

Mississippi Administrative Code _ Title 15. Mississippi State Department of Health _Part 11. Bureau of Child Care Facilities _Subpart 55. Child Care Facilities Licensure _Chapter 1. Regulations Governing Licensure of Child Care Facilities _Subchapter 9. Program of Activities

Miss. Admin. Code 15-11-55:1.9.1

15-11-55:1.9.1. General

1. The child care facility shall provide a basic program of activities geared to the age levels and developmental needs of the children served.
2. The child care facility shall provide for the reading of age-appropriate materials to children.
3. The child care facility shall incorporate programs to encourage sun safety practices (skin cancer prevention), into activities for all age levels.

Miss. Admin. Code 15-11-55:1.9.2

15-11-55:1.9.2. Daily Routines

All daily routines, such as eating and rest periods, shall be scheduled for the same time each day.

Miss. Admin. Code 15-11-55:1.9.3

15-11-55:1.9.3. Eating

Meal periods are breakfast, lunch, dinner, and snacks. A minimum of 30 minutes shall be scheduled for each breakfast, lunch, and dinner meal period. A minimum of 15 minutes shall be scheduled for each snack meal period.

Miss. Admin. Code 15-11-55:1.9.4

15-11-55:1.9.4. Rest Periods

1. For preschool children, rest periods shall be scheduled for a minimum period of one hour, and shall not exceed two and one-half (2 1/2) hours. Infant and toddler nap times shall be individualized to meet each child's needs as sleeping patterns can vary greatly. Half-day programs must provide for rest periods as is appropriate when the children/child indicates or is observed to require some rest time.
2. Physical force shall not be used in requiring children to lie down or go to sleep during rest periods.
3. Rest periods are not required for children in attendance for less than six hours.

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4. Rest periods are not required for school age children.

5. A safe sleep environment for infants to lower the risk of **Sudden Infant Death Syndrome** (SIDS) is required as follows:
 - a. An infant shall be placed on his/her back for sleeping unless written physician orders to the contrary are in the child's record. Sleeping infants shall be within the view of the staff and visually checked regularly when sleeping. Nothing shall obstruct the view of the staff or prevent the staff from clearly seeing infants or children.

 - b. Infants shall be dressed in clothing appropriate for sleeping that is designed to keep the infant warm without the possible hazard of head covering or entrapment. The room shall be kept at a draft-free seasonally appropriate temperature of 65 degrees Fahrenheit to 78 degrees Fahrenheit. If a child is already asleep and not dressed in clothing appropriate for sleeping, the caregiver does not need to awaken the infant to change his or her clothes.

 - c. Facilities shall use a firm mattress covered by a fitted sheet.

 - d. Items such as but not limited to pillows, blankets, sheepskins, bumpers, soft objects, stuffed toys, loose bedding, etc., shall not be in the crib.

Miss. Admin. Code 15-11-55:1.9.5

15-11-55:1.9.5. Outdoor Activities

1. Each infant shall have a minimum of 30 minutes of outdoor activities per day, weather permitting.

2. Toddler, preschool, and school age children shall have a minimum of two hours of outdoor activities per day, weather permitting. Children who attend at a facility for seven hours per day or less shall have a minimum of 30 minutes of outdoor activity per day, weather permitting.

3. Sun safe practices shall be used during outdoor activities scheduled between 10 A.M. and 2 P.M. during the period April 1 to September 15.

4. Sun safe practices shall be evident in the planning of all outdoor events.

5. Outdoor activities shall be held in areas providing shade or covered spaces.

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Miss. Admin. Code 15-11-55:1.9.6

15-11-55:1.9.6. Infant, Toddler, and Preschool Activities

1. Infants, toddlers, and preschoolers shall be free to creep, crawl, toddle, and walk as they are physically able.

a. Cribs, car seats, and high chairs are to be used only for their primary purpose, i.e., cribs for sleeping, car seats for vehicle travel, and high chairs for eating.

b. Providers should limit the use of equipment such as strollers, swings, and bouncer seats/chairs for holding infants while they are awake.

c. Providers should implement activities for toddlers and preschoolers that limit sitting or standing to no more than 30 minutes at a time.

d. Providers should use strollers for toddlers and preschoolers only when necessary.

2. Infants and toddlers shall be taken outdoors every day, weather permitting.

3. For infants who cannot move about the room, caregivers shall frequently change the place and position of the infant and the selection of toys available, and the child shall be held, rocked, and carried about.

4. Television viewing, including video tapes and/or electronic media, is not allowed for children under the age of two or for staff in the infant and toddler area. The playing of soothing music in the infant and toddler area is acceptable.

5. Television viewing, including video tapes and/or other electronic media, cell phone, or other digital media, e.g., computer, iPad®, iTouch®, etc., for children, age two and older, is limited to one hour per day, must be of educational content and a scheduled part of the approved daily plan of activities posted in the facility. The use of an “audio player” to play music is acceptable.

6. In half-day programs, television viewing, including video tapes and/or other electronic media, cell phone, or other digital media, e.g., computer, iPad®, iTouch®, etc., for children, age two and older, is limited to 30 minutes per day, must be of educational content and a scheduled part of the approved daily plan of activities posted in the facility. The use of an “audio player” to play music is acceptable.

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7. Television viewing by staff is not permitted in areas occupied by children except for the purposes as described in item 5 and 6 above.

Miss. Admin. Code 15-11-55:1.9.7

15-11-55:1.9.7. Indoor or Outdoor Physical Activity

Child care providers are to provide infants, toddlers, and preschool children with opportunities to be physically active throughout the day.

1. Toddlers and preschool children will be provided the opportunity for light physical activity for at least 15 minutes per hour when children are not involved in their scheduled rest period.

2. Toddlers should accumulate a minimum of 30 minutes of structured moderate to vigorous physical activity per day.

3. Preschoolers should accumulate a minimum of 60 minutes of structured moderate to vigorous physical activity per day.

4. Caregivers should join in and lead the structured moderate to vigorous physical activities in which the children participate.

