanitary condition.
5. Breakfast shall be served to each child who goes directly to school from nighttime care, unless breakfast is provided by the school or by the parent(s)/guardian(s). (See Section E., 6., a., (1), page 38, for breakfast requirements.)
6. An evening meal shall be served for each child who is continuing in attendance from the day time program. (See Section E., 6., a., (3), page 38, for meal requirements.)

## **H. Group Day Care Homes**

**For purposes of these regulations, a license is required for persons:**

- **Providing care for one or more children who are not related to the provider;**
- **With or without compensation;**
- **Away from the child's home;**
- **For more than four (4) hours in a 24 hour period.**

**In addition to the preceding regulations (except for Section G., Nighttime Care), homes offering group day care for at least seven (7) but no more than twelve (12) children, shall meet the following regulations:**

1. A separate license shall be applied for and obtained prior to offering group day care for seven (7) but no more than twelve (12) children.
2. A group day care home shall have at least the following caregivers: the licensee, the assistant caregiver, and at least two (2) substitutes.
3. Whenever seven (7) or more children are present, at least two (2) adult caregivers shall be present and supervising the children. This shall include the licensee and the assistant caregiver. If a substitute is used, either the licensee or the assistant caregiver shall be present and supervising the children.
4. No group day care home shall be licensed for more than six (6) children younger than twelve (12) months of age. There shall be at least one (1) caregiver present and supervising each three (3) children younger than twelve (12) months of age.
5. The assistant caregiver hired after January 22, 2001 shall meet the same educational, medical, age, and character and suitability requirements and qualifications as the licensee with the exception of living in the home.
6. The assistant caregiver shall have at least twelve (12) clock hours of training in child care within the first 30 days of employment. Child care training shall include clock hours in each of these areas:
  - a. child development;
  - b. health, safety and universal precautions;
  - c. quality child care and licensing;
  - d. the child care professional and the family;
  - e. language development;
  - f. positive discipline and guidance.
7. The assistant caregiver shall have at least twelve (12) clock hours of child care training each year thereafter. Child care training shall include clock hours in each of these areas:
  - a. child development;
  - b. health, safety and universal precautions;
  - c. quality child care and licensing;
  - d. the child care professional and the family;
  - e. language development;

f. and positive discipline and guidance.

8. Pursuant to new changes in the Child Care Development Block Grant (42 U.S.C.S. §§9857 et seq.) the Department is required to implement and enforce additional training requirements of all childcare facilities that participate in the Child Care Subsidy Program.

(a) Within 90 days of employment, the Assistant Caregiver shall have at least one (1) hour of preservice training in each of the following eleven (11) required topic areas:

- (1) Prevention and control of infectious diseases (including immunization);
- (2) Sudden infant death syndrome (SIDS) prevention and use of safe sleeping practices;
- (3) Medication administration ;
- (4) Prevention of and response to emergencies due to food and allergic reactions;
- (5) Building and physical premises safety;
- (6) Prevention of shaken baby syndrome and abusive head trauma;
- (7) Emergency preparedness and response planning;
- (8) Handling and storage of hazardous materials/correct disposal of bio contaminants;
- (9) Recognition and reporting of child abuse and neglect;
- (10) First aid and CPR;
- (11) If applicable, appropriate precautions in transporting children.

Pending completion of all required preservice training, applicants/licensees, substitutes, and assistant caregivers cannot be counted in the staff/child ratio.

(b) Thereafter, the Assistant Caregiver shall have at least one (1) hour of annual training in each of the following eleven (11) required topic areas:

- (1) Prevention and control of infectious diseases (including immunization);
- (2) Sudden infant death syndrome (SIDS) prevention and use of safe sleeping practices;
- (3) Medication administration;
- (4) Prevention of and response to emergencies due to food and allergic reactions;
- (5) Building and physical premises safety;
- (6) Prevention of shaken baby syndrome and abusive head trauma;
- (7) Emergency preparedness and response planning;



- (8) Handling and storage of hazardous materials/correct disposal of bio contaminants;
  - (9) Recognition and reporting of child abuse and neglect;
  - (10) First aid and CPR;
  - (11) If applicable, appropriate precautions in transporting children.
- 
- 9. Required information for the assistant caregiver shall be kept on file in the home. (See Section F., 3., d., page 43, for requirements of caregiver/substitute records.)
  - 10. All caregivers shall read and be familiar with the Minimum Standards and written verification of this shall be on file in the home.
  - 11. An outdoor play area of at least 600 square feet shall be provided on the grounds. The outdoor play area shall be enclosed by a fence or wall at least four (4) feet in height.
  - 12. The licensee shall provide at least four (4) items from each category of play equipment for each age group listed in Section L., Equipment List, page 57.

