

# Child Care Center Regulations

Indiana Administrative Code \_Title 470. Division of Family Resources (Refs & Annos)\_Article 3. Child Welfare Services\_Rule 4.7. Child Care Centers; Licensing

## 470 IAC 3-4.7-36

### 470 IAC 3-4.7-36 Children's admission records

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 36. A written application for admission of each child, signed by the child's parent, shall be on file at the child care center prior to admission and shall include the following:

- (1) The child's full name, address, and sex.
- (2) The name of parent, address, and telephone number.
- (3) The child's date of birth, verified by a copy of the child's birth certificate or other legal proof of age.
- (4) Information regarding the child's social, emotional, cognitive, and physical development.
- (5) A copy of any relevant court orders that affect the child to be enrolled.
- (6) Place of employment and working hours of the parent and the employer's address and telephone number.
- (7) The name, address, and telephone number of the child's physician and dentist to call in emergencies.
- (8) The name, address, and telephone number of any person, other than the parent, authorized to remove the child from the premises.
- (9) The name, address, and telephone number of responsible person who may be called to come for the child in case of illness or other emergency if the parent cannot be reached.

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(10) The date of admission.

**470 IAC 3-4.7-37**

**470 IAC 3-4.7-37 Signed consent forms**

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 37. Each child's record shall contain the following consents signed by the parent:

(1) Emergency medical authorization to provide transportation and obtain medical treatment for children when the parent cannot be contacted. This authorization shall also be in the emergency information file.

(2) Written permission to participate in extracurricular activities, whether on or off the child care center premises for children participating in the activity.

**470 IAC 3-4.7-38**

**470 IAC 3-4.7-38 Children's health records**

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 38. Within thirty (30) days of a child's enrollment, the child's health record shall contain the following:

(1) Physical examination verification form with physician's or nurse practitioner's signature dated no earlier than twelve (12) months prior to enrollment date.

(2) Current and complete record of immunization history showing month, day, and year of each immunization.

**470 IAC 3-4.7-39**

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470 IAC 3-4.7-39 Children's injury records

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 39. (a) Written records shall be maintained for all injuries that occur while children are under the care of child care center caregivers, both on and off premises.

(b) On the day of occurrence, caregivers shall inform parents of minor injuries when they pick up their child. Minor injury reports shall be kept in the child's individual file or in a separate minor injury reporting file and shall be recorded showing the following:

(1) The date and time of the injury.

(2) How the injury occurred.

(3) A description of the injury.

(4) The treatment administered.

(c) Caregivers shall immediately report serious injury verbally to the parent. Caregivers shall record these injuries on forms supplied by the division and distributed as follows:

(1) One (1) copy of the report given to the parents.

(2) One (1) copy kept in the child's individual file.

(3) One (1) copy sent to the division.

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**470 IAC 3-4.7-40**

**470 IAC 3-4.7-40 Children's medication records**

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 40. (a) Records regarding dispensing of medication to children shall be maintained at the child care center and shall contain the following:

(1) The child's name.

(2) The name of the medication.

(3) The dosage given.

(4) The date and time given.

(5) The full name of caregivers who administered medication.

(b) If a parent requested medication to be given and it was not administered, caregivers shall write the reason on the medication record.

(c) The center shall keep these records for a minimum of one (1) year.

**470 IAC 3-4.7-41**

**470 IAC 3-4.7-41 Staff, substitutes, and volunteer records**

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Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 41. (a) Records, kept at the child care center, shall document the following for all current staff, substitutes, and volunteers:

(1) Application for employment.

(2) Qualifications.

(3) A statewide limited criminal history check completed by the Indiana state police.

(4) The name, address, and telephone number of the person, physician, or health facility to be contacted in the event of an emergency.

(5) An annual written evaluation of the employee's performance.

(6) Physical examination verification form with physician's or nurse practitioner's signature within thirty (30) days of employment dated no earlier than twelve (12) months prior to date of hire.

(7) Verification that staff is free of tuberculosis within thirty (30) days of employment and annually thereafter.

(8) In-service training.

(9) Dates of employment.

(b) Volunteers and support staff are exempt from documentation of qualifications, evaluations, and in-service training requirements. Volunteers who are counted in the child/staff ratio must meet all staff requirements.

470 IAC 3-4.7-42

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470 IAC 3-4.7-42 Emergency information file

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 42. Each center shall keep an emergency information file, separate from individual record files, and take it on field trips. It shall contain the following:

(1) Emergency numbers for police, fire, hospital, and ambulance.

(2) Emergency information for all staff, volunteers, student helpers, and children, including the following:

(A) The name and date of birth.

(B) The name and phone number of spouse, parent, physician, health facility, or other person to contact in an emergency.

(C) A signed authorization for emergency treatment. Parents shall sign this authorization for persons under eighteen (18) years of age. Staff, eighteen (18) years of age or older, shall sign their own authorization.

470 IAC 3-4.7-43

470 IAC 3-4.7-43 General records

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 43. If applicable, the center shall have the following records available for review:

(1) All required well water test results.

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(2) The daily temperature of vendor delivered potentially hazardous food.

(3) The most recent inspection records relevant to state fire marshal, IDEM water records for private wells, child care health, or general licensing inspections and the records relative to compliance, complaint, and investigation for the past three (3) years.

470 IAC 3-4.7-44

470 IAC 3-4.7-44 Confidentiality of records

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 44. (a) All information pertaining to the admission, health, family, or discharge of a child and each personnel record is confidential. The center may release the children's records to the parent of the child in question. The center may release the personnel records to the following:

(1) Persons authorized by the division.

(2) Child protective services personnel.

(3) Other agencies authorized by law.

(b) The director or administrator shall determine the limits for sharing confidential information with staff.

(c) The center shall have a written policy for protecting the confidentiality of medical and social information that is consistent with federal, state, and local laws.

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(d) The center shall inform all staff of the confidentiality policy.

**470 IAC 3-4.7-45**

**470 IAC 3-4.7-45 Attendance records**

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 45. Written attendance records shall be kept at the child care center, available for review for a minimum of one (1) year and shall document the following for all children, staff, and volunteers:

(1) Daily arrival and departure times.

(2) Dates of attendance.

**470 IAC 3-4.7-46**

**470 IAC 3-4.7-46 Record retention**

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 46. The center shall maintain personnel and children's records on grounds for a minimum of one (1) year after the end of service or care.

**470 IAC 3-4.7-47**

**470 IAC 3-4.7-47 Child/staff ratio chart**

Authority: IC 12-13-5-3



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Affected: IC 12-17.2-4

Sec. 47. Directors shall prominently post the following child/staff ratio chart in each class area of the child care center and in the area where parents sign children in on a daily basis:

<b>Age of the Youngest Child in the Group</b>	<b>Maximum Number of Children Supervised by One Caregiver</b>	<b>Maximum Number of Children in One Group</b>
Infant	4	8
Toddler	5	10
2 years	5	10
30-36 months	7	14
3 years	10	20
4 years	12	24
5 years and older	15	30

**470 IAC 3-4.7-48**

**470 IAC 3-4.7-48 Child/staff ratios and supervision**

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 48. (a) Child/staff ratios shall be maintained during all hours of operation.

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(b) When there is a combination of ages within a group of children, caregivers shall determine the ratio required by the age of the youngest child in the group. This includes opening and closing times.

(c) When determining the child/staff ratios, count only persons who are responsible for and directly engaged in supervising and implementing activities for children.

(d) Persons in the child care center with multiple roles, such as teacher/cook, teacher/director, or teacher/receptionist, shall be counted in child/staff ratios only while directly engaged with children.

(e) All children shall be under the direct supervision of a responsible caregiver at all times.

(f) Centers shall have a written policy that describes the steps caregivers shall take to correct inadequate ratios. Caregivers shall be aware of this policy.

(g) Caregivers shall promptly notify the director when ratios become deficient.

(h) The director or person in charge shall correct child/staff ratios immediately.

(i) Children of the director and staff members shall be counted in child/staff ratios and assigned to their appropriate age group.

(j) The center shall have at least two (2) adults present during all hours of operation.

(k) The center shall make arrangements so that if only one (1) adult is supervising a group of children, that adult has means available to communicate with other caregivers and summon assistance without leaving children unattended.

(l) The assignment of administrative, maintenance, and housekeeping duties shall not interfere with the direct supervision of children.

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(m) The center shall make every effort to have substitutes visit the child care center to become generally familiar with the children and program in advance of the time they may be called to substitute.

470 IAC 3-4.7-49

470 IAC 3-4.7-49 Child grouping policies

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 49. (a) Age grouping policies apply at all times except as in subsection (f).

(b) When mixing age groups, younger children shall be protected from aggressive older children.

(c) Caregivers may care for preschool children in the same group or area.

(d) Centers may group children thirty (30) to thirty-six (36) months of age with children three (3) years of age.

(e) When all the children two (2) [*sic., years*] of age in a group are at least thirty (30) months of age, the child/staff ratio is 7:1.

(f) Caregivers may group children three (3) years of age through school age together during the first and last hour of the child care center's operation provided the group size does not exceed the maximum group size for the youngest children in the group.

(g) Caregivers shall care for school age children in a clearly defined separate room/area. When mixing age groups,

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the group may not be larger than the square foot capacity of the room.

(h) The maximum number of children per class is also determined by available space.

(i) Centers licensed prior to the effective date of this rule may elect to have a maximum group size for children two (2) years of age of fifteen (15), provided they use the same room.

(j) Kindergarten age children may be mixed with either preschool or school age groups.

**470 IAC 3-4.7-50**

**470 IAC 3-4.7-50 Grouping of children under 30 months of age**

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 50. (a) In any group that has an infant or toddler, the maximum age range between the oldest and youngest child in the group shall be thirteen (13) months.

(b) Caregivers of infants and toddlers shall have the date of birth of all children in the room immediately available.

**470 IAC 3-4.7-51**

**470 IAC 3-4.7-51 Implementation of continuity of care**

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

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Sec. 51. Centers shall make a reasonable effort to provide continuity of care for children under thirty (30) months of age.

**470 IAC 3-4.7-52**

**470 IAC 3-4.7-52 Alternative mixed age groupings**

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 52. For the purpose of maintaining continuity of care, centers may mix children six (6) weeks of age to thirty-six (36) months of age in one (1) classroom under the following conditions:

- (1) A child/staff ratio of 4:1 is maintained.
- (2) The maximum group size is eight (8).
- (3) Each group shall have no more than three (3) children under twelve (12) months of age.
- (4) The center's program, furnishings, and equipment shall meet the developmentally appropriate needs of all the children in the room.

**470 IAC 3-4.7-53**

**470 IAC 3-4.7-53 Rest periods**

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 53. (a) Caregivers shall provide a supervised rest period for children four (4) year of age and under after the noon meal and at any other time if requested by any age child. (This does not apply to children in attendance less

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than four (4) hours per day.)

(b) Children of all ages shall not rest or sleep on the floor. Staff shall provide cots for all children that rest as follows:

(1) Cots shall be firm, portable, easily sanitized, in good repair, and have the underside of the sleeping surface off the floor.

(2) Staff shall sanitize cots daily after each use. Staff may sanitize cots weekly if the same child uses the same cot each day. If staff sanitize cots weekly, they shall clearly identify assigned cots.

(3) Staff shall space cots at a minimum of two (2) feet apart on all sides, except where they touch a wall or other room divider.

(4) Aisles between cots shall be kept clear of all obstructions while the cots are occupied.

(5) Cots shall not block exits.

(c) The center shall assure that a cover is provided as follows for each child:

(1) The cover shall be clean, individually marked, and maintain comfort and warmth.

(2) The cover shall be washed at least weekly or promptly if soiled.

(3) If different children use the same cover, staff shall wash the cover between uses.

(4) Children's faces and heads shall be free from covering.

(d) The center shall provide individual storage so that one (1) child's cover does not touch the cover of another child.

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- (e) When resting, children shall lie in such a way that direct face-to-face situations are avoided.
  
- (f) After thirty (30) minutes, caregivers shall provide supervised alternate activities for nonsleeping children.
  
- (g) Caregivers shall permit sleeping children to awaken naturally at their own pace.
  
- (h) During the rest period for children toddler age and older, caregivers may supervise children at fifty percent (50%) of the required child/staff ratio provided that:
  - (1) the required child/staff ratio is maintained on the premises;
  
  - (2) required caregivers are immediately accessible; and
  
  - (3) a minimum of fifty percent (50%) of the children in the class are asleep.
  
- (i) The fifty percent (50%) reduction in child/staff ratios does not apply to infants.
  
- (j) Caregivers shall supervise sleeping children and never leave them unattended.
  
- (k) Rest areas shall have a minimum average of five (5) foot-candles of light in all areas.
  
- (l) Caregivers shall make rest periods flexible based on discussions with the parent and the child's individual needs.

**470 IAC 3-4.7-54**

**470 IAC 3-4.7-54 Positive discipline**

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Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 54. (a) Caregivers shall use positive discipline.

(b) Caregivers shall do the following:

(1) Communicate to children using positive statements.

(2) Encourage children, with adult support, to use their own words and solutions in order to resolve their own interpersonal conflicts.

(3) Communicate with children by getting down to their eye level and talking to them in a calm quiet manner about what behavior is expected.

470 IAC 3-4.7-55

470 IAC 3-4.7-55 Inappropriate discipline

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 55. (a) Any person, while on child care center premises, shall not engage in or direct any of the following actions toward children:

(1) Inflict corporal punishment in any manner upon a child's body.



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- (2) Hit, spank, beat, shake, pinch, or any other measure that produces physical discomfort.
  - (3) Cruel, harsh, unusual, humiliating, or frightening methods of discipline, including threatening the use of physical punishment.
  - (4) Placement in a locked or dark room.
  - (5) Public or private humiliation, yelling, or abusive or profane language.
- (b) Staff shall not associate disciplinary action or rewards with rest.
- (c) Staff shall not associate disciplinary action with food or use food as a reward.
- (d) Staff shall not associate disciplinary action or humiliate a child in regard to toileting.
- (e) Caregivers shall not:
- (1) use time out for any child less than three (3) years of age;
  - (2) use time out for any purpose other than to enable the child to regain control;
  - (3) physically restrain children except:
    - (A) when it is necessary to ensure their own safety or that of others; and
    - (B) only for as long as is necessary for control of the situation; and
  - (4) use punishment to correct unacceptable behavior.

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470 IAC 3-4.7-56

470 IAC 3-4.7-56 Discipline documentation

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 56. (a) The director shall formulate a child care center-wide written discipline policy and distribute the policy to parents and staff.

(b) Caregivers shall have ongoing communication between home and center regarding all aspects of the care of the child.

(c) Caregivers shall document any history of recurring discipline problems and subsequent formal parent conferences in the child's record.

(d) The center shall implement and document a specific plan of action with the child's parents for dealing with the child's unacceptable behavior.

470 IAC 3-4.7-57

470 IAC 3-4.7-57 General program components

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 57. (a) Caregivers shall recognize each child as an individual whose personal privacy, choice of activities, and cultural, ethnic, and religious backgrounds are respected.

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(b) Centers shall work to increase understanding of cultural, ethnic, and other differences.

(c) The curriculum and adults' interaction shall be responsive to individual differences in ability and interests. Caregivers shall design interactions and activities to develop children's positive feelings toward learning.

(d) Efficient planning and good caregiver communication during transition periods shall be used to avoid waiting periods between activities.

(e) Caregivers shall arrange learning areas, equipment, and materials so children can work undisturbed either individually or in small groups.

(f) Caregivers shall arrange equipment in orderly, clearly defined areas of interest with space in each area for children to see the various activities available to them.

(g) Caregivers shall provide children many opportunities to develop social skills, such as cooperating, helping, negotiating, and talking with others to solve interpersonal problems.

(h) Caregivers shall move among groups and individuals to facilitate children's involvement with materials and activities by asking questions, offering suggestions, or adding more complex materials or ideas to a situation.

(i) The center shall assign one (1) lead caregiver for each group of children.

470 IAC 3-4.7-58

Green  
& Blue

470 IAC 3-4.7-58 Basic schedule of activities

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

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Sec. 58. The center shall provide a written basic schedule of activities designed to meet the developmental needs of the children served. The center shall post a general outline of times and activities in each child care room and shall provide a schedule for the following:

(1) Meal times.

(2) Rest times.

(3) Indoor activities.

(4) Outdoor activities.

470 IAC 3-4.7-59

470 IAC 3-4.7-59 General program planning

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 59. All program planning shall provide the following:

(1) A caregiver-prepared environment for children to learn through active exploration and interaction with adults, other children, and materials.

(2) Encouragement and enhancement of expressive activities that include play, story telling, music, and dancing. A variety of art media is readily available for creative expression.

(3) Daily opportunities for children to use large muscle skills, learn about outdoor environments, and express themselves freely and loudly, except when the severity of the weather poses a safety hazard, the wind-chill temperature is below twenty-five (25) degrees Fahrenheit, or there is a health related reason documented by a parent or physician for a child to remain indoors. (For a period exceeding three (3) consecutive days a physician's statement is required.)

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(4) Daily opportunities for children to develop small muscle skills through play activities.

(5) Opportunities for children to complete activities.

(6) Provision for privacy by arranging a small, quiet area that is easily accessible to the child who seeks or needs time to be alone.

**470 IAC 3-4.7-60**

**470 IAC 3-4.7-60 Written program plans**

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 60. Caregivers shall plan a daily, detailed written program, based on teacher observations, for each child care group. Caregivers shall always make this program available to parents and the division and provide the following:

(1) A description of how learning centers will be changed or enriched.

(2) A list of materials to be added to or removed from the specific learning areas.

(3) Activities to be used or discussed during circle and transition times.

(4) A description of any planned small or large group activities.

(5) Any special activities or field trips planned.

**470 IAC 3-4.7-61**

**470 IAC 3-4.7-61 Literacy development**

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Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 61. Caregivers shall foster language development and literacy by the following:

- (1) Talking with children.
- (2) Encouraging children to talk with each other by helping them to listen and respond.
- (3) Modeling verbal expression and written language.
- (4) Reading books and poems with children daily.
- (5) Providing opportunities for children to read and explore with books.
- (6) Creating activities which encourage children to participate in dramatic play and other experiences requiring communication.
- (7) Providing methods and materials in which children can experiment with writing by drawing, copying, and inventing their own spelling.
- (8) Extending literacy activities to all areas of the classroom.

**470 IAC 3-4.7-62**

**470 IAC 3-4.7-62 Coping with separation**

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

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Sec. 62. Caregivers shall help children to cope with the experience of separation from their parents by the following:

- (1) The caregivers of the child care center shall encourage the parents to spend time in the child care center, to observe, and participate in experiences with their child. Caregivers shall design all aspects of the child care program to facilitate parental input and involvement.
- (2) Caregivers shall permit children to bring reminders of home and family to the child care center.
- (3) Caregivers shall help children play out themes of separation and reunion.
- (4) Caregivers shall share information about the child's daily needs and activities with parents on a daily informal basis.
- (5) Caregivers shall reassure children about their parent's return.

470 IAC 3-4.7-63

Blue &  
Pale Yellow

470 IAC 3-4.7-63 Educational equipment and materials

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 63. (a) The quantity and variety of learning center equipment and materials provided daily shall permit children to interact without conflict due to a lack of equipment.

(b) The center may combine learning centers. Materials from individual learning centers may overlap but the center shall count individual items only once.

(c) The following minimums shall be provided to each group to children two (2) years of age and older:

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(1) Equipment and materials to supply the following learning centers:

(A) Art.

(B) Music/movement.

(C) Large muscle.

(D) Math/science/discovery.

(E) Manipulative/fine motor.

(F) Blocks.

(G) Quiet/individual.

(H) Dramatic play.

(I) Literacy.

(2) An art easel with paint and paper.

(3) A water/sand/alternative type of activity.

(4) A shatterproof mirror.

(5) A set of wooden unit blocks.

(6) Musical listening equipment.



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- (7) Musical instruments.
  
- (d) Learning centers shall be within the class room/areas.
  
- (e) All children in each class room/area shall have access to these learning centers regularly throughout the day.
  
- (f) Children two (2) years of age shall have small climbing equipment that they can go in and out of, over, and around in their area.
  
- (g) Centers shall have equipment storage as follows:
  - (1) Each child care learning center shall have stable, low, open shelves to house, display, and organize learning materials.
  - (2) Staff shall use these shelves or units to assist with creating division of learning centers.
  - (3) Staff shall store equipment on these shelves and within easy reach of the children at all times.
  
- (h) The center shall clean and sanitize equipment and materials a minimum of once per week.
  
- (i) All play equipment and materials shall be constructed and installed in a manner that is safe for use by children.
  
- (j) All indoor gross motor equipment shall meet the Consumer Product Safety Commission's guidelines for safety surfaces.
  
- (k) Projectile toys are prohibited.

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(l) All toys and equipment shall be free of sharp edges or protrusions.

(m) Tricycles used by children shall be spokeless, steerable, of age-appropriate size, and have a low center of gravity.

(n) When riding bicycles, children shall wear safety helmets that meet national safety standards.

470 IAC 3-4.7-64

470 IAC 3-4.7-64 Television

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 64. Television use in the classroom shall meet the following guidelines:

(1) All programs must be age-appropriate.

(2) All programs must be for educational purposes only and incorporated into lesson plans.

(3) Caregivers shall not require children to watch or sit in front of a television and shall offer other choices of activities.

(4) Caregivers shall maintain required room lighting.

470 IAC 3-4.7-65

470 IAC 3-4.7-65 Pets

**Indiana Administrative Code \_Title 470. Division of Family Resources (Refs & Annos)\_Article 3. Child Welfare Services\_Rule 4.7. Child Care Centers; Licensing**

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 65. Healthy household pets that present no danger to children are permitted on the premises under the following conditions:

- (1) Dogs, cats, or potentially aggressive animals must be temperamentally suitable to be around children and shall only be permitted for infrequent visits and shall at all times be restrained by the adult owner or caretaker.
- (2) Pets kept by the center shall be free from diseases with potential for transmission to humans.
- (3) Dogs and cats must be vaccinated against rabies in accordance with state law.
- (4) There shall be no ferrets, turtles, reptiles, psittacine birds (birds of the parrot family), or any wild or dangerous animals permitted in a child care center.
- (5) Animals shall not roam freely and shall be housed in a manner that prevents injury to either the children or the animal.
- (6) The center shall use sixteen (16) gauge screen or an equivalent enclosure to prevent children from putting their fingers in an animal cage or aquarium.
- (7) Animal cages shall permit proper sanitation and have removable bottoms.
- (8) Staff shall keep cages and aquariums clean and in sanitary condition.
- (9) Staff and children shall wash their hands after handling, feeding, or cleaning pets or the pet's environment.

**470 IAC 3-4.7-66**

**470 IAC 3-4.7-66 Playground and outdoor safety**

Authority: IC 12-13-5-3

Current with amendments received through the Indiana Weekly Collection, dated June 11, 2014.

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Affected: IC 12-17.2-4

Sec. 66. The specific guidelines of the most current, "Handbook for Public Playground Safety", as published by the United States Consumer Product Safety Commission, Washington, D.C. 20207, shall be used to determine compliance with the following safety rules:

- (1) Assembly, installation, and the anchoring process shall be completed in strict accordance with the manufacturer's specifications.
- (2) All playground equipment shall meet the manufacturer's guidelines for age-appropriate size.
- (3) All anchoring devices for playground equipment shall be installed four (4) inches below the playing surface.
- (4) The center shall maintain all equipment in safe condition and make prompt repairs. Records shall document the date equipment is known to need repair, the actual date of repair, and the method of repair.
- (5) All repairs and replacement of parts shall meet or exceed original equipment standards.
- (6) The center shall install a shock absorbing surface with required depth for the critical height of the equipment and covering the appropriate fall zone area under and around all playground equipment.
- (7) The fall zones of adjacent equipment, two (2) feet or higher, shall not overlap.
- (8) Climbing ropes shall be secured at both ends.
- (9) Trampolines shall not be permitted.
- (10) Wood parts shall be smooth and free from splinters.
- (11) There shall be no accessible protrusions, projections, pinch, crush, or shearing points on equipment that could injure children or catch their clothing.

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(12) Equipment components shall not form openings that could entrap a child's head.

(13) Guardrails and protective barriers shall be designed to prevent inadvertent falls from platforms. Equipment shall have vertical rather than horizontal pieces fill in the space below the top rail on barriers.

(14) All S-hooks shall be tightly closed.

(15) Swing seats shall have smooth rounded edges and not be made of wood, metal, or other hard material.

(16) Climbing equipment shall be designed so that children holding onto horizontal bars may not fall from a height of greater than eighteen (18) inches.

(17) Balance beams shall be less than twelve (12) inches high.

(18) Merry-go-round platforms shall be continuous with no openings.

(19) Sand, used as play space or ground cover, shall be covered when not in use or raked daily before use.

470 IAC 3-4.7-67

470 IAC 3-4.7-67 Critical height chart

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 67. The center shall use the reference table located in the "Handbook for Public Playground Safety" published by the Consumer Product Safety Commission and the manufacturer's guidelines to determine the depth of loose fill materials that will provide the necessary safety for equipment of various heights.

470 IAC 3-4.7-68

Blue & 470 IAC 3-4.7-68 Playground design  
Pale Yellow

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Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 68. (a) The outdoor caregivers will interact with children in all areas of the playground and ensure that all children are visible at all times.

(b) The outdoor play area shall be safely enclosed, fenced, or protected from traffic by other natural barriers. Air compressors or other dangerous equipment in the outdoor play area shall be enclosed and inaccessible to children.

(c) The outdoor play area shall contain at least seventy-five (75) square feet for each child outdoors at any one (1) time.

(d) The outdoor play area shall be directly accessible from the indoor child care center. If this is not possible and children cross traffic areas, such as a street, alley, or parking lot, the following steps apply to crossing the area:

(1) No child shall cross a traffic area unassisted.

(2) Children shall wait at the edge of the traffic area.

(3) The caregiver shall move to the center of the traffic area and assure that no autos are present or that all traffic is stopped.

(4) The caregiver shall remain in the center of the traffic area until the last child has safely crossed the area.

(5) When crossing public streets or other areas regularly traveled, caregivers shall display a flag, "Stop" sign, or other effective sign designed to halt traffic while children cross the area.

(e) The outdoor play area and equipment shall be well drained and free from standing water.

470 IAC 3-4.7-69

Current with amendments received through the Indiana Weekly Collection, dated June 11, 2014.

**470 IAC 3-4.7-69 Playground and outdoor environment**

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 69. (a) The playground shall be considered to be an outdoor classroom and an extension of the learning environment that meets curricular objectives by encouraging child-initiated, teacher-supported play activities.

(b) The center must organize active, physical activities separate from passive, quiet activities.

**470 IAC 3-4.7-70**

**470 IAC 3-4.7-70 Water play areas**

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 70. (a) Staff shall maintain a one (1) to three (3) parts per million (ppm) chlorine solution, as verified by a pool test kit, or equivalent in water tables used for water play activities. Staff shall empty the water table daily and clean it with an approved sanitizing solution before being air-dried.

(b) Portable fill and draw pools are prohibited.

(c) When children swim in any permanently constructed private swimming pool, wading pool, or lake, owned by the child care center, center staff, relatives, parents, or others, while under the supervision of the child care center staff, the following rules apply:

(1) Pool equipment and chemical storage rooms shall be locked and inaccessible to children.

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(2) Written parental permission shall be obtained and kept on file prior to a child participating in a swimming activity.

(3) Each swimming area must have a minimum of two (2) flotation devices.

(4) Child/staff ratios shall be twice the number required in this rule. The center may count employed lifeguards in child staff ratios.

(5) A person having a valid Red Cross advanced life saving certificate shall be on duty at all times when a swimming pool or lake is in use.

(6) At all times, when children are in the water, staff shall directly supervise children with a minimum of one (1) staff person at pool or lake side and another staff in the water with the children.

(7) All private lakes must have their water tested and approved for swimming.

(d) In addition, permanently constructed swimming or wading pools located on the premises of the child care center shall meet the following:

(1) The center must construct the pool in accordance with FPBSC rules under 675 IAC 20 and maintain it in accordance with ISDH rules under 410 IAC 6-2.1.

(2) The center must fence in all swimming and wading pool areas and keep the gate locked when the pool is not in use.

(3) The center must cover or empty swimming pools in the off season.

(e) When children are taken to public pools or lakes while under the supervision of the child care center, the following rules apply:

(1) Written parental permission shall be obtained and kept on file prior to a child participating in a swimming activity.



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(2) Child/staff ratios shall be twice the number required in this rule. A center may count one (1) pool or lake lifeguard in the child/staff ratios for the child care center unless pool or lake policies prohibit.

(3) At all times, when children are in the water, staff shall directly supervise children with a minimum of one (1) staff person at pool or lake side and another staff in the water with the children.

(f) Staff shall not permit children to be in hot tubs, spas, or saunas.

**470 IAC 3-4.7-71**

**470 IAC 3-4.7-71 Field trips**

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 71. (a) The center shall comply with all sections of this rule during field trips.

(b) Caregivers shall account for all children before, during, and after field trips.

(c) The center shall obtain written parental permission for each child prior to participation in a field trip.

**470 IAC 3-4.7-72**

**470 IAC 3-4.7-72 Transportation in child care center owned or leased vehicles**

Authority: IC 12-13-5-3

Affected: IC 9-19-11; IC 12-17.2-4

Sec. 72. The following rules apply to all center transportation of children in vehicles owned or leased by the center:

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(1) The center shall assume responsibility for a child between the place where the child is picked up and the child care center, and from the time he or she leaves the child care center until he or she is delivered to his or her parent or the responsible person designated by his or her parents.

(2) The center shall do the following:

(A) Obtain signed parental permission to transport prior to providing transportation for a child.

(B) Maintain child/staff ratios when transporting children, except as in clause (C).

(C) When transporting more than twelve (12) children on a school bus or Head Start bus to and from school or home, have at least one (1) qualified caregiver not including the driver supervise the children.

(D) License any vehicle operated by the center in accordance with the laws of Indiana.

(E) Carry liability insurance to cover all passengers riding in the vehicle.

(F) Maintain vehicles in safe operating condition.

(G) Keep the vehicle clean and free of obstructions on the floors, seats, and rear window area.

(H) Present documentation that vehicles used in transporting children are appropriately licensed and maintained.

(I) Not transport more children than the manufacturer's rated passenger capacity.

(J) Not permit children to ride in the front seat of any vehicle.

(K) Post a sign in the vehicle stating that this is a smoke free vehicle.

(L) Check driver has proper license from bureau of motor vehicles on at least an annual basis.

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(3) Staff shall comply with the following:

(A) Not leave children in any vehicle unattended.

(B) Load and unload children from the curbside of the vehicle.

(C) Not permit children to open and close the vehicle doors.

(D) Lock all passenger doors while the vehicle is in motion.

(E) Have in the vehicle emergency medical authorization for all children and emergency contact numbers for all occupants.

(4) The driver shall comply with the following:

(A) Be at least twenty-one (21) years of age and hold a proper license to operate the vehicle.

(B) Turn the vehicle off when loading or unloading children. (This does not apply to regulation school buses.)

(C) Seat all children in proper safety restraints to comply with IC 9-19-11 while the vehicle is in motion.

(D) Not have used alcohol within twelve (12) hours prior to transporting children.

(E) Not use illegal drugs.

(F) Ensure that any prescription drugs will not impair their ability to drive.

(G) Not have any medical conditions that would affect the driver's ability to safely operate the vehicle.

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(5) The director or administrator shall require drug testing of employees when illegal drug use or alcohol use as in subdivision (4)(D) is suspected.

(6) Vehicle equipment shall include the following:

(A) A first aid kit, fire extinguisher, and blanket when transporting children.

(B) One (1) restraint per child.

(C) Door locks.

(7) When transporting a child in a wheelchair, vehicles shall accommodate the placement of wheelchairs with tie downs affixed according to the manufacturer's instructions.

470 IAC 3-4.7-73

470 IAC 3-4.7-73 Transportation in other vehicles

Authority: IC 12-13-5-3

Affected: IC 9-19-11; IC 12-17.2-4

Sec. 73. The following rules apply to all transportation of children while under the care of the child care center in vehicles not owned or leased by the center:

(1) The center shall assume responsibility for a child between the place where the child is picked up and the child care center, and from the time he leaves the child care center until he or she is delivered to his or her parent or the responsible person designated by his or her parents.

(2) The center shall do the following:

(A) Obtain signed parental permission to transport in a vehicle not owned by the center prior to providing transportation for a child.

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(B) Maintain child/staff ratios when transporting children.

(C) Carry liability insurance to cover all children riding in the vehicle beyond the coverage provided by the vehicle owner.

(D) Not permit transportation of more children than the manufacturer's rated passenger capacity.

(E) Only permit children to be transported in vehicles that are smoke free.

(F) Not permit children to ride in the front seat of any vehicle.

(G) Assure that the driver is at least twenty-one (21) years of age and holds a proper license to operate the vehicle.

(3) Child care center staff shall instruct the driver of each vehicle to do the following:

(A) Not leave children in any vehicle unattended.

(B) Load and unload children from the curb side of the vehicle.

(C) Turn the vehicle off when loading or unloading children.

(D) Not permit children to open and close the vehicle doors.

(E) Lock all vehicle doors while the vehicle is in motion.

(4) Staff shall do the following:

(A) Visually inspect vehicles to assure they are in safe operating condition.

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(B) Visually inspect vehicles to assure they are clean and free of obstructions on the floors, seats, and rear window area.

(C) Have in the vehicle emergency medical authorization for all children and emergency contact numbers for all occupants.

(D) Secure all children in proper safety restraints with one (1) child per restraint to comply with IC 9-19-11 while the vehicle is in motion.

**470 IAC 3-4.7-74**

**470 IAC 3-4.7-74 Transportation to school**

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 74. (a) If the center provides transportation for children to or from school, the center is responsible for the child during transportation.

(b) A child transported to school by the center shall never be left unattended outside the school building.

(c) The center shall establish a written transportation agreement between the parent and the center, including, but not limited to, the following:

(1) Clear definitions of legal responsibility.

(2) The time of the child's release from the school and the center.

(3) The means of transportation.

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- (4) Children leaving the center to go to school.
  - (5) Children leaving the school to go to the center.
  - (6) Children leaving school for regular school activities or visiting friends.
  - (7) Children leaving the child care center for extracurricular activities.
- (d) A copy of this agreement shall be kept in each child's file.

470 IAC 3-4.7-75

470 IAC 3-4.7-75 Food program

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 75. (a) Prior to initial licensure, the center shall submit a written plan for nutrition and food service for approval to the division on forms provided for this purpose.

(b) A written revised plan for nutrition and food service shall be submitted to the division for review and approval each time the food service plan undergoes any change as follows:

(1) A change in the licensee.

(2) The changing of vendors.

(3) The changing from vending to on-site food preparation and vice versa.

(4) The center requests a change in licensure to include the care of children under two (2) years of age.

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470 IAC 3-4.7-76

470 IAC 3-4.7-76 Menus

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 76. (a) A current weekly menu shall be planned one (1) week in advance and posted as follows:

(1) In a conspicuous place for all parents to review.

(2) In the kitchen.

(b) Menus shall show serving sizes, specific food items, and serving times for all snacks and meals.

(c) Food service staff shall record menu changes as served and keep menus on file for one (1) month.

(d) A notation of any special dietary exceptions for children shall be posted in the kitchen and where meals and snacks are served.

470 IAC 3-4.7-77

470 IAC 3-4.7-77 Meal times

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 77. (a) A period of not less than two (2) hours and not more than three and one-half (3 ½) hours shall separate meals and snacks for children one (1) year of age and older. This does not apply between the hours of 9 p.m. and 6



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a.m.

(b) If the child's attendance at the child care center coincides with any meals and snacks that are provided by the center, the child shall be served those meals and snacks.

(c) The center shall serve breakfast, a morning snack, lunch, and a mid-afternoon snack each day.

(d) Staff shall serve a snack to school age children when they arrive at the child care center after school.

(e) Staff are not required to serve meals to children that have already eaten that particular meal at another location.

470 IAC 3-4.7-78

470 IAC 3-4.7-78 Meal components

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 78. (a) The center shall provide meals and snacks that meet dietary requirements in accordance with the division guidelines.

(b) Children eating both the noon meal and the evening meal at the child care center shall not be served the same food at both meals.

(c) The center shall not serve reconstituted dry milk or fat free milk to children.

(d) The center shall serve whole milk to children under two (2) years of age unless a physician orders a specific substitution.

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(e) Liquid refreshments shall meet the following guidelines:

(1) All fruit juice shall be one hundred percent (100%) pure fruit juice with no sugar added.

(2) All noncitrus juice shall be fortified with vitamin C.

(3) The center shall not serve or have accessible to children ades, drinks, soft drinks, or powders.

(4) A competing beverage shall not be served with milk at lunch or dinner.

(f) Written, standardized recipes must be immediately available in the kitchen for all protein entree items on the menu. The recipe must be suitable for the number of children served at the child care center. The recipe must show the following:

(1) The amount of high protein food in ounces or pounds.

(2) The number of children to be served by the recipe.

(3) The serving size.

(g) Centers shall not offer foods that present a choking hazard to children under three (3) years of age, including, but not limited to, the following:

(1) Whole grapes.

(2) Hot dog rounds.

(3) Hard candy.

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(4) Nuts.

(5) Seeds.

(6) Raw peas.

(7) Dried fruit.

(8) Pretzel nuggets.

(9) Chips.

(10) Popcorn.

(11) Marshmallows.

(12) Spoonfuls of peanut butter.

(13) Chunks of meat larger than children can swallow whole.

470 IAC 3-4.7-79

470 IAC 3-4.7-79 General meal guidelines

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 79. (a) Caregivers shall plan a period of time away from the lunch table before the noon meal for children to participate in quiet or calming activities.

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(b) Staff shall offer additional portions of food (at least two (2) different items) and milk to children at the noon and evening meals.

(c) Staff shall offer an additional portion of food and juice or milk at snacks.

(d) On the initial serving of any particular meal, staff shall serve children the full portions of all posted menu items at the same time.

(e) Correct food temperature and holding time shall be maintained for all food served to children.

(f) Food shall be covered during transport from kitchen.

(g) Staff shall permit children to eat promptly when they sit down.

(h) All food servers shall not touch ready-to-eat food with their bare hands.

(i) Adults shall assist, supervise, converse, and sit with the children during all meals and snacks in age relative groups, small enough in number to assure assistance and safety.

(j) Children shall be allowed to converse freely during meal times and snacks.

(k) If adults eat with the children, the center shall serve adults the same meal as the children.

(l) All food, not prepared at the child care center or provided by an approved vendor, must come in an unopened package from an approved food source.

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(m) Eating utensils, dishes, glasses, chairs, and tables shall be suitable for the age, size, and developmental level of the children.

(n) The center shall use divided plates for children two (2) years of age and younger.

(o) The center shall not serve food items prepared in a home kitchen at any time, except with a physician's written order for a particular child's special diet.

(p) Packaged, ready-to-eat foods that are served to children must be discarded, if not consumed.

470 IAC 3-4.7-80

470 IAC 3-4.7-80 Home style food service

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 80. (a) Staff shall ensure that food served home style is protected from contamination.

(b) Staff shall supervise children who handle or serve food.

(c) Staff shall ensure that each child receives the minimum required serving size of each meal component.

(d) Staff shall discard any food brought from the kitchen to be served that remains after the meal.

(e) Staff shall ensure that food is not exposed to sneezing, coughing, or drooling and that food is not touched by bare hands or clothing.

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(f) Staff shall discard contaminated food and container and replace it with food from the kitchen before continuing service to other children.

470 IAC 3-4.7-81

470 IAC 3-4.7-81 Picnics

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 81. (a) If staff serves picnic lunches to children under the care of the center, the lunch must conform to the menu guidelines for children who are on table food. The center or an approved vendor must provide picnic lunches.

(b) Centers shall comply with the following:

(1) Adjust menus accordingly, if juice is substituted for milk.

(2) Keep cold foods under forty-one (41) degrees Fahrenheit.

(3) Provide equipment to maintain hot foods at one hundred forty (140) degrees Fahrenheit or above.

(c) The following rules apply to cooking on an outdoor grill:

(1) The center shall keep grills at least ten (10) feet away from the building.

(2) Caregivers shall keep children at least fifteen (15) feet away from the grill. Gas or propane grills shall comply with all applicable rules of the FPBSC.

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(3) Staff shall have an approved fire extinguisher readily available.

470 IAC 3-4.7-82

470 IAC 3-4.7-82 Special diets

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 82. (a) The center shall post information regarding children's special diets for dietary staff in charge of preparing and serving the food.

(b) The center must plan and serve substitutions, written on a menu, for all children with dietary restrictions.

(c) For children requiring a special diet due to medical reasons or allergic reactions, the center shall provide meals and snacks in accordance with the child's needs and the written instructions of the child's physician.

(d) A child requiring a special diet due to religious or personal beliefs shall have a written statement from the child's parent.

(e) For special diets, the center may request the parent to supplement food served by the center.

(f) If the parent provides the food from home, the center must have the parent sign a "Safe Transportation of Food Responsibility" form, available from the division.

(g) All food items must be protected from damage and potential contamination.

470 IAC 3-4.7-83

470 IAC 3-4.7-83 Vendor service

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Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 83. (a) Each center using vendor service shall have a written contract as follows:

(1) The contract must describe the vendor's responsibilities.

(2) The contract must assure that the vendor's food service business, food handlers, and all premises are inspected and approved by local health authorities.

(b) Vendors must transport food items in easily sanitizable insulated containers that maintain potentially hazardous food at the temperature requirements of 410 IAC 7-20.

(c) Upon receiving the food from the vendor, the center shall verify the temperature of the food with a metal stem type, numerically scaled thermometer that reads zero (0) degrees Fahrenheit to two hundred twenty (220) degrees Fahrenheit.

(d) Correct food temperature and holding time shall be maintained until serving.

(e) A record of potentially hazardous food temperatures taken shall be maintained at the child care center for one (1) year.

(f) When potentially hazardous food temperature and holding time are not correct, the vendor shall be notified and food shall be immediately replaced.

(g) If time is being used as a public health control, 410 IAC 7-20 must be adhered to and procedures, time, and temperatures must be documented.

470 IAC 3-4.7-84

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470 IAC 3-4.7-84 Health program

Authority: IC 12-13-5-3

Affected: IC 12-17.2-4

Sec. 84. (a) Prior to initial licensure, the center shall submit a written, dated health program for review and approval to the division on forms provided for that purpose.

(b) The center shall make specific arrangements for a health consultant to provide guidance to the staff to maintain an adequate health program, policies, and procedures for the children and staff in the child care center.

(c) The written health program shall be reviewed by the center and the health consultant and submitted to the division for review and approval each time any of the following occurs:

(1) A change in the health consultant.

(2) A change in the health program practices.

(3) A change in licensee.

(4) The center requests a change in licensure to include the care of children not previously cared for, such as diapered children, infants, or toddlers.