

Idaho \_ Agency 16. Department of Health and Welfare \_Title 06.\_Chapter 02. Rules Governing Standards for Child Care Licensing

IDAPA 16.06.02.000

000. LEGAL AUTHORITY.

Under Sections 39-1111, 39-1209, 39-1210, 39-1211, 39-1213, 56-1003, 56-1004A, and 56-1005(8), Idaho Code, the Idaho Legislature authorizes the Department of Health and Welfare and the Board of Health and Welfare to adopt and enforce rules governing standards and procedures for licensing daycare centers, group daycare facilities, family daycare homes, foster homes, children's agencies, children's residential care facilities, children's camps, and children's therapeutic outdoor programs which are maintained or operated within Idaho. (4-7-11)

IDAPA 16.06.02.001

001. TITLE, SCOPE, POLICY, PURPOSE, EXCEPTIONS, AND EXEMPTIONS TO LICENSING.

**01. Title.** The title of this chapter of rules is IDAPA 16.06.02, "Rules Governing Standards for Child Care Licensing." (7-1-09)

**02. Scope.** These rules establish minimum standards and procedures for licensing, maintaining, and operating the following facilities or programs within Idaho: (4-7-11)

- a. Daycare centers; (4-7-11)
- b. Group daycare facilities; (4-7-11)
- c. Family daycare homes, voluntarily; (4-7-11)
- d. Foster homes; (4-7-11)
- e. Children's agencies; (4-7-11)
- f. Children's residential care facilities, including non-accredited residential schools; (4-7-11)
- g. Children's camps providing child care for any one (1) child for more than nine (9) consecutive weeks in any one (1) year period; (4-7-11)
- h. Children's therapeutic outdoor programs; (4-7-11)
- i. Alcohol-drug abuse treatment facilities for adolescents certified according to IDAPA 16.07.20, "Alcohol and Substance Use Disorders Treatment and Recovery Support Services Facilities and Programs"; and (4-7-11)
- j. Facilities specializing in maternity care for minors. (4-7-11)

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**03. Policy.** It is the policy of the Department to assure that children of this state receive adequate substitute parental care in the event of absence, temporary or permanent inability of parents to provide care and protection for their children or the parents are seeking alternative twenty-four (24) hour long-term care for their children. This policy is based on the fact that children are vulnerable and not capable of protecting themselves. When parents, for any reason have relinquished their children's care to others, there arises the possibility of certain risks to those children's lives, health and safety which the community as a whole must protect against. This requires the offsetting statutory protection of review and, in certain instances, licensing or registration. (7-1-09)

**04. Purpose.** The Department issues a license to assure, as is reasonably practicable, that the care, services, and physical surroundings of each program or facility are in substantial compliance with these rules and minimum standards. (4-7-11)

**a.** According to Section 39-1117, Idaho Code, a daycare license does not constitute a representation affirming to any person that the program or facility is free from risk. A daycare license does not guarantee adequacy of care, services, safety, or the well-being of any child, staff, contractor, volunteer, or visitor of a daycare facility. It is the parent's primary responsibility for evaluation and selection of daycare services. (4-7-11)

**b.** The state, its employees or agents of the state or its political subdivisions, will not be liable for nor will a cause of action exist for any loss or damage based upon the failure of any daycare facility to meet the minimum standards contained in these rules. (4-7-11)

**05. Exceptions and Exemptions to Daycare Licensing.** Under Section 39-1103, Idaho Code, the minimum standards and licensing requirements in these rules do not apply to: (4-7-11)

**a.** Daycare facilities regulated, licensed, or certified by a city or county in accordance with local options under Section 39-1108, Idaho Code; (4-7-11)

**b.** The occasional or irregular care of a neighbor's, relative's, or friend's child or children by a person not ordinarily in the business of providing daycare; (4-7-11)

**c.** The operation of a private school or religious school for educational purposes for children over four (4) years of age, or a religious kindergarten; (4-7-11)

**d.** The provision of occasional care exclusively for children of parents who are simultaneously in the same building; (4-7-11)

**e.** The operation of day camps, programs and religious schools for less than twelve (12) weeks during a calendar year or not more often than once a week; or (4-7-11)

**f.** The provision of care for children of a family within the second degree of relationship as defined in Section 011 of these rules. (4-7-11)

**06. Exceptions and Exemptions to Child Care Licensing.** Under Sections 39-1206, 39-1213(b), and 39-1211, Idaho Code, the minimum standards and licensing requirements in these rules do not apply to: (4-7-11)

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**a. Foster homes that have been approved by a licensed children's agency provided the standards for approval by such agency are no less restrictive than the rules and standards established by the Board and that such agency is maintained, operated, and conforms with these rules and standards; (4-7-11)**

**b. The occasional or irregular care of a neighbor's, relative's, or friend's child or children by a person not ordinarily engaged in child care; or (4-7-11)**

**c. Children's camps which only provide child care for any one (1) child for less than nine (9) consecutive weeks in any one (1) year period. A children's camp which provides child care for any one (1) child for more than nine (9) consecutive weeks in any one (1) year period constitutes a children's residential care facility and is subject to the minimum standards and licensing requirements in these rules. (4-7-11)**

IDAPA 16.06.02.002

002. WRITTEN INTERPRETATIONS.

There are no written interpretations of these rules. (3-30-01)

IDAPA 16.06.02.003

003. ADMINISTRATIVE APPEALS.

Administrative appeals are governed by the provisions of IDAPA 16.05.03, "Rules Governing Contested Case Proceedings and Declaratory Rulings." (7-1-09)

IDAPA 16.06.02.004

004. INCORPORATION BY REFERENCE.

The following documents are incorporated by reference in this chapter of rules. (7-1-09)

**01. Idaho Statutes. (7-1-09)**

**a. Accreditation of Secondary Schools - Standards for elementary schools, Section 33-119, Idaho Code. (3-30-01)**

**b. Adoption Statutes. Sections 16-1501 through 16-1512, Idaho Code. (3-30-01)**

**c. Child Labor Laws. Sections 44-1301 through 44-1308, Idaho Code. (3-30-01)**

**d. Termination of Parental Rights. Sections 16-2001 through 16-2015, Idaho Code. (3-30-01)**

**e. Residential Schools. Section 39-1207, Idaho Code. (3-30-01)**

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f. Psychologists. Sections 54-2301 through 54-2315, Idaho Code. (7-1-09)

g. Social Work Licensing Act. Sections 54-3201 through 54-3217, Idaho Code. (7-1-09)

h. Counselors and Therapists. Sections 54-3400 through 54-3415, Idaho Code. (7-1-09)

**02. Uniform Fire Code.** The Uniform Fire Code as outlined by Section 41-253, Idaho Code. The addition for the year prior to the issuance of the license will be used. Published by Western Fire Chiefs Association and International Conference of Building Officials. A copy is available at any Idaho State Library. (3-30-07)

**03. Uniform Building Code.** The Uniform Building Codes as outlined in Section 39-4109, Idaho Code. The addition for the year prior to the issuance of the license will be used. Published by International Conference of Building Officials. A copy is available at any public library in Idaho. (3-30-07)

**04. Federal Laws and Regulations.** (3-30-07)

a. Immigration and Naturalization Service, Title 8 CFR 204.3.c INA 101.b F1994. (3-30-01)

b. Indian Child Welfare Act, PL 95-608, 25 USC, Sections 1901 - 1963. (7-1-09)

c. Multiethnic Placement Act (MEPA), P.L. 103-382 and P.L. 104-188, 42 USC, Section 622. (7-1-09)

**05. Occupational Safety Health Act (OSHA).** A copy of OSHA may be obtained at the Idaho Industrial Commission, 317 Main Street., P.O. Box 83720, Boise, Idaho, 83720-0041. (3-30-01)

**06. Crib Safety.** Consumer Product Safety Commission, Crib Safety Tips can be found on the Internet at, <http://www.cpsc.gov/cpscpub/pubs/cribs.html>. (3-30-01)

**07. National Research Council.** National Research Council, Internet address, [www.nas.edu/nrc](http://www.nas.edu/nrc). National Academy of Sciences, 2101 Constitution Ave., N.W., Washington, DC 20418. (3-30-01)

**IDAPA 16.06.02.005**

**005. OFFICE HOURS -- MAILING ADDRESS -- STREET ADDRESS -- TELEPHONE -- WEBSITE.**

**01. Office Hours.** Office hours are 8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except holidays designated by the state of Idaho. (4-11-06)

**02. Mailing Address.** The mailing address for the business office is Idaho Department of Health and Welfare, P.O. Box 83720, Boise, Idaho 83720-0036. (4-11-06)

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**03. Street Address.** The business office of the Idaho Department of Health and Welfare is located at 450 West State Street, Boise, Idaho 83702. (4-11-06)

**04. Telephone.** The telephone number for the Idaho Department of Health and Welfare is (208) 334- 5500. (4-11-06)

**05. Internet Website.** The Department’s internet website is found at <http://www.healthandwelfare.idaho.gov>. (4-11-06)

**06. Child Care Licensing Authority Location.** The Department’s child care licensing authority for children’s residential treatment facilities, children’s agencies, and children’s outdoor therapeutic programs is located at 450 West State Street, Boise, Idaho 83702; Phone (208) 334-5700. (4-7-11)

**07. Daycare Licensing Authority Location.** The Department’s daycare licensing authority for daycare centers, group daycare facilities, and family daycare homes is located at 450 West State Street, Boise, Idaho 83702; Phone (208) 334-5700. (4-7-11)

IDAPA 16.06.02.006

006. CONFIDENTIALITY OF RECORDS AND PUBLIC RECORDS REQUESTS.

**01. Confidential Records.** Any information about an individual covered by these rules and contained in the Department’s records must comply with IDAPA 16.05.01, “Use and Disclosure of Department Records.” (4-11-06)

**02. Public Records.** The Department will comply with Sections 9-337 through 9-350, Idaho Code, when requests for the examination and copying of public records are made. Unless otherwise exempted, all public records in the custody of the Department are subject to disclosure. (4-11-06)

**03. Licensure or Deficiencies Records.** Under Section 9-340C(9), Idaho Code, and IDAPA 16.05.01, “Use and Disclosure of Department Records,” information referring or relating to individuals, programs, or facilities subject to this chapter of rules, IDAPA 16.06.02, “Rules Governing Standards for Child Care Licensing,” will be released to the public upon written request if they are part of an inquiry into an individual’s or organization’s fitness to be granted or retain a license, certificate, permit, privilege, commission or position. These records will otherwise be provided in redacted form as required by law or rule. (4-7-11)

IDAPA 16.06.02.007. - 16.06.02.008

007. - 008. (RESERVED).

IDAPA 16.06.02.009

009. CRIMINAL HISTORY AND BACKGROUND CHECK REQUIREMENTS.

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**01. Compliance with Department Criminal History and Background Check.** Criminal history and background checks are required for individuals who are licensed under these rules. Individuals who are required to have a criminal history check must comply with IDAPA 16.05.06, “Criminal History and Background Checks,” with the exception of those individuals described in Subsection 009.04 of this rule. (4-7-11)

**02. When License is Granted.** The applicant must have a completed criminal history and background check, including clearance, prior to licensure. Any other adult living in the home must complete a criminal history application, must be fingerprinted, and must not have any disqualifying crimes listed in IDAPA 16.05.06, “Criminal History and Background Checks.” (4-7-11)

**03. Individuals Subject to Criminal History Check Requirements.** The following individuals must receive a criminal history and background check clearance prior to licensure: (4-7-11)

**a. Adoptive Parents.** The criminal history and background check requirements applicable to adoptive parents are found in Subsection 671.02 of these rules. (3-30-07)

**b. Child Care Facility Staff.** The criminal history and background check requirements applicable to a child care facility are found in Section 109 of these rules. (3-30-07)

**c. Children’s Agency Facility Staff.** The criminal history and background check requirements for a children’s agency facility are found in Section 109 of these rules and in Section 39-1210(10), Idaho Code. (3-30-07)

**d. Children’s Residential Care Facility and Children’s Camp Staff.** The criminal history and background check requirements for a children’s residential care facility or children’s camp are found in Section 109 of these rules and in Section 39-1210(10), Idaho Code. (4-7-11)

**e. Children’s Therapeutic Outdoor Program Staff.** The criminal history and background check requirements for a children’s therapeutic outdoor program are found in Section 810 of these rules and in Section 39- 1208(8), Idaho Code. (3-30-07)

**f. Daycare Center, Group Daycare Facility, and Family Day Care Home.** The criminal history and background check requirements applicable to a daycare center, group daycare facility, and family daycare home are found in Section 309 of these rules and in Sections 39-1105, 39-1113, and 39-1114, Idaho Code. (4-7-11)

**g. Licensed Foster Care Home.** The criminal history and background check requirements applicable to licensed foster care are found in Section 404 of these rules and in Section 39-1211(4), Idaho Code. (3-30-07)

**04. Exceptions to Criminal History and Background Checks for Certain Youths.** Criminal history and background checks are optional for certain youth placed in licensed foster homes and licensed residential care facilities. (4-7-11)

**a. Youth in foster care who reach the age of eighteen (18) and continue to reside in the same licensed foster home.** (3-30-07)

**b. Youth in a children’s residential care facility who reach the age of eighteen (18) and continue to live in the**

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same licensed residential facility. (3-30-07)

**05. Criminal History and Background Check at Any Time.** The Department can require a criminal history and background check at any time on any individual who: (4-7-11)

**a.** Is a resident or an adult living in a licensed foster home; (4-7-11)

**b.** Is a resident or adult living in, employee, contractor, volunteer, or staff member of a licensed residential facility; or (4-7-11)

**c.** Is an owner, operator, or staff of a daycare center, group daycare facility, family daycare home, and all other individuals who are thirteen (13) years of age or older who have unsupervised direct contact with children or who are regularly on the premises. (4-7-11)

IDAPA 16.06.02.010

010. DEFINITIONS A THROUGH M.

For the purposes of these rules, the following terms apply. (7-1-09)

**01. Accredited Residential School.** A residential school for any number of children subject to the jurisdiction of the Idaho Department of Education that has been certified as accredited according to the accrediting standards promulgated by the Idaho State Board of Education or a secular or religious accrediting association recognized by the Idaho Department of Education. (3-30-01)

**02. Alcohol-Drug Abuse Treatment Facility.** A children's residential care facility specializing in providing programs of treatment for children whose primary problem is alcohol or drug abuse, certified according to IDAPA 16.07.20, "Alcohol and Substance Use Disorders Treatment and Recovery Support Services Facilities and Programs." (4-7-11)

**03. Attendance.** For requirements of Title 39, Chapter 11, Idaho Code, and Sections 300 through 399 of these rules, "attendance" means the number of children present at a daycare facility at any given time. (4-7-11)

**04. Board.** The Idaho State Board of Health and Welfare. (3-30-01)

**05. Chief Administrator.** The duly authorized representative of an organization responsible for day-to-day operations, management and compliance with these rules and Title 39, Chapter 12, Idaho Code. (7-1-09)

**06. Child.** (4-7-11)

**a.** For requirements of Title 39, Chapter 12, Idaho Code, and Sections 400 through 999 of these rules, "child" means an individual less than eighteen (18) years of age, synonymous with juvenile or minor. (4-7-11)

**b.** For requirements of Title 39, Chapter 11, Idaho Code, and Sections 300 through 399 of these rules, "child"

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means an individual less than thirteen (13) years of age. (4-7-11)

**07. Child Care.** The care, control, supervision or maintenance of children for twenty-four (24) hours a day which is provided as an alternative to parental care. (3-30-01)

**08. Child-Staff Ratio.** “Child-staff ratio” means the maximum number of children allowed under the care and supervision of one (1) staff person. (4-7-11)

**09. Children’s Agency.** A person who operates a business for the placement of children in foster homes, children’s residential care facilities or for adoption in a permanent home and who does not provide child care as part of that business. A children’s agency does not include a licensed attorney or physician assisting or providing natural and adoptive parents with legal services or medical services necessary to initiate and complete adoptive placements. (3-30-01)

**10. Children’s Camp.** A program of child care at a location away from the child’s home, which is primarily recreational and includes the overnight accommodation of the child and is not intended to provide treatment, therapy or rehabilitation for the child. A children’s camp which only provides child care for any one (1) child for less than nine (9) consecutive weeks in any one (1) year period is exempt from the licensure and disclosure provisions of this chapter. A children’s camp which provides child care for any one (1) child for more than nine (9) consecutive weeks in any one (1) year period constitutes a children’s residential care facility. (7-1-09)

**11. Children’s Institution.** A person defined herein, who operates a residential facility for unrelated children, for the purpose of providing child care. Children’s institutions include foster homes, children’s residential care facilities, maternity homes, or any residential facility providing treatment, therapy or rehabilitation for children, or any children’s therapeutic outdoor program. (5-3-03)

**12. Children’s Residential Care Facility.** A facility that provides residential child care, excluding foster homes, residential schools, juvenile detention centers and children’s camps that: (3-30-01)

**a.** Seeks, receives or enrolls children for treatment of special needs such as substance abuse, mental illness, emotional disturbance, developmental disability, mental retardation, or children who have been identified by the judicial system as requiring treatment, therapy, rehabilitation or supervision; (3-30-01)

**b.** Receives payment, including payment from health insurance carriers, for identified treatment needs such as substance abuse, mental illness, emotional disturbance, developmental disability or mental retardation; or (3-30-01)

**c.** Represents to the payor of the child care services provided by the children’s facility that such payment may qualify for health insurance reimbursement by the payor’s carrier or may qualify for tax benefits relating to medical services; and (5-3-03)

**d.** May include a children’s therapeutic outdoor program whether or not that program operates out of a standard facility. (5-3-03)

**13. Children’s Therapeutic Outdoor Program.** A program which is designed to provide behavioral, substance abuse, or mental health services to minors in an outdoor setting and serves either adjudicated or non-adjudicated



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youth. Children's Therapeutic Outdoor programs do not include outdoor programs for minors that are primarily designed to be educational or recreational that may include Boy Scouts, Girl Scouts, 4-H and other youth organizations. (5-3-03)

**14. Continued Care.** The ongoing placement of an individual in a foster home, children's residential care facility, children's therapeutic outdoor program, or transitional living placement who reaches the age of eighteen (18) years but is less than twenty-one (21) years of age. (7-1-09)

**15. Contraband.** Goods or merchandise, the possession of which is prohibited, such as weapons and drugs. (3-30-01)

**16. Daycare.** The care and supervision provided for compensation during part of a twenty-four (24) hour day, for a child or children not related by blood, marriage, adoption, or legal guardianship to the person or persons providing the care, in a place other than the child's or children's own home or homes. (4-7-11)

**17. Daycare Center.** A place or facility providing daycare for compensation for thirteen (13) or more children. (4-7-11)

**18. Department.** The Idaho Department of Health and Welfare. (4-7-11)

**19. Direct Care Staff.** An employee who has direct personal interaction with children in the provision of child care and is included as staff in meeting the minimum staff-child ratio requirements. (3-30-01)

**20. Director.** Director of the Idaho Department of Health and Welfare or designee. (3-30-01)

**21. Family Daycare Home.** A home, place, or facility providing daycare for six (6) or fewer children. (4-7-11)

**22. Foster Care.** The twenty-four (24) hour substitute parental care of children by persons who may or may not be related to a child. (7-1-09)

**23. Foster Home.** The private home of an individual or family licensed or approved as meeting the standards for foster care and providing twenty-four (24) hour substitute parental care to six (6) or fewer children. (7-1-09)

**24. Foster Parent.** A person or persons residing in a private home under their direct control to whom a foster care license has been issued. (4-7-11)

**25. Group Daycare Facility.** A home, place, or facility providing daycare for seven (7) to twelve (12) children. (4-7-11)

**26. Inter-Country Adoption.** The placement of a child from one (1) country to another for the purpose of adoption. (3-30-01)

**27. Mechanical Restraint.** Devices used to control the range and motion of an individual, including handcuffs, restraint boards, restraint chairs, and restraint jackets. (3-30-01)

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**28. Medical Professionals.** Persons who have received a degree in nursing or medicine and registered nurse, nurse practitioner, physician's assistant and medical doctor. (3-30-01)

**29. Member of the Household.** Any person, other than a foster child, who resides in, or on the property of, a foster home. (3-30-01)

IDAPA 16.06.02.011

011. DEFINITIONS N THROUGH Z.

For the purposes of these rules, the following terms apply. (7-1-09)

**01. Nonaccredited Residential School.** A residential school for any number of children that is not certified or accredited pursuant to Section 39-1207, Idaho Code, or has lost accreditation and is subject to the jurisdiction of the Department as a children's residential care facility pursuant to Section 39-1210, Idaho Code, unless and until accreditation is certified by the Idaho Department of Education. (3-30-01)

**02. Non-Compliance.** Violation of, or inability to meet the requirements of, the act or a rule promulgated under the act, or terms of licensure. (3-30-01)

**03. Operator.** An individual who operates or maintains within Idaho a daycare center, group daycare facility, family daycare home voluntarily licensed by the Department, children's residential care facility, children's agency, children's therapeutic outdoor program, or children's camp. (4-7-11)

**04. Organization.** A children's agency or a children's residential care facility. (3-30-01)

**05. Person.** Any individual, group of individuals, associations, partnerships or corporations. (3-30-01)

**06. Physical Intervention.** Physical restraint utilized to control the range and motion of an individual. (3-30-01)

**07. Placement.** The activities and arrangements related to finding a suitable licensed home or facility in which a child will reside for purposes of care, treatment, adoption, or other services. (3-30-01)

**08. Plan of Correction.** The detailed procedures and activities developed between the licensing authority and caregiver required to bring a daycare center, group daycare facility, family daycare home voluntarily licensed by the Department, foster family, children's residential care facility, children's agency, children's therapeutic outdoor program, or children's camp into conformity with these licensing rules. (4-7-11)

**09. Regularly on the Premises.** For the purposes of Sections 009 and 309 of these rules, regularly on the premises means twelve (12) hours or more in any one (1) month, or daily during any hours of operation. (4-7-11)

**10. Relative.** Under Section 39-1202, Idaho Code, "relative" means a child's grandparent, great grandparent, aunt, great aunt, uncle, great uncle, brother-in-law, sister-in-law, first cousin, sibling, and half-sibling. (4-7-11)

**11. Representative.** An employee of the Department of Health and Welfare. (3-30-01)

**12. Residential School.** A residential facility for any number of children which: (3-30-01)

- a. Provides a planned, scheduled, regular, academic or vocational program for students in the elementary, middle or secondary grades as defined in Section 33-1001, Idaho Code; and (3-30-01)
- b. Provides services substantially comparable to those provided in nonresidential public schools where the primary purpose is the education and academic pursuits of the students; and (3-30-01)
- c. Does not seek, receive or enroll students for treatment of such special needs as substance abuse, mental illness, emotional disturbance, developmental disability or mental retardation; and (3-30-01)
- d. Does not receive payment, including payment from health insurance carriers, for identified treatment needs such as substance abuse, mental illness, emotional disturbance, developmental disability, or mental retardation; and (3-30-01)
- e. Does not represent to the payor of child care services provided that such payment may qualify for health insurance reimbursement by the payor's carrier or may qualify for tax benefits relating to medical services. (3-30-01)

**13. Restraint.** Interventions to control the range and motion of a child. (3-30-01)

**14. Seclusion.** A room within a facility designed to temporarily isolate an individual in order to gain emotional or physical control by means of structure and minimal stimulation. (3-30-01)

**15. Second Degree of Relationship.** The second degree of relationship refers to persons related consanguineally ("blood relative") and affinally ("relative by marriage") and includes their spouses. The number of degrees between two (2) relatives is calculated by summing the number of ties between each relative and the common ancestor. (4-7-11)

**16. Secure.** A physically restrictive setting, as in a locked or guarded residential facility. (3-30-01)

**17. Security Risk.** An individual who presents the possibility by actions, behavior or emotional reaction that may result in harm to self or others, or escape from physical control. (3-30-01)

**18. Service Worker.** An employee of an organization who has obtained at a minimum, a Bachelor's degree in a behavioral science, including social work, sociology, psychology, criminal justice, counseling, or a related field, whose duties may include assessment, service planning, supervision and support. (7-1-09)

**19. Shelter Care.** The temporary or emergency out-of-home care of children in a foster home or residential facility. (3-30-01)

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**20. Social Worker.** An individual licensed by the state of Idaho in compliance with Title 54, Chapter 32, Idaho Code, and IDAPA 24.14.01, “Rules of the State Board of Social Work Examiners.” (7-1-09)

**21. Soft Restraints.** Mechanical restraints made of leather, cloth or other combinations of fibers, utilized to control the range of motion of an individual. (3-30-01)

**22. Staff.** For requirements of Title 39, Chapter 11, Idaho Code, and Sections 300 through 399 of these rules, “staff” means a person who is sixteen (16) years of age or older and employed by a daycare owner or operator to provide care and supervision at a daycare facility. (4-7-11)

**23. Supervision.** For requirements of Title 39, Chapter 11, Idaho Code, and Sections 300 through 399 of these rules, supervision is defined as within sight and normal hearing range of the child or children being cared for. (4-7-11)

**24. Time-Out.** Separation of a child from group activity as a means of behavior management. (3-30-01)

**25. Training.** The preparation, instruction and education related to child care that increases the knowledge, skill and abilities of a foster parent, agency and residential care facility staff or volunteers. (3-30-01)

**26. Transitional Living.** Living arrangements and aftercare services for children, or as continued care, to gain experience living on their own in a supportive and supervised environment prior to emancipation. (3-30-01)

**27. Variance.** The means of complying with the intent and purpose of a child care licensing rule in a manner acceptable to the Department other than that specifically prescribed in the rule. (7-1-09)

**28. Waiver.** The non-application of a child care licensing rule, except those related to safety, extended to a relative foster home by the licensing authority which serves to promote child health, well-being, and permanence while not compromising safety. (7-1-09)

IDAPA 16.06.02.012. - 16.06.02.099

012. - 099. (RESERVED).