## **I. Group Nighttime Homes**

**In addition to the preceding regulations including Section G., Nighttime Care) homes offering group nighttime care for at least seven (7) but no more than twelve (12) children after 7 p.m., shall meet the following regulations:**

1. Anytime seven (7) or more children are present, at least two (2) adult caregivers shall be present and supervising the children.
2. The number and age of children in nighttime care shall not exceed the number and age range of children for which the nighttime home is licensed.
3. In addition to requirements for sleeping (See Indoor Area, Equipment and Furnishings, Section C., 2., d., page 18):
  - a. Each child younger than eighteen (18) months of age who receives his/her regular night's sleep in a nighttime home shall sleep alone in a crib.
  - b. In accordance with recommendations from the American Academy of Pediatrics, unless the infant has a note from a physician specifying otherwise, each infant shall be placed in a supine (on his/her back) position for sleeping to lower the risks of Sudden Infant Death Syndrome (SIDS).
  - c. Each child who is eighteen (18) months of age or older, who receives his/her regular night's sleep in a nighttime home shall sleep in a bed.

## **J. Corrective and Adverse Actions**

**Corrective or adverse actions may be imposed by the Department when the licensee fails to meet and maintain minimum standards prescribed by the Department. Corrective/adverse actions may include, but need not be limited to: deficiency reports; corrective action plans; probationary status; restrictions or modifications of the provisions of the license/permit, suspension of a license/permit, and revocation of a license/permit.**

*Written notice of the corrective or adverse action shall be posted at each public entrance of the child care home.*

**None of these regulations are to be interpreted to allow a home to operate in violation of the minimum standards or out of compliance with the minimum standards.**

### **1. Deficiency Report**

If an inspection, evaluation, or investigation indicates non-compliance with the minimum standards (deficiency), a deficiency report shall be prepared by the Department. A deficiency report is prepared in conjunction with or subsequent to a visit to the home, or after investigation of a substantiated complaint regarding the home. In any visit to the home in which deficiencies are observed or noted, the licensing representative shall complete a deficiency report, and discuss the deficiencies observed or noted with the licensee or facility representative. A copy of the completed deficiency report shall be provided to the licensee or facility representative. No deficiency report shall be completed in conjunction with a prelicensing visit.

### **2. Corrective Action**

- a. If an inspection, evaluation, or investigation indicates continued or repeated non-compliance with the minimum standards, or if areas of non-compliance indicated previously on a deficiency report are not corrected, a corrective action plan may be developed to allow the licensee to achieve compliance with the minimum standards while continuing to care for children. The corrective action plan shall include: a statement of each deficiency; a description of how the deficiency shall be corrected; the date by which corrections shall be completed; and the signature of the Department's representative and the licensee or facility representative.
- b. During the corrective action period, the licensee shall correct each deficiency (area of noncompliance) and shall report the corrections to the Department. The length of time the corrective action plan remains in effect shall be determined based on the nature of the areas of noncompliance. If the licensee fails or refuses to comply with

the minimum standards and the terms of the corrective action plan, the Department may initiate adverse action such as probation or revocation of the license/permit.

- c. Requests for changes to the provisions of the license such as increases in licensed capacity or changes in the ages of the children received for care shall not be granted during the corrective action period.

### **3. Probationary Status**

- a. If an inspection, evaluation, or investigation indicates non-compliance with the minimum standards, or if conditions exist that could pose a hazard to the health and safety of the children in care, a period of probationary status may be instituted to allow the licensee to achieve compliance with the minimum standards while continuing to care for children. At the beginning of the probationary period the licensee shall be provided with: a statement of each deficiency; a description of how the deficiency shall be corrected; the date by which corrections shall be completed; and the signature of the Department's representative and the licensee or facility representative.
- b. During the probationary period, the licensee shall correct each deficiency (area of noncompliance) and shall report the corrections to the Department. The length of the period of probationary status shall be determined based on the nature of the areas of noncompliance. The maximum period shall be six months. At the end of the probationary period, the home's license shall be returned to active status if the home is in compliance with the minimum standards. If the licensee fails or refuses to comply with the minimum standards during the probationary period, the Department may initiate revocation of the license/permit.
- c. Requests for changes to the provisions of the license such as increases in licensed capacity or changes in the ages of the children received for care shall not be granted during the period of probationary status.

### **4. Restriction or Modification of the Provisions of the License/Permit**

- a. The right to restrict, limit, or suspend specific activities provided by the child day/night care home, such as but not limited to: away-from-the-home activities; transportation of the children; swimming.
- b. The right to restrict or limit the use of specific areas of the home, such as but not limited to: outdoor play areas; bathrooms; rooms used by the children.
- c. The right to reduce the licensed capacity of the home or to amend the ages of children to be served, due to restricted use of required space or bathroom facilities or lack of qualified caregivers.

## 5. **Revocation of a License**

(See Code of Alabama 1975, Section 38-7-8).

The Department may revoke or refuse to renew the license of the child care home or refuse to issue a full license to the holder of a six-month permit should the licensee:

- a. Consistently fail to maintain standards prescribed and published by the Department;
  - b. Violate the provisions of the license issued;
  - c. Furnish or make any misleading or any false statements or reports to the Department;
  - d. Refuse to submit to the Department any reports or refuse to make available to the Department any records required by the Department in making an investigation of the child care facility for licensing purposes; provided, however, that the Department shall not revoke or refuse to renew a license in such case unless it has made written demand on the person, firm or corporation operating the facility requesting such report or reports and such person, firm or corporation fails or refuses to submit such records for a period of ten days.
  - e. Fail or refuse to submit to an investigation by the Department;
  - f. Fail or refuse to admit authorized representatives of the Department at any reasonable time for the purpose of investigation;
  - g. Fail to provide, maintain, equip and keep in safe and sanitary condition the premises established or used for child care as required under standards prescribed by the Department, or as otherwise required by any law, regulation or ordinance applicable to such facility;
  - h. Refuse to display its license or permit;
  - i. Fail to maintain financial resources adequate for the satisfactory care of children served in regard to upkeep of premises and provisions for personal care, medical services, clothing, learning experience and other essentials in the proper care, rearing and training of children;
- or**
- j. Fail to adhere to all terms of the Family/Group Day Care/Nighttime Home Agreement required on the Application for a License.

**6. Suspension of a License**

In accordance with the Code of Alabama 1975, Sections 38-7-11 and 41-22-19(d), the Department has the authority to immediately suspend without notice the license/six-month permit if an inspection by the Department of a licensed child care facility discloses any condition, deficiency, dereliction, or abuse, which is, or could be, hazardous to the health, safety, or physical, moral, or mental well-being of the children in the care of the child care facility being inspected. In this event, the child care facility shall not operate during the pendency of any proceeding for a fair hearing or judicial review, except under court order. The suspension may remain in effect for a period of no longer than 120 days and shall not be renewable. The license shall not be suspended for the same or a substantially similar emergency within one calendar year from its first suspension unless the emergency could not have been reasonably foreseen during the initial 120 day period that such emergency would continue or would likely reoccur during the next nine months. When such summary suspension is ordered, a formal suspension or revocation proceeding shall also be promptly instituted and acted upon.

**7. Penalty for Unlicensed Facilities**

If the Department representative determines, through investigation, that any person, group of persons, or corporation is, or has been, operating a child care facility without a license, approval or six-month permit, the results of the investigation shall be reported to the Attorney General and to the appropriate District Attorney for prosecution (See Code of Alabama 1975, Section 38-7-10, 38-7-16, and 38-7-17).

**8. Refusal to Permit Inspections**

(Code of Alabama 1975, Section 13A-10-3.)

- a. A person commits the crime of refusing to permit inspection of property that is owned, possessed or otherwise subject to his/her control if a public servant is legally authorized to inspect such property and an attempt is being made to exercise that authority and he/she:
  - (1) refuses to produce the property for a reasonable inspection; or
  - (2) refuses to permit a reasonable inspection.
- b. For the purposes of this section, “legally authorized inspection” includes any lawful search, sampling, testing or other examination of property, in connection with the regulation of the defendant’s business or occupation that is authorized by law.
- c. Refusing to permit inspection is a Class C misdemeanor (fine of not more than \$500.00 or imprisonment in county jail for not more than three months).

## **K. Hearings and Appeals**

### **1. Pre-revocation Hearings**

- a. If the Department makes the decision to revoke or refuse to renew the license, six-month permit, or approval, a pre-revocation hearing shall be held in order to discuss the intended action and give the licensee/permit holder an opportunity to show why the action should not be taken. Notice of the pre-revocation hearing and notice of action taken by the Department following the pre-revocation hearing shall be sent to the licensee/permit holder by certified mail unless waived. The pre-revocation hearing shall be held in accordance with the Administrative Code, Chapter 660-1-5, a copy of which may be obtained from the Department on request. The pre-revocation hearing does not alter the licensee/permit/approval holder's right to a fair hearing.
- b. If the Department finds that danger to the health, safety or welfare of the children requires emergency suspension of a license, six-month permit, or approval, the licensee/permit/approval holder shall be notified in writing of the reason(s) for the decision. The Department may proceed without hearing or upon any abbreviated hearing it finds practicable to suspend the license, six-month permit, or approval. The suspension shall become effective immediately unless otherwise stated. In this event, the child care facility shall not operate during the pendency of any proceeding for a fair hearing or judicial review, except under court order. The suspension may remain in effect for a period of no longer than 120 days and shall not be renewable. The license/permit/approval shall not be suspended for the same or a substantially similar emergency within one calendar year from its first suspension unless the emergency could not have been reasonably foreseen during the initial 120 day period that such emergency would continue or would likely reoccur during the next nine months. When such summary suspension is ordered, a formal suspension or revocation proceeding shall also be promptly instituted and acted upon.
- c. No pre-denial hearing is required to be held prior to the denial of an initial application for a license.

### **2. Request for a Fair Hearing**

- a. An aggrieved person may request a fair hearing in the following situations:
  - (1) If an application for an initial license is denied;
  - (2) If an application for a renewal of a license is denied;
  - (3) If any application for an initial license or renewal of a license is not acted upon with reasonable promptness, which is defined as sixty (60) days from

the date of the receipt by the Department of all information (including but not limited to: required forms received; investigations and inspections completed) needed to make a decision to grant or deny the license or permit;

**or**

- (4) If a license, six-month permit, or approval is revoked.
- b. Notice of the opportunity to request a fair hearing shall be given by certified mail.
- c. When a pre-revocation hearing has been held, a request for a fair hearing shall be filed within fourteen (14) calendar days of the notice of the revocation. Any existing license or six-month permit shall remain in effect during the fourteen (14) day time period allowed for request of a fair hearing. If a fair hearing is requested, the existing license, six-month permit, or approval shall remain in effect until and including thirty (30) days after the final decision on the request for a fair hearing.
- d. If the Department finds that danger to the health, safety or welfare of the children requires emergency suspension of a license or six-month permit, the licensee/permit holder shall be notified in writing of the reasons for the decision. The existing license or six-month permit shall be suspended immediately or on the date specified in the notice of suspension.
- e. In all other situations where a pre-action hearing has not been held, a request for a fair hearing shall be filed within sixty (60) calendar days of the action (or inaction) with which the aggrieved person is dissatisfied.

### **3. Conduct of a Fair Hearing**

- a. When a pre-revocation hearing has been held, the fair hearing will be conducted on the record. No additional evidence or testimony will be admitted unless it can be shown that it is material to the issues of the case and could not have been presented at the prior hearing with reasonable diligence or that the additional evidence was not allowed at the prior hearing due to unlawful procedures.
- b. When a pre-action hearing has not been held, the fair hearing is to be conducted in accordance with the hearing procedures found in the Administrative Code, Chapter 660-1-5, a copy of which may be obtained from the Department on request.



## **L. Equipment List**

The licensee shall provide a variety of toys, games, and other play equipment appropriate to the ages of children specified on the license/permit and to the interests of the children. The licensee shall provide at least two (2) items from each category for each age group for which the home is licensed or permitted.

### **1. Equipment for Children Up to 2½ Years**

- a. Toys For Active/Outdoor  
Play Small wheel toys  
Push and pull toys  
Boxes of assorted sizes  
Swings with safety seat, infant swing  
Sand or digging area, toys for digging, pouring,  
sifting Large Balls
- b. Quiet toys Simple  
puzzles Nesting and  
stacking toys Soft dolls  
and clothes Cars, trucks,  
trains  
Large beads or spools to  
string Picture books
- c. Art materials  
Paper Non-toxic  
crayons  
Non-toxic water color  
markers Non-toxic play dough
- d. Crib toys  
Crib mobiles (for infants younger than 5  
months) Washable teething rings  
Rattle toys  
Squeeze toys  
Soft cuddly toys  
Busy boxes
- e. Make-believe Play  
Dolls, and clothes and  
blankets Dress-up clothes  
Homeliving area-pretend kitchen appliances may be made from  
boxes Toys, dishes, pans, spoons, plastic containers with lids

Toy telephone  
Puppets

## 2. Equipment for Children 2½ Years up to 6 Years

- a. Toys for Active/Outdoor Play  
Sand or digging area with items for digging, filling, sifting, and pouring  
Climbing structure with soft surface underneath  
Wheel toys  
Balls  
Buckets for water play, items for pouring, measuring, floating
- b. Toys for Quiet Play  
Puzzles  
Beads or spools and string for stringing  
Peg boards and pegs  
Matching games such as lotto, picture dominoes and other simple games  
Creative construction sets  
Blocks  
Small cars, trucks, boats, trains
- c. Make Believe Play  
Dolls, with clothes, blankets, storage area  
Doll stroller  
Doll bed or cradle  
Dress-up clothes  
Home living area-kitchen appliances may be purchased or made from cardboard boxes  
Play dishes, plastic baby bottles, pots and pans, measuring spoons  
Puppets  
Sheet or bedspread for making a tent  
Cardboard boxes in assorted sizes  
Mirror  
Toy telephone
- d. Water Play  
Dish pan  
Sponges  
Bubble mixture  
Strainers  
Funnels  
Egg beaters  
Small boats and other floating toys

- e. Art, Books, Music  
Non-toxic art materials - large pencils and crayons, water color markers, paper, chalk, blunt-end scissors, paste, glue, playdough, paints (tempera or water color), long handled brushes, finger paints  
A variety of age-appropriate books accessible to the children A device that plays a variety of age-appropriate music Rhythm instruments
- f. Nature and Science Materials  
Collections of rocks, leaves, seeds, etc. Aquarium with fish (must be covered) Magnifying glass  
Magnets  
Measuring equipment

### **3. Equipment for Children 6 Years and Older**

- a. Storage  
Children shall have a separate area for storing their personal items and projects.
- b. Art, Music, Books  
Non-toxic art materials: a variety of kinds of paper, scissors, glue, crayons, markers, chalk, paints, clay, playdough,  
Books and magazines appropriate to the ages of the children A device that plays a variety of age-appropriate music.
- c. Dramatic Play Props  
Dress-up clothes Dolls  
and dolls clothes  
Costumes and masks
- d. Toys for quiet time  
Interlocking manipulative play sets Jigsaw puzzles  
Board games and playing cards
- e. Equipment for Active/Outdoor  
Play Balls  
Bats Tether ball Croquet set Badminton set  
Horseshoes  
Wheel toys

**III. APPENDICES**

A. Application for a license to operate a family/group day care/nighttime home

**DHR-CDC-712**  
**Revised 10/18**

**STATE OF ALABAMA**  
**DEPARTMENT OF HUMAN RESOURCES**

**APPLICATION FOR A LICENSE TO OPERATE**  
**A DAY CARE/NIGHTTIME HOME**

First Application

Application for Renewal

In accordance with Title 38, Chapter 7, Code of Alabama 1975, application is hereby made for a license to operate a:

Family Day Care/Nighttime Home

Group Day Care/Nighttime Home

Name of Applicant: \_\_\_\_\_  
*First Middle Maiden Last*

List all names you have been known by: \_\_\_\_\_

Applicant's Date of Birth: \_\_\_\_\_  
*Month Day Year*

Social Security Number of Applicant: \_\_\_\_\_  
*(NOTE: Social Security Number is required by the Department's Administrative Rules for identification purposes.)*

Address of Applicant: \_\_\_\_\_  
*Number and Street City State Zip Code County*

Telephone Number of Applicant: \_( )\_ \_\_\_\_\_

Name of Home Day Care: \_\_\_\_\_

Name of Applicant's Spouse: \_\_\_\_\_  
*First Middle Last*

List all names your spouse has been known by: \_\_\_\_\_

Spouse's date of birth: \_\_\_\_\_  
*Month Day Year*

Do you own or rent your home? \_\_\_\_\_

If you rent, attach a written statement from the owner of the home giving permission for you to operate a day care/nighttime home.

Will you provide transportation for children in your care? \_\_\_\_\_

For what age children will you provide care? \_\_\_\_\_

What days of the week will you provide care? \_\_\_\_\_

What hours of the day will you provide care? \_\_\_\_\_

**List addresses of all places you have lived in the past five years, if different from your present address:**

Number and Street	City	State	Zip Code	County

**List each person living in your home:**

Full Name	Date of Birth	Relationship to you	Occupation/school attending/attended	Social Security Number

*(NOTE: Social Security Number is required by the Department's Administrative Rules for identification purposes.)*

**REFERENCES:**

List at least three (3) persons you have known for at least two (2) years who are not related to you or any member of your household by blood, marriage, or adoption. Information must be complete and accurate.



Social Security Number of Assistant Caregiver: \_\_\_\_\_  
(NOTE: Social Security Number is required by the Department's Administrative Rules for identification purposes.)

Address of Assistant Caregiver: \_\_\_\_\_  
(Number and Street) (City) (State) (Zip Code) (County)

Telephone Number of Assistant Caregiver: (\_\_\_\_\_) \_\_\_\_\_

**Name of Second Substitute**, if application is for a group day care/nighttime home:

\_\_\_\_\_  
*First Middle Maiden Last*

Second Substitute's Date of Birth: \_\_\_\_\_  
*Month Day Year*

Social Security Number of Second Substitute: \_\_\_\_\_  
(NOTE: Social Security Number is required by the Department's Administrative Rules for identification purposes.)

Address of Second Substitute: \_\_\_\_\_  
(Number and Street) (City) (State) (Zip Code) (County)

Telephone Number of Second Substitute: (\_\_\_\_\_) \_\_\_\_\_

**BACKGROUND INFORMATION:**

**Child Care:**

Have you ever applied for or held any license or approval or been registered or certified to operate a child care facility of any kind in any county, state, or country? \_\_\_\_\_ If yes, give details.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Criminal History Background Information Checks:**

In accordance with Alabama law, (Act 2000-775, effective November 1, 2000, the criminal history background information check shall be completed on each applicant for a license, each licensee, each adult household member, substitute, caregiver, volunteer, and domestic worker, as well as any other person who has contact with the children or unsupervised access to the children shall be reviewed.

**Current Criminal Charges:**

Are there any current criminal charges against you or any member of your household? \_\_\_\_\_  
If yes, give details.

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**Clearance of State Central Registry on Child Abuse/Neglect:**

At the time of initial application, a completed REQUEST FOR CLEARANCE OF STATE CENTRAL REGISTRY ON CHILD ABUSE/NEGLECT shall be submitted by the applicant and each adult household member. Required forms are available from the Department.

The applicant shall obtain a completed REQUEST FOR CLEARANCE OF STATE CENTRAL REGISTRY ON CHILD ABUSE/NEGLECT for each caregiver, substitute, volunteer, domestic worker, and any other person who has contact with the children or unsupervised access to the children.

**EDUCATION AND TRAINING**

***If this is your first application:***

Attach a copy of your high school diploma or General Education Diploma (G. E. D.)

Written documentation of completion of required training in child care and development is required before licensure.

**AGREEMENT**

***I hereby agree that if I am issued a license/permit or renewal of a license to operate a family/group day care/nighttime home for children, I will:***

- A. Maintain standards prescribed and published by the Department;
- B. Adhere to the provisions of the license or permit issued;
- C. Not furnish or make any misleading or any false statements or reports to the Department;
- D. Submit to the Department any reports or make available to the Department any records required by the Department in making an investigation for licensing purposes;
- E. Submit to investigation by the Department;
- F. Admit authorized representatives of the Department at any reasonable time for the purpose of investigation;
- G. Provide, maintain, equip and keep in safe and sanitary condition the premises established or used for child care as required under standards prescribed by the Department, or otherwise required by any law, regulation or ordinance applicable to such facility;
- H. Display the license or permit; and
- I. Maintain financial resources adequate for the satisfactory care of children served in regard to upkeep of premises and provisions for personal care, medical services, clothing, learning experience and other essentials in the proper care, rearing and training of children.

\_\_\_\_\_/\_\_\_\_\_  
Signature of applicant date



**NOTICE OF PENALTY FOR FALSE STATEMENTS**

In accordance with Title 38, Chapter 7, Section 16, Code of Alabama 1975, any person, group of persons, association or corporation who makes materially false statements in order to obtain a license or permit shall be guilty of a misdemeanor and shall be fined not less than \$100.00 nor more than \$1,000.00 or be imprisoned in the county jail no longer than one year, or both, and, in case of an association or corporation, imprisonment may be imposed upon its officers who knowingly participated in the violation. Understanding the penalties for false statements, I attest that the statements in this application are true and correct, to the best of my knowledge and belief.

***NOTE: The application for renewal of a license shall be submitted at least 30 calendar days prior to the expiration of the current license.***

**By signing this form, I am affirming that the above statements I have made are true and factual to the best of my knowledge; and I am granting permission for all persons, organizations, or agencies listed above to be contacted for information regarding my background.**

\_\_\_\_\_/\_\_\_\_\_  
**Signature** **Date**

---

**Return the completed application form and any attachments to the \_\_\_\_\_  
County Department of Human Resources at the address below:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C. Medical report for persons giving care to children

DHR-CDC – 737

**MEDICAL REPORT FOR PERSONS GIVING CARE TO CHILDREN**

Name:	Date of birth:
Address:	Position in child care facility:

**To the examining medical doctor, physician's assistant, or certified nurse practitioner:**

**This examination is needed to determine my physical ability to care for children, to perform services in a child care facility, or to have contact with the children. I hereby authorize you to furnish a report of my examination to:**

\_\_\_\_\_  
*Name of child care facility or Department of Human Resources*

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

**TESTS** (to be completed if other verification is not attached):

Date and result of Intradermal Tuberculin Test (Mantoux): \_\_\_\_\_

(Required for initial examination only)

Date and result of chest x-ray if Mantoux was positive: \_\_\_\_\_

**HISTORY** of any chronic disease or disability that may affect his/her ability to care for children or perform services in a child care facility: Yes ; No .

**PHYSICAL LIMITATIONS** that may affect his/her ability to care for children or perform services in a child care facility: Yes ; No .

If "YES", please explain: \_\_\_\_\_

In my opinion, the physical examination reveals that the above-named person is free of any infectious or contagious disease and is physically fit to care for children, to perform services in a child care facility or to have contact with the children.

If not, please explain: \_\_\_\_\_

\_\_\_\_\_  
**Signature of medical doctor, physician's assistant, or certified nurse practitioner** / **Date**

**Child's Medical Report**

*(This form may be used for household members younger than 19 years of age)*

**Child's Name:** \_\_\_\_\_ **Date of Birth:** \_\_\_\_\_

**Name of Child's Parent or Guardian:** \_\_\_\_\_

**Address:** \_\_\_\_\_ **Telephone Number:** \_\_\_\_\_

**In addition to a medical report or medical screening, a Certificate of Immunization (ADPH-F-IMM-50) is required for each child two months to five years of age and for five year olds who are not enrolled in public or private school.**

**History of Allergies:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**I examined this child on (date) \_\_\_\_\_ . I find him/her to be in good physical condition and free of contagious and infectious diseases, except as noted below.**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Signature of Physician, Physician's Assistant, Certified Nurse Practitioner

\_\_\_\_\_

Date

**D. Application form for staff**

**DHR –CDC- 1947**

**APPLICATION FORM FOR STAFF**

(including caregivers, employees, teachers, substitutes, volunteers, cooks, bus drivers, domestic workers)

Date \_\_\_\_\_

Position \_\_\_\_\_

<b>Name:</b>	_____			
	Last	First	Middle	Maiden (if applicable)
<b>Address:</b>	Street: _____			
	City: _____			
	State: _____ Zip Code _____			
<b>Telephone Number:</b> (     )			<b>Date of Birth:</b>	
<b>Driver's License Number:</b>			<b>Expiration Date of Driver's license:</b>	

**EDUCATION:**

EDUCATION	School/Institution	Dates Attended	Diploma/Degree/Certificate
Elementary			
High School			
College			
Graduate			
Other			

**CHILD CARE TRAINING:**

List all courses, workshops, and conferences related to child development and early childhood education. Attach additional pages if necessary. Attach copies of certificates received.

Title of course/ Workshop/conference	Sponsor	Location	Date(s)	Number of hours

**EMPLOYMENT HISTORY:**

List in order beginning with your most recent employment. Attach additional pages if necessary.

Employer	Employer's Address	Position/Job	Date(s) Worked	Reason for leaving

**REFERENCES:**

List at least three persons who are not related to you by blood, marriage, or adoption. to be contacted as references. **At least one must be a former employer.** Addresses must be complete and accurate.

Name of Former Employer: \_\_\_\_\_  
Last
First
Middle

Address: \_\_\_\_\_  
Street
City  
 \_\_\_\_\_  
State
Zip Code
Area Code
Telephone Number

Name: \_\_\_\_\_  
Last
First
Middle

Address: \_\_\_\_\_  
Street
City  
 \_\_\_\_\_  
State
Zip Code
Area Code
Telephone Number

Name: \_\_\_\_\_  
Last
First
Middle

Address: \_\_\_\_\_  
Street
City  
 \_\_\_\_\_  
State
Zip Code
Area Code
Telephone Number

**Criminal History Background Information Checks:**

In accordance with Alabama law, (Act 2000-775, effective November 1, 2000), the criminal history background information check shall be completed on each substitute, caregiver, volunteer, and domestic worker, as well as any other person who has contact with the children or unsupervised access to the children shall be reviewed.

**Current Criminal Charges:**

Are there any current criminal charges against you? \_\_\_\_\_

If yes, give details.

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**Clearance of State Central Registry on Child Abuse/Neglect:**

A completed REQUEST FOR CLEARANCE OF STATE CENTRAL REGISTRY ON CHILD ABUSE/NEGLECT (DHR-DFC-1598) shall be obtained for each caregiver, substitute, volunteer, domestic worker, and any other person who has contact with the children or unsupervised access to the children.

**By signing this form, I am affirming that the above statements I have made are true and factual to the best of my knowledge; and I am granting permission for all persons, organizations, or agencies listed above to be contacted for information regarding my background.**

---

**Signature** **Date**



person? Yes  No  If no, please explain.

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7. To your knowledge, does this person have qualities, traits, or abilities that make him/her particularly suitable to care for children? Yes  No  Please explain.

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8. Do you know of any reason why this person might not be suitable to care for children? Yes  No  If yes, please explain.

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9. If you have any additional comments about this person you feel would be useful when considering his/her application for employment in a child care facility, please state below.

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Signature

Date

Telephone number

**Please return this form to:**

Name of person requesting information: \_\_\_\_\_

Name of day care/nighttime facility: \_\_\_\_\_

Address of facility:

Street: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Telephone Number: (\_\_\_\_\_) \_\_\_\_\_

If you prefer **not** to provide a reference for this person, please sign here and return this form to the address above.

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Signature

Date









**H. Authorization for administering medication**

**DHR-CDC-1949**

**AUTHORIZATION FOR ADMINISTERING MEDICATION/MEDICAL PROCEDURES** Dear Parent/guardian,

Your written permission is required to administer medication or medical procedures to your child. Any prescription drug or over-the-counter drug sent to the child care facility must be in its original container and must be clearly labeled with your child's name, the name of the drug, and directions for administering the drug. A new authorization form is needed each week. If it is absolutely necessary for your child to be given medication while at the child care facility, **please complete the following information.**

**Child's Name** \_\_\_\_\_

**Prescription Number** \_\_\_\_\_

**Name of Medication** \_\_\_\_\_

**Amount of medication to be given at each dosage** \_\_\_\_\_

**Instructions (how to give or apply, such as given by mouth, apply to skin, inhale, drops in eyes, etc.)**

\_\_\_\_\_

**Time of last dosage given at home** \_\_\_\_\_

**Time(s) of dosage(s) to be given at the child care facility** \_\_\_\_\_

*Please give my child the above-named medication at the time(s) and in the amount(s) indicated.*

\_\_\_\_\_  
**Signature of parent/guardian**

\_\_\_\_\_  
**Date**

**To be completed by licensee/staff/caregiver**

Date medication given	Time medication given	Signature of person giving medication

**I. Injury/illness report form**

**DHR-CDC-1950**

**INJURY/ILLNESS REPORT FORM  
Child Care Facilities (Homes/Centers)**

Any injury or illness requiring emergency medical treatment, of a child while in the care of the child care facility, must be reported to the Department of Human Resources within 24 hours after occurrence, followed by a written report within 5 days. This report must be made by the licensee or the person responsible for the child. A copy of the report must be kept in the child's file at the child care facility.

<b>Name of Licensee/Operator:</b>  <b>Family Day Care/Nighttime Home</b> <input type="checkbox"/> <b>Group Day Care/Nighttime Home</b> <input type="checkbox"/>	<b>Address of Child Care Facility:</b> <b>Street:</b> _____  <b>City:</b> _____ <b>County:</b> _____
<b>Child's Name:</b>	<b>Child's Date of Birth:</b>
<b>Date injury/illness occurred:</b>	<b>Time injury/illness occurred:</b>
<b>Name of Child's Parent/guardian:</b>	<b>Time Parent/guardian was contacted:</b>

**Describe the injury/illness, including type, severity, location: (If reporting an injury, describe how it occurred)**


**Give the name, address, and telephone number of the physician or emergency medical personnel contacted, the time and date contact was made, and the physician's comments and diagnosis regarding the injury/illness:**


**Was the Department of Human Resources notified within 24 hours? Yes**  **No**

<b>Signature of Staff Person/Caregiver in Charge:</b>	<b>Date:</b>
<b>Signature of Licensee:</b>	<b>Date:</b>



K. Public notice form

## PUBLIC NOTICE

A copy of the Minimum Standards for Family/Group Day Care Homes and Nighttime Homes-Regulations, and Procedures may be obtained by contacting the Department of Human Resources.

**Address: Department of Human Resources  
Child Care Services Division  
50 Ripley Street  
Montgomery, AL 36130**

**Telephone number: 1-866-528-1694**

Complaints regarding known or suspected violations of the Minimum Standards, may be reported to the Department of Human Resources at the address and telephone number above.

Information regarding substantiated licensing complaints and violations of the Minimum Standards may be obtained from the Department of Human Resources at the address and telephone number above.







### WEEKLY TRANSPORTATION CHECKLIST

This form is to be used when children are transported from their home to the child care facility and from the child care facility to their home.

#### INSTRUCTIONS

Use a check (  ) to show the child is present at each location. A check (  ) must be placed in the box for each child showing the child entered the vehicle at their home and left the vehicle at the child care facility, if transportation from home is provided. A check (  ) must be placed in the box for each child, showing the child entered the vehicle at the child care facility and left the vehicle at their home.

Use the letter {A} in the appropriate box to show the child is absent.

Use the comments section to explain any unusual situation, such as the parent picks the child up at the child care home, or the child care facility only transports the child in the afternoon.

The checklist must be completed at each location and signed by the person completing the checklist.

A separate checklist must be used for each vehicle.

<b>Destination (school):</b>	<b>Date (week of):</b>
<b>Driver's name:</b>	<b>Time of trip: From: _____ To: _____</b>
<b>Name (s) of caregivers/adult riders:</b>	<b>Ages of children:</b>

Child's name	Monday					Tuesday					Wednesday					Thursday					Friday				
	Depa rt Home	Arri ve Facility	Depa rt Facility	Arri ve Home	comments	Depa rt Home	Arri ve Facility	Depa rt Facility	Arri ve Home	comments	Depa rt Home	Arri ve Facility	Depa rt Facility	Arri ve Home	comments	Depa rt Home	Arri ve Facility	Depa rt Facility	Arri ve Home	comments					
<b>Signature of Person completing checklist in a.m.</b>	a.m. signature					a.m. signature					a.m. signature					a.m. signature					a.m. signature				
<b>Signature of Person completing checklist in p.m.</b>	p.m. signature					p.m. signature					p.m. signature					p.m. signature					p.m. signature				
	<b>Driver's signature a.m.</b>					<b>Driver's signature a.m.</b>					<b>Driver's signature a.m.</b>					<b>Driver's signature a.m.</b>					<b>Driver's signature a.m.</b>				
	<b>Driver's Signature p.m.</b>					<b>Driver's Signature p.m.</b>					<b>Driver's Signature p.m.</b>					<b>Driver's Signature p.m.</b>					<b>Driver's Signature p.m.</b>				

The checklist must be completed at each location and signed by the person completing the checklist. The driver must check each seat in the vehicle at each location to verify that no child is left on the vehicle.