5. Structured physical activity should involve the performance of large muscle activities.

6. Half-day programs are only required to provide for physical activity for one-half (1/2) the time as stated above.

NOTE: Examples of “light physical activity” may be found in the Child Care Licensure section of the MSDH website at www.HealthyMS.com. Examples of “moderate physical activity” are aerobic dancing, light calisthenics, getting up and down from the floor, dancing, playing on school ground equipment, singing while actively moving about, etc. Examples of “vigorous physical activity” are running, jumping rope, performing jumping jacks, playing soccer, skipping, etc. Regardless of the activity, it should be age appropriate and within the physical ability limits of the child. Please, understand the above requirements do not mean 30 minutes or 60 minutes vigorous activity at one time. These 30/60 minutes of vigorous physical activity can and should be spread out in short time intervals, (e.g., 5-15 minute intervals) throughout the day.

Miss. Admin. Code 15-11-55:1.10.1

15-11-55:1.10.1. General

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1. Equipment, toys, and materials for both indoor and outdoor use shall be appropriate to the age and developmental needs of the children served.

2. Developmentally age-appropriate toys shall be available and accessible for infants, and shall include but not be limited to the following:

a. Simple, lightweight, open-ended, easily washable toys such as containers, balls, large pop-beads, and nesting cups.

b. Rattles, squeak toys, action/reaction toys.

c. Cuddly toys.

d. Toys to mouth such as teething rings.

e. Pictures of real objects.

f. A crawling area with sturdy, stable furniture for pulling up self.

3. Developmentally age-appropriate toys shall be available and accessible for toddlers, and shall include but not be limited to the following:

a. Push and pull toys.

b. Stacking toys, large wooden spools/beads/cubes.

c. Sturdy picture books, music.

d. Pounding bench, simple puzzles.

e. Play phone, dolls, and toys to appeal to child's imagination.

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f. Large paper, crayons.

g. Sturdy furniture to hold on to while walking.

h. Sand and water toys.

4. Developmentally age-appropriate toys shall be available and accessible for preschoolers, and shall include but not be limited to the following:

a. Active play equipment for climbing and balancing.

b. Unit blocks and accessories.

c. Puzzles and manipulative toys.

d. Picture books, records, and musical instruments.

e. Art materials such as finger and tempera paints, clay, play dough, crayons, collage materials, markers, scissors, and paste.

f. Dramatic play materials such as dolls, dress-up clothes and props, child-sized furniture, and puppets.

g. Sand and water toys.

5. Children's original work shall be displayed in the child care facility.

6. Books shall be on shelves and tables for children to look at and read. Every child shall have age-appropriate materials (including picture books) read to and discussed with him or her every day. Where appropriate, the materials should cover topics with which the children are involved.

7. Television viewing by preschool children shall be limited to one hour per day and shall be educational programming only. Television viewing by staff is not permitted in areas occupied by children except for the purposes as described herein.

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8. The daily activity schedule shall demonstrate that preschoolers are given opportunities to do a variety of activities, including both quiet and active, such as block play, art activities, puzzles, books, and learning games, and that stories are read to and discussed with each child every day.

Miss. Admin. Code 15-11-55:1.10.2

15-11-55:1.10.2. Playground Equipment

1. All playgrounds and playground equipment used by children 2 - 12 years of age shall meet the safety standards set forth in Appendix "D" of these regulations.

2. Playground equipment shall be of safe design and in good repair. Outdoor playground climbing equipment and swings shall be set in concrete footings located at least six inches below ground surface. Indoor playground equipment shall be installed according to the manufacturer's specifications. Swings shall have soft and/or flexible seats. Access to playground equipment shall be limited to age groups for which the equipment is developmentally appropriate.

3. Equipment designed for outdoor use by infants and toddlers shall be accessible to shaded areas to ensure sun safe practices.

Miss. Admin. Code 15-11-55:1.10.3

15-11-55:1.10.3. Paint

Paint on toys, equipment, furniture, walls, and other items shall be lead-free and non-poisonous.

Miss. Admin. Code 15-11-55:1.10.4

15-11-55:1.10.4. Chairs and Tables

Chairs and tables shall be of a size appropriate to the size and age of the children. There shall be an adequate number of chairs and tables to accommodate the children present at the facility.

Miss. Admin. Code 15-11-55:1.10.5

15-11-55:1.10.5. Hooks and Compartments

Individual hooks or compartments shall be provided for each child for hanging or storing outer and/or extra clothing as well as for personal possessions. Hooks shall be spaced well apart so that clothes and belongings do not touch

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those of another child. Hooks shall also be placed at a height suitable to prevent an injury to a child.

Miss. Admin. Code 15-11-55:1.10.6

15-11-55:1.10.6. Sand Boxes

1. Sand boxes shall be constructed to permit drainage, shall be covered tightly and securely when not in use, and shall be kept free from cat or other animal excrement.

2. Sand contained in sand boxes shall not contain toxic or harmful materials.

Miss. Admin. Code 15-11-55:1.10.7

15-11-55:1.10.7. Cribs

1. The facility shall provide a crib or other similarly commercially purchased bed unit, approved and designated for the purpose of sleeping. Mobile infants, at a minimum of eight months, may be placed on a mat during the transition period of crawling to walking. If such mat is used, it shall be a flame retardant, minimum of two (2) inch commercially purchased sleep mat, especially designated for the purpose of sleeping. All cribs, sleep units, and mats must be maintained clean, in sanitary condition and without chips, holes, fraying, tears, or stains.

2. The use of stackable cribs is prohibited.

Miss. Admin. Code 15-11-55:1.10.8

15-11-55:1.10.8. High Chairs

High chairs, if used, shall have a wide base and a T-shaped safety strap. They shall be labeled or warranted by the manufacturer in documents provided at the time of purchase or verified thereafter by the manufacturer as meeting the American Society for Testing Materials (ASTM) Standard F-404 (Consumer Safety Specifications for High Chairs).

Miss. Admin. Code 15-11-55:1.10.9

15-11-55:1.10.9. Rest Period Equipment

1. Individual beds, cots, mattresses, pads, or other acceptable equipment shall be used for rest periods, and children shall not be placed directly on the floor for rest periods. Bed linens, such as blankets or sheets, cannot be

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used in place of a bed, cot, mattress, or pad. These shall be kept in a sanitary condition. Once a sheet or blanket has been used by a child, it shall not be used by another child until it has been laundered.

2. Rest period equipment shall be clean and covered with a waterproof cover.

3. Nap pads/cots are designed for use by one child only at a time.

4. Nap pads utilized by more than one child shall be sanitized after each child's use. Nap pads utilized by only one child shall be sanitized immediately when soiled or at least weekly.

5. Nap pads and nap cots without mattresses are not acceptable for use in 24 hour programs. Beds, cribs, or roll away cots are the only acceptable bedding for 24 hour centers.

6. The facility shall provide a crib or other similarly commercially purchased bed unit, approved and designated for the purpose of sleeping. Mobile infants, at a minimum of eight months, may be placed on a mat during the transition period of crawling to walking. If such mat is used, it shall be a flame retardant, minimum of two (2) inch commercially purchased sleep mat, especially designated for the purpose of sleeping. All cribs, sleep units, and mats must be maintained clean, in sanitary condition and without chips, holes, fraying, tears, or stains. Cribs, cots, and mats are to be a minimum of 24" apart or separated by a solid barrier. A minimum of 36 inches is recommended.

7. Children are not allowed to sleep in shared places, such as infant seats, strollers, swings, cozy areas, or on tables. If a child falls asleep in such shared place, he or she should be moved immediately to a sanitary individual sleeping place.

Miss. Admin. Code 15-11-55:1.10.10

15-11-55:1.10.10. Play Equipment

1. Play equipment, toys, and materials shall be provided that meets the standards of the Consumer Product Safety Commission and/or the American Society for Testing and Materials (ASTM) for juvenile products. Play equipment, toys, and materials shall be found to be appropriate to the development needs, individual interests, and ages of the children as identified as age-appropriate by a label provided by the manufacturer on the product package.

2. Projectile toys, i.e., dart guns, toy guns, etc., are prohibited.

3. Water play tables, if used, shall be cleaned and sanitized daily.

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4. Tricycles and other riding toys used by the children shall be spokeless, steerable, and of a size appropriate for the child, and shall have low centers of gravity. All such toys shall be in good condition and free of sharp edges or protrusions that may injure the children. When not in use, such toys shall be stored in a location where they will not present a physical obstacle to the children and employees. Riding toys shall be inspected at least monthly for protrusions and rough edges that could lead to injury.

Miss. Admin. Code 15-11-55:1.10.11

15-11-55:1.10.11. School Age Programs

1. The foregoing provisions in Subchapter 10 shall not be applied to any facility licensed solely for School age children unless specifically required in Subchapter 10, Rule 1.10.11.

2. All playgrounds and playground equipment used by children 2 - 12 years of age shall meet the safety standards set forth in Appendix "D" of these regulations.

3. Projectile toys are prohibited. Projectile toys are toys which, when projected, have the ability to penetrate body or eye tissue. Play equipment, toys, and materials shall be provided that meets the standards of the Consumer Product Safety Commission and/or the American Society for Testing and Materials (ASTM) for juvenile products.

4. Possessions, belongings, and extra clothing for each school age child must be stored in such a manner as to not touch those of another child.

Miss. Admin. Code 15-11-55:1.11.1

15-11-55:1.11.1. Building

1. A child care facility shall be physically separated from any other business or enterprise. Other occupants, visitors, and/or employees of other businesses or enterprises within the same building shall not be allowed within the physical confines of the child care facility for the purpose of entering the building or exiting the building, or passing through the child care facility for the purpose of gaining access to another part of the building.

2. All child care facility buildings shall meet all fire safety standards listed on the MSDH Form #333 and all applicable local fire safety standards and/or ordinances.

3. No house trailers, relocatable classrooms, or portable buildings shall be used to house a child care facility unless such structure was originally designed specifically for educational purposes and meet the Mississippi State Department of Education's current standards for a relocatable classroom. Further, such portable structure shall

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meet all applicable fire safety codes.

4. Current licensees operating facilities housed in such structures are exempted from this provision. Any change of ownership, need for major renovation, or other significant change in the facility's status shall revoke such exemption.

5. Plans and specifications shall be submitted to the licensing agency for review and approval on all proposed construction and/or major renovations.

6. A separate space shall be provided for the use of an ill or injured child until the child can be picked up by the parent. Space shall be located in an area that is supervised at all times by an employee.

7. The ceiling, floor, and/or floor covering shall be properly installed, kept clean and in good condition, and maintained in good repair. Carpeting is prohibited in kitchen areas.

8. All parts of the child care facility used by children shall be lead-safe, well lighted, ventilated, and free of hazardous or potentially hazardous conditions, such as but not limited to, open stairs and unprotected low windows.

a. All buildings intended for use as a child care facility constructed before 1965 shall be tested for lead. It is the responsibility of the facility applicant/operator to have a lead hazard screen or lead-based paint risk assessment of the facility done by an individual or company certified as a risk assessor by the Mississippi Commission on Environmental Quality. If the facility is found not to be lead-safe, it will not be allowed to operate as a child care facility until all required corrective measures have been taken and the facility is determined to be lead-safe by a certified risk assessor.

b. All buildings intended for use as a child care facility, constructed prior to 1978, shall utilize MDEQ Lead Safe Certified individuals or companies for all renovation, repair and maintenance activities which disturb painted surfaces unless the paint to be disturbed has been documented to be lead-free by an individual or company that is MDEQ Lead Safe Certified as a risk assessor or inspector.

NOTE: It is recommended that child care facility operators contact the Mississippi Department of Environmental Quality at 601-961-5630 regarding any questions they may have about compliance with the laws and regulations related to lead and lead based paint.

9. All parts of the child care facility used by children shall be lead-safe, well lighted, ventilated, and free of hazardous or potentially hazardous conditions, such as but not limited to, open stairs and unprotected low windows.

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10. All buildings intended for use as a child care facility constructed before 1965 shall be tested for lead. It is the responsibility of the facility applicant/operator to have a lead hazard screen or lead-based paint risk assessment of the facility done by an individual or company certified as a risk assessor by the Mississippi Commission on Environmental Quality. If the facility is found not to be lead-safe, it will not be allowed to operate as a child care facility until all required corrective measures have been taken and the facility is determined to be lead-safe by a certified risk assessor.

11. All glass in doors, windows, mirrors, etc., shall have a protective barrier at least four feet high when measured from the floor. Doors, windows, mirrors, etc., using safety-grade glass or polymer (e.g., Lexan®) are not required to have a protective barrier. Glass windows and glass door panels shall be equipped with a vision strip 36 inches from the floor. Safety glass must be so certified by the installer and the statement kept on file at the child care facility.

12. Walls shall be kept clean and free of torn wall covering, chipped paint, broken plaster, and holes. No paint that contains lead compounds shall be applied to interior walls or woodwork.

13. All ceiling lighting shall be shielded completely and encased in shatterproof materials.

14. A child care facility shall have a working phone available to all staff at all times. Telephones shall also be available for incoming calls and shall not be unplugged or disconnected during business hours.

15. All fire extinguishers, as required in the fire safety plan, shall be serviced on an annual basis by a qualified fire extinguisher technician.

16. Unused electrical outlets shall be protected by a safety plug cover.

17. All child care facilities are to be kept clean and in good repair.

18. Every child care facility which uses nonelectric heating and/or cooling systems, cooking stoves, and/or hot water heaters or other nonelectric equipment, shall have sufficient carbon monoxide monitors placed appropriately throughout the child care facility.

Miss. Admin. Code 15-11-55:1.11.2

15-11-55:1.11.2. Indoor Square Footage

1. The designated area for children's activities shall contain a minimum of 35 square feet of usable space per child, measured on the inside, wall-to-wall dimensions. These spaces are exclusive of food preparation areas,

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kitchens, bathrooms, toilets, areas for the care of ill children, offices, staff rooms, corridors, hallways, stairways, closets, lockers, laundries, furnace rooms, fixed or permanent cabinets, fixed or permanent storage shelving spaces, and areas not inhabited and used by children. Usable space shall be areas dedicated to children's activities (play, learning, rest, and eating) and shall be utilized for those purposes on a daily basis. Furnishings shall be equipment that is both size and age-appropriate for children receiving care. The space occupied by inappropriate or adult size equipment shall be deducted from the children's usable space.

2. Rooms in which infants both play and sleep shall have a minimum of 40 square feet of usable space per child. There shall be at least 24" between each crib. A minimum of 36" is recommended. Cribs with solid ends may be placed end-to-end.

3. Rooms where infants play but do not sleep shall have a minimum of 15 square feet of usable space per child. Note: No other age group shall use this space nor can it be used for any purpose other than infant play.

4. Rooms where infants sleep but do not play shall have a minimum of 25 square feet of usable space per child. There shall be at least two feet between each crib. Cribs with solid ends may be placed end-to-end.

5. Rooms in which toddlers both play and sleep shall have a minimum of 45 square feet of usable space per child. There shall be at least 24" between each crib. A minimum of 36" is recommended. Cribs with solid ends may be placed end-to-end. However, if stackable cots, mats, or other storable sleeping equipment is utilized for sleeping the room shall be measured using the standard of 35 square feet per child. Should it be determined that the sleeping equipment is not properly stored when not in use the capacity of the room will be determined using 45 square feet per child.

6. Rooms where toddlers play but do not sleep shall have a minimum of 25 square feet of usable space per child. Note: No other age group shall use this space nor can it be used for any purpose other than toddler play.

7. Rooms where toddlers sleep but do not play shall have a minimum of 25 square feet of usable space per child. There shall be at least 24" between each crib. A minimum of 36" is recommended. Cribs with solid ends may be placed end-to-end.

8. Child care facilities shall be measured or remeasured under the following circumstances:

- a. Prior to initial opening of a facility.
- b. Upon change of ownership of an existing facility.
- c. At the completion of any new construction, renovation, or change in the layout/use of space.

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d. If the measurement of the facility is not in the licensing agency's facility file.

e. If the licensing officer determines that the facility, or any portion thereof, is overcrowded or utilization of the facility space has changed.

Miss. Admin. Code 15-11-55:1.11.3

15-11-55:1.11.3. Openings

1. Each window, exterior door, and basement or cellar hatchway shall be weather tight and watertight.
2. All windows above ground level in areas used by children under five years of age shall be constructed, adapted, or adjusted to limit the exit opening accessible to children to less than six inches, or be otherwise protected with guards that do not block outdoor light.
3. Openable windows shall be of a safety type (not fully openable) that are child proofed and screened when open. When there are no openable windows, or when windows are not kept open, rooms shall be adequately ventilated.
4. All openings used for ventilation shall be screened.
5. The width of doors shall accommodate wheelchairs and the needs of individuals with physical disabilities.
6. Exit doors shall open outward. Boiler room doors shall swing inward.
7. Doorways and exits shall be free of debris and equipment to allow unobstructed traffic to and from the room.
8. The hand contact and splash areas of doors and walls shall be covered with an easily cleanable finish, at least as cleanable as an epoxy finish or enamel paint.

Miss. Admin. Code 15-11-55:1.11.4

15-11-55:1.11.4. Kitchens

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1. Children are not allowed in the kitchen area. In School Age/After School programs, children may be allowed in the kitchen but not during times when food is being cooked. Supervision in the kitchen when children are present must meet the staffing requirements as referenced in Subchapter 8 of the regulations.

2. Barriers, approved by the local fire authority, shall be erected and doors shall be closed at all times.

3. The kitchen area shall be designed and constructed to be totally enclosed with walls, doors, and/or barriers. Serving counter openings that conform to local fire codes and MSDH food service regulations are permitted.

4. Kitchens shall have the following minimum square footage, based upon the maximum number of children allowed pursuant to the license:

Licensed Capacity	Minimum Sq. Footage
1-50	90 sq. ft.
51-70	150 sq. ft.
71-100	210 sq. ft.
over 100	300 sq. ft.

5. Child care facilities serving 50 or more children shall have a separate, stand alone freezer for storage of frozen foods.

6. All kitchens providing food for child care facilities with 13 or more children, and all kitchens in child care facilities not located in occupied dwellings, shall comply with the Mississippi State Department of Health's 10.0 Regulation Food Code, with the exception that kitchens in facilities located in an occupied dwelling that are licensed for 13 or more children need not have a separate kitchen to serve the child care facility.

7. All kitchens and/or food/snack preparation areas in a child care facility shall be inspected as part of the child

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care inspection process.

Miss. Admin. Code 15-11-55:1.11.5

15-11-55:1.11.5. Toilets and Hand Washing Lavatories

1. Toilets and hand washing lavatories shall be located within the physical confines of child care facility and shall be convenient to outside playground areas.

2. The following ratios shall apply: Toilets, urinals, and hand washing lavatories shall be apportioned at a ratio of 1:15. Urinals shall not exceed 33 percent of the total required toilet fixtures. When the number of children in the ratio is exceeded by one, an additional fixture shall be required.

3. The hand washing lavatories located in a diapering area shall not be included in the ratio of hand washing lavatories to children for determining a child care facility's capacity. Diaper changing sinks shall not be used for any other purpose such as, but not limited to, rinsing or washing baby bottles, pacifiers, teething rings, or for food preparation.

4. All hand washing lavatories shall have both hot and cold running water. Hot water temperature shall not exceed 120 degrees Fahrenheit.

5. Toilets, urinals, hand washing lavatories, and sinks shall be clean and operational. Bathrooms, hand washing lavatories, and sinks shall be supplied with soap, and individual towels for drying hands. Each toilet shall be supplied with toilet paper.

Miss. Admin. Code 15-11-55:1.11.6

15-11-55:1.11.6. Water

The water supply shall be from a public water system or a private system approved by the Mississippi State Department of Health. Water shall be dispensed by the following:

1. Fountain.

2. Disposable paper cups.

3. Labeled cup for each child, which shall be washed and sanitized daily

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Miss. Admin. Code 15-11-55:1.11.7

15-11-55:1.11.7. Exits

1. At least two separate exit doors shall be provided from every floor level.
2. Exit doors shall be remote from each other.
3. Dead end corridors shall not exceed 20 feet in length.
4. Exit doors necessitating passage through a kitchen shall not be counted as one of the two remote exits.
5. Exit doors shall be a minimum of 32 inches wide and open outward. No single leaf in an exit door shall be less than 28 inches wide or more than 48 inches wide.
6. Any latch or other fastening device on an exit door shall be provided with a knob, handle, panic bar, or other simple type of releasing device. Dual action door fasteners are not permitted.
7. The force required to open fully exit doors shall not exceed 50 pounds applied to the latch stile (panic bar).
8. An exit door shall not reduce the effective width of a landing.

Miss. Admin. Code 15-11-55:1.11.8

15-11-55:1.11.8. Heating, Cooling, and Ventilation

1. A draft-free seasonally appropriate temperature of 65 degrees Fahrenheit to 78 degrees Fahrenheit shall be maintained.
2. All rooms used by children shall be heated, cooled, and adequately ventilated to maintain the required temperatures, and air exchange, and to avoid the accumulation of objectionable odors and harmful fumes.

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3. Ventilation may be in the form of openable windows as specified in these regulations.

4. Areas where art and craft activities are conducted shall be well ventilated. In areas where substances are used that create toxic fumes, exhaust hood systems or other devices shall be installed.

5. Electric fans, if used, shall be mounted high on the wall or ceiling or shall be guarded to limit the size of the opening in the blade guard to less than one-half (1/2) inch.

6. When air-cooling is needed, draft-free cooling units shall be used. They shall present no safety hazard to the children.

7. Filters on recirculation systems shall be checked and cleaned or replaced monthly.

8. Window draft deflectors shall be provided if necessary.

9. Thermometers that do not present a hazard to children shall be placed on interior walls in every activity area at children's height.

10. Portable, open flame and kerosene space heaters are prohibited. Portable gas stoves shall not be used for heating.

11. Electric space heaters shall be UL-approved; inaccessible to children; and stable; shall have protective covering; and shall be placed at least three feet from curtains, papers, and furniture.

12. Fireplaces and fireplace inserts shall be screened securely or equipped with protective guards while in use. They shall be properly drafted. The child care facility shall provide evidence of cleaning the chimney at least once a year, or as frequently as necessary to prevent excessive buildup of combustibles in the chimney. Records of chimney cleaning shall be retained in the center files.

13. Heating units that utilize gas shall be installed and maintained in accordance with the manufacturer's instructions, are vented properly to the outside, and be supplied with sufficient combustion air as required by the International Fuel Gas Code.

14. If the area of the state where the facility is located does not utilize the International Fuel Gas Code, the installation and maintenance of any heating units that utilize gas shall be in accordance with the manufacturer's instructions and any local ordinances that apply.

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15. It is the responsibility of the licensee to provide to the licensing authority documentation that the heating units meet the above stated standards.

16. Heating units, including water pipes and baseboard heaters hotter than 110 degrees Fahrenheit, shall be made inaccessible to children by barriers such as guards or other devices.

Miss. Admin. Code 15-11-55:1.11.9

15-11-55:1.11.9. Outdoor Playground Area

All licensed child care facilities are required to have an adequate outdoor playground area. All playgrounds and playground equipment intended for use by children 2-12 years of age shall meet the standards set forth in the *Handbook for Public Playground Safety*, Publication No. 325, published by the U.S. Consumer Product Safety Commission or its successor as shown in Appendix "D."

1. The child care facility shall be equipped with an outdoor playground area that directly adjoins the indoor facilities or that can be reached by a route free of hazards and is no farther than 1/8 mile (660 feet) from the child care facility. The outdoor playground area shall comprise a minimum of 75 square feet for each child using the outdoor playground area at any one time.

2. The total outdoor playground area shall accommodate at least 33 percent of the licensed capacity at one time.

3. A rooftop used as an outdoor playground area shall be enclosed with a fence not less than six feet high and designed to prevent children from climbing it. An approved fire escape shall lead from the roof to an open space at the ground level that meets safety standards for outdoor playground areas.

4. The outdoor playground area shall be well arranged so that all areas are visible to staff at all times.

5. The outdoor playground area shall be free of hazards and not less than 30 feet (measured horizontally parallel to the ground) from electrical transformers, high-voltage power lines, electrical substations, railroad tracks, or sources of toxic fumes or gases. Hazards, including but not limited to air conditioner units and utility mains, meters, tanks, and/or cabling shall be inaccessible to children. Fencing at least four feet high shall be provided around the outdoor playground area. Fencing higher than four feet but not to exceed eight feet may be required if the licensing authority determines that a hazard exists. Fencing twist wires and bolts shall face away from the playground. As an alternative, exposed bolt ends may be cut to no more than two exposed threads. Then the bolt ends shall be ground/sanded smooth or capped.

6. Outdoor playground areas shall be free from unprotected swimming and wading pools, ditches, quarries, canals, excavations, fishponds, or other bodies of water.

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7. Sunlit areas and shaded areas shall be provided by means of open space and tree plantings or other cover in outdoor spaces. Outdoor spaces shall be laid out to ensure ample shaded space for each child.

8. The outdoor playground area shall be enclosed with a fence. The fence shall be at least four feet in height and the bottom edge shall be no more than three and one-half (3 1/2) inches off the ground. There shall be at least two exits from such areas, with at least one remote from the buildings. The gate latch or securing device shall be high enough or of such a type that it cannot be opened by small children. The openings in the fence shall be no greater than three and one-half (3 1/2) inches, e.g., between the building and the fence. The fence shall be constructed to discourage climbing.

9. The soil in outdoor playground areas shall not contain hazardous levels of any toxic chemical or substances. The child care facility shall have soil samples and analyses performed where there is good reason to believe a problem may exist.

10. The soil in outdoor playground areas shall be analyzed for lead content initially. It shall be analyzed at least once every two years where the exteriors of adjacent buildings and structures are painted with lead-containing paint. Lead in soil shall not exceed 400 ppm. Testing and analyses shall be in accordance with procedures specified by the licensing agency.

Miss. Admin. Code 15-11-55:1.11.10

15-11-55:1.11.10. Indoor Playground Area

In addition to the required outdoor playground area a licensed child care facility may also provide an indoor playground area. Child care facilities licensed prior to July 1, 2009 that have been granted permission to have an indoor playground area in lieu of an outdoor playground area shall be not be required to have an outdoor playground. However, it is highly recommended that if possible an outdoor playground area should also be provided. For child care facilities which provide such an indoor playground area the following items apply:

1. The total indoor playground area shall accommodate at least 33 percent of the licensed capacity at one time.

2. The indoor playground area shall be well arranged so that all areas are visible to staff at all times.

3. The indoor playground area shall be free of hazards.

4. Indoor playground areas shall be laid out to ensure ample clearance space for the use of each item: nine feet around fixed items and 15 feet around any moving part. Equipment shall be situated so that clearance space allocated to one piece of equipment does not encroach on that of another piece of equipment.

5. Swings shall have a clearance area of nine feet in all directions beyond the swing beam.

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6. All fixed playground equipment shall have a minimum of nine feet clearance space from walkways and other structures that are not used as part of play activities.

7. All equipment shall be arranged so that children playing on one piece of equipment will not interfere with children playing on or running to another piece of equipment.

8. Moving equipment (e.g., swings, merry-go-rounds) shall be located toward the edge or corner of an indoor playground area or shall be designed in such a way as to discourage children from running into the path of moving equipment.

9. All pieces of indoor playground equipment shall be surrounded by a resilient surface of an acceptable depth or by rubber mats manufactured for such use, consistent with the guidelines of the Consumer Product Safety Commission, and the Standard of the American Society for Testing and Materials, extending beyond the external limits of the piece of equipment for at least four feet beyond the fall zone of the equipment. These resilient surfaces shall conform to the standard stating that the impact from falling from the height of the structure will be less than or equal to peak deceleration 200G. Organic materials that support colonization of molds and bacteria shall not be used.

10. Indoor space designated as playground may be used by other individuals when the area is not in use by children attending the facility. However, children of the child care facility shall have priority use of the indoor playground area and the area may not be used by others when children are using it. The indoor playground space shall not count as additional classroom space when determining the maximum capacity of the facility.

Miss. Admin. Code 15-11-55:1.11.11

15-11-55:1.11.11. Grounds

1. The grounds, including the outdoor playground area, shall be free of hazardous or potentially hazardous objects.

2. In-ground swimming pools are prohibited unless protected by a six-foot fence and a locked gate. All fencing shall be placed at a minimum five feet from the pool edge.

3. Above ground pools, including decking and pool structures, are prohibited unless protected by a six-foot fence and a locked gate. All fencing shall be placed at a minimum ten feet from the pool/deck edge.

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4. All paved surfaces shall be well drained to avoid water accumulation and ice formation.

5. All walking surfaces, such as walkways, ramps, and decks, shall have a non-slip finish, and shall be free of holes and sudden irregularities in the surface.

Miss. Admin. Code 15-11-55:1.11.12

15-11-55:1.11.12. Garbage Removal

Garbage and trash shall be removed from the child care facility daily and from the grounds at least once a week. Garbage and trash shall be stored inaccessible to the children, and in insect and rodent resistant containers.

Miss. Admin. Code 15-11-55:1.11.13

15-11-55:1.11.13. Environmental Health

The child care facility shall comply with all regulations promulgated by the Division of Sanitation of the Mississippi Department of Health for:

1. Food Service.

2. On-site Wastewater Systems.

3. Vector (pest) Control.

Miss. Admin. Code 15-11-55:1.11.14

15-11-55:1.11.14. Pest Control

All child care facilities are to use a contractor licensed by the State of Mississippi to control pests, e.g., rats, mice, insects, etc. Before a pest control contractor is used, it is the responsibility of the operator to ensure that the pest control contractor is **properly licensed. Use of agricultural chemicals for pest control is strictly prohibited.**

Miss. Admin. Code 15-11-55:1.12.1

15-11-55:1.12.1. Employee Health

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1. Employees manifesting symptoms or otherwise suspected of having upper respiratory, gastrointestinal, skin, or other serious contagious conditions shall be excluded from work until either free from symptoms or certified by a physician to be no longer infectious.

2. Staff shall use universal precautions when changing diapers or being exposed to blood, fecal material, or urine. Refer to Appendix "F" for instructions on how to properly wash hands.

3. Staff shall wash their hands upon:

a. Immediately before handling food, preparing bottles, or feeding children.

b. After using the toilet, assisting a child in using the toilet, or changing diapers.

c. After contacting a child's body fluids, including wet or soiled diapers, runny noses, spit, vomit, etc.

d. After handling pets, pet cages, or other pet objects.

e. Whenever hands are visibly dirty or after cleaning up a child, the room, bathroom items, or toys.

f. After removing gloves used for any purpose.

g. Before giving or applying medication or ointment to a child or self.

Refer to Appendix "F" for instructions on how to properly wash hands.

Miss. Admin. Code 15-11-55:1.12.2

15-11-55:1.12.2. Child Health

1. A child who is suspected of having a serious contagious condition shall be isolated and returned to the parent as soon as possible.

2. A child having a serious contagious condition shall not be allowed to return to the child care facility until they have been certified by a physician to be no longer contagious.

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3. Parents of all children shall be notified of a contagious illness in the child care facility as soon as possible.

4. A child with a physical injury shall be treated by a staff member with valid first aid certificate issued by an agent recognized by the licensing authority. A child with a serious physical injury shall be treated by a staff member with valid first aid certificate issued by an agent recognized by the licensing authority and transported to a hospital or medical facility as soon as appropriate.

Miss. Admin. Code 15-11-55:1.12.3

15-11-55:1.12.3. Child Hygiene

1. A child's wet or soiled clothing shall be changed immediately.

2. A child's hands shall be washed:

a. Immediately before and after eating.

b. After using the toilet or having their diapers changed.

c. After playing on the playground.

d. After handling pets, pet cages, or other pet objects.

e. Whenever hands are visibly dirty.

f. Before going home.

3. A child shall have a shower, tub, or sponge bath to ensure bodily cleanliness when necessary.

4. Individual toilet articles (e.g., combs, brushes, toothbrushes, towels, and wash cloths) used by children shall be provided by the parent or child care facility and plainly marked and stored individually in a sanitary manner in areas which promote drying. Single use and disposable articles are acceptable. Grooming accessories, including but not limited to brushes, combs, barrettes, or picks, shall not be used jointly by children or on children.

Miss. Admin. Code 15-11-55:1.12.4

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15-11-55:1.12.4. Toys and Equipment**

Toys and equipment used by infants or toddlers shall be cleansed daily with a germicidal solution. Refer to (Appendix -- "H" for instructions on cleaning and disinfection procedures. A recommended resource regarding sanitation of equipment and toys can be found in the *National Health and Safety Performance Standards: Guidelines for out of home Child Care, Second Edition* (Standard 3.030) website: www.nrc.uchsc.edu

Miss. Admin. Code 15-11-55:1.12.5

15-11-55:1.12.5. First Aid Supply

1. A first aid supply shall be kept on-site and easily accessible to employees, but not in reach of the children.

2. A first aid supply shall be taken on all field trips and excursions and shall be easily accessible to employees, but not in reach of the children.

3. Medicine shall be kept out of the reach of the children.

4. All vehicles used by the facility in transporting children shall be equipped with a first aid kit.

5. It is recommended that first aid kits contain the following items, according to American Red Cross guidelines:
 - a. 20 Antiseptic Toweletts

 - b. 50 Plastic Strips (Band Aids)

 - c. 5 Fingertip Bandages

 - d. 5 Knuckle Bandages

 - e. 5 Butterfly Closures

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f. 5 Non Adherent Pads 2" x 3"

g. 2 Sterile Eye Pads

h. 1 pressure Bandage 4"

i. 1 Bandage Scissors

j. 1 Triangular Bandage

k. 1 Instant Cold Compress

l. 2 Tongue Depressors/Finger Splints

m. 1 Elastic Bandage 2" x 5 yards

n. 5 3" x 3" Gauze Pads

o. 1 Trauma Pad 5" x 9"

p. 5 Insect Sting Relief Pads

q. 10 First Aid Ointment 1 gr.

r. 5 Non Adherent Pads 3" x 4"

s. 5 Pair of Examination Gloves

t. 2 Conforming Bandage 2" x 5 yards

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u. 1 Tweezers

v. 2 Poison Ivy Relief Treatment

w. 1 Booklet "Till Help Arrives"

x. 1 Emergency Rescue Blanket

y. 1 Adhesive Tape 1/2" x 5 yard

6. Some items in this kit may have expiration dates. All first aid kits should be periodically inspected for contents. Depleted and out of date materials should be replaced.

7. Special attention should be exercised when utilizing first aid supplies or any medication for children who have allergies or other special medical needs.

8. For additional information on supplies for first aid kits contact your local office of the American Red Cross.

Miss. Admin. Code 15-11-55:1.12.6

15-11-55:1.12.6. Animals and Pets

1. Any pet or animal present at a child care facility, indoors or outdoors, shall be in good health, show no evidence of carrying any disease, and be a friendly companion for the children.

2. Dogs or cats, where allowed, shall be immunized for any disease that can be transmitted to humans, and shall be maintained on a flea, tick, and worm control program.

3. All pets shall be cared for as recommended by the regulating health agency. When pets are kept at the child care facility, procedures for their care and maintenance shall be written and followed. When immunizations are required, proof of current compliance signed by a veterinarian shall be on file at the child care facility where the pet is kept.

a. A caregiver shall always be present when children are exposed to animals (including dogs and cats). Children

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shall be instructed on safe procedures to follow when in close proximity to these animals (e.g., not to provoke or startle them or remove their food). Potentially aggressive animals (e.g., pit bulls, boxers, etc.) shall not be in the same physical space with the children.

b. Each child's hands shall be properly washed after being exposed to animals.

Miss. Admin. Code 15-11-55:1.12.7

15-11-55:1.12.7. Fire/Disaster Evacuation Drills

1. Monthly fire/disaster (e.g., tornados, severe weather, floods, earthquakes, hurricanes, etc.) evacuation drills are required and a record of each drill shall be maintained in the facility records; to include date, time, number of children and staff present, and amount of time required to totally exit the building.

2. During fire/disaster evacuation drills, all staff and children present shall be required to exit the building.

Miss. Admin. Code 15-11-55:1.13.1

15-11-55:1.13.1. General

1. A child care facility shall provide adequate and nutritious meals prepared in a safe and sanitary manner.

2. Meal periods are breakfast, lunch, dinner, and snacks. A minimum of 30 minutes shall be scheduled for each breakfast, lunch, and dinner meal period. A minimum of 15 minutes shall be scheduled for each snack meal period.

3. Meals shall be served at tables where each child may be seated.

4. Meals shall be served by employees only.

5. Employees shall wash hands prior to preparing or serving food.

6. Children shall not share food.

Miss. Admin. Code 15-11-55:1.13.2

15-11-55:1.13.2. Nutritional Standards

Meals shall meet the nutritional standards as prescribed in Appendix “C” Minimum Standards for Nutritional Care in Child Care Facilities.

Miss. Admin. Code 15-11-55:1.13.3

15-11-55:1.13.3. Refreshments

1. Refreshments may be provided by parents only on a child’s birthday or other special celebration such as Valentine’s Day, Easter, Christmas, Graduation, etc. Food provided to children, including vending machines at the facility, must meet nutritional guidelines as set forth in Appendix “C.”

2. It is recommended that foods for the event that are brought to the facility by parents should be “store bought” and not “home cooked.”

3. Food items for the event may include cake, ice cream, fresh fruit, cheese and crackers, etc. Other items, i.e., party favors such as stickers, books, toothbrushes, and crayons, etc., are encouraged.

Miss. Admin. Code 15-11-55:1.13.4

15-11-55:1.13.4. Sack Lunches

1. In facilities, operating more than six hours per day sack lunches prepared by parents may be permitted as included on approved menu plans but shall not exceed one day per month per child. Exceptions may be made for specific activities such as field trips outside the child care facility. Measures to assure proper storage and refrigeration of sack lunches are required of the child care facility.

For programs which operate for three or more days a week, but which operate only one full day during the week, sack lunches provided by parents shall be permitted on that day. These programs shall also meet the requirements set forth in item 2 below.

2. Facilities operating six hours or less per day are allowed to have children bring sack lunches provided all of the following requirements are met:

a. The facility shall have a written policy about sack lunches and a copy shall be given to parents. The policy shall include the requirements b. -- h., in this subsection.

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b. Each individual child's lunch brought from home shall be clearly labeled with the child's name, the date, and the type of food.

c. All food shall be stored at an appropriate temperature until eaten.

d. The food brought from one child's home shall not be fed to another child.

e. Children shall not share their food.

f. Food brought from home shall meet the child's nutritional requirements and the standards set forth in these regulations.

g. If a child's sack lunch does not meet the minimum nutritional standards for child's age the facility shall be required to supplement the lunch with items that meet the nutritional requirements.

h. Parents shall be notified in writing if a child's sack lunch does not meet the nutritional requirements or the child. The notice shall contain instructions as to what foods are proper for a sack lunch.

Miss. Admin. Code 15-11-55:1.13.5

15-11-55:1.13.5. Snacks

All snacks shall meet acceptable nutritional standards, as prescribed in Appendix "C" Minimum Standards for Nutritional Care in Child Care Facilities. In child care facilities where all the children are present for four hours or less per day during normal hours of operation, snacks may be provided by parents. If any child is present for more than four hours per day on a routine basis the facility shall meet the standard of having snacks prepared by the facility or a permitted catering establishment.

When nutritional standards are not met by snacks provided by parents, it is the child care facility's responsibility to see that children are provided acceptable snacks prepared on-site or by a permitted catering establishment.

Miss. Admin. Code 15-11-55:1.13.6

15-11-55:1.13.6. Food Safety and Food Manager

1. All kitchens and/or food/snack preparation areas in a child care facility must be inspected as part of the child care inspection process.

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2. Each child care facility must have a Certified Food Manager meeting the standards set forth in Rule 1.2.2 (1)(g). The only exception would be if two facilities had COMPLETELY different operating hours. If this situation exists then one Certified Food Manager could serve more than one facility. Should such occur, documentation to that affect must be in the each facility's file.

3. A Certified Food Manager shall be present during meal preparation. In the absence of the Certified Food Manager, an individual trained in food service must be present.

Miss. Admin. Code 15-11-55:1.14.1

15-11-55:1.14.1. Prohibited Behavior

The following behaviors are prohibited by anyone (i.e., parent, caregiver, or child) in all child care settings:

1. Corporal punishment, including hitting, spanking, beating, shaking, pinching, biting, and other measures that produce physical pain.

2. Withdrawal or the threat of withdrawal of food, rest, or bathroom opportunities.

3. Abusive or profane language to include but not limited to yelling at, and/or using harsh tones toward the children or in close proximity (hearing distance) to children.

4. Any form of public or private humiliation, including threats of physical punishment.

5. Any form of emotional abuse, including rejecting, terrorizing, ignoring, isolating (out of view of a caregiver), or corrupting a child.

6. Use of any food product or medication in any manner or for any purpose other than that for which it was intended.

7. Inappropriate disciplinary behavior includes, but is not limited to, putting soap or pepper in a child's mouth.

8. Any acceptable disciplinary action that is not age-appropriate for the child or is excessive in time or duration.

Miss. Admin. Code 15-11-55:1.14.2

15-11-55:1.14.2. Restraint of a Child

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Children shall not be physically restrained except as necessary to ensure their own safety or that of others, and then for only as long as is necessary for control of the situation. Children shall not be given medicines or drugs that will affect their behavior except as prescribed by a licensed physician and with specific written instructions from the licensed physician