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RULES FOR CERTIFICATION OF A FAMILY CHILD CARE CENTER (FCCC)

CHAPTER 6

A child care facility in which care is provided for a maximum of 15 unrelated children for part of a day, which may be in a residential or commercial type structure.

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RULES FOR CERTIFICATION OF A FAMILY CHILD CARE CENTER (FCCC)

CHAPTER 6

Section 1. **Program Specific Certification Standards.**

(a) All Family Child Care Centers shall comply with all sections of this Chapter and the following Chapters and Sections of these Rules:

- (i) Chapter 1: All;
- (ii) Chapter 2: All;
- (iii) Chapter 3: All;
- (iv) Chapter 4: All;
- (v) Chapter 8: All; and
- (vi) Chapter 10: All.

Section 2. **Capacity/Supervision Requirements.**

(a) The licenser shall determine total capacity for the facility and the maximum capacity of 15 children shall never be exceeded.

(i) The children counted in the capacity for a Family Child Care Center located in the director's primary residence, includes the director's own infant, toddler and/or children ages three (3) to five (5). The director's own children who have completed kindergarten or are enrolled in first grade or higher or are six (6) years or older are not included in the capacity.

(A) All foster children and children related to staff, under the age of 13, on the facility premises shall be included in the capacity.

(B) School aged childhood friends shall be limited to two (2) at any given time.

(ii) The licensed capacity for a Family Child Care Center, located outside of the director's primary residence, includes children under the age of 13 that are present, to include foster children or all children related to the director or staff and on the facility premises.

(A) School aged childhood friends shall be limited to two (2) at any given time.

(b) Group size may be relaxed and staff:child ratio reduced at nap time to one (1) staff member in the sleeping area as long as that staff person has a clear view of all napping children in the room.

(i) Other staff may be excused for other activities, however, staff numbers shall be maintained within the facility to meet overall staff:child ratios at all times.

(ii) When the staff:child ratio is at a level where only one (1) staff is necessary, napping children who are not within sight of the staff person shall be within easy hearing distance at all times and shall be checked on every few minutes.

(iii) Awake children shall be directly supervised.

(c) Group size shall not be exceeded for more than one (1) hour during portions of the day such as opening and closing hours and special events. Building or room capacity shall not be exceeded and staff:child ratios shall be maintained.

(d) There shall be at least one (1) adult staff supervising the care of children at all times and the following supervision requirements also apply:

(i) Awake infants and toddlers shall be directly supervised by staff at all times;

(ii) Children who have completed kindergarten or are enrolled in first grade or are six (6) years old or older may be located in adjacent outdoor fenced areas of the facility if there is direct access, the staff person can clearly hear what happens in the adjacent area and the staff person remains attentive and moves from one area to the other every couple of minutes;

(iii) Children ages three (3) and older may be located in adjacent indoor areas of the facility if there is direct access, the staff person can clearly hear what happens in the adjacent area and the staff person remains attentive and moves from one area to the other every couple of minutes;

(iv) If children are in more than two (2) non-adjacent areas then a staff person shall be present and attending the children in each area; and

(v) All children shall be located on the same level of staff at all times.

Section 3. **Director/Assistant Director and Staff Requirements.**

(a) The director shall:

(i) Be at least 21 years old;

(ii) Have a high school diploma or an equivalent certificate;

(iii) Have the following education and experience:

(A) Any combination of education and experience equivalent to one (1) year in the areas of management and early childhood education;

(B) Shall have completed six (6) clock hours of child care training in addition to pre-service training prior to licensing; or

(C) Shall have received a professional credential from an organization recognized by the Department.

(iv) The director shall ensure all records and reports required are maintained onsite.

(v) Meet all training requirements as outlined in Chapter 4.

(vi) Be onsite and available for at least 50% of the operating week in which they are listed as the director, unless an exception by the licenser for good cause is given.

(vii) Whenever the director is absent from the facility, an assistant director shall be on duty. The director is responsible for the operation of the center and the actions of all staff and household member.

(viii) In the event the director leaves the employment of the facility, the assistant director shall be responsible until a director is hired. A director shall be hired within a reasonable time frame and the facility shall notify Child Care Licensing immediately.

(b) An assistant director does not need to meet the requirements of the director but shall have the following:

(i) Be at least 18 years;

(ii) Have high school diploma or an equivalent certificate;

(iii) Six (6) months of full time experience in licensed or legally exempt child care or 15 hours of approved training, including orientation;

(iv) Sufficient knowledge and training in the operation of the facility as well as decision making authority to assume the duties of director during his/her absence before they can assume responsibility of the operation of the facility; and

(v) Meet all training requirements as outlined in Chapter 4.

(c) Staff Requirements

(i) Before the director and any staff assume responsibility for direct care of children, the staff shall meet the requirements specified in Chapter 4, General Requirements.

Section 4. **Evening and Overnight Care.**

(a) Whenever any facility cares for children past 7:00 p.m., the following rules will apply in addition to all other rules and regulations specific to the type of facility:

(i) Sleeping child(ren) shall sleep on the same level as the staff person and the staff person shall be able to hear the child(ren); and

(ii) There shall be a staff person awake and on duty to release or receive a child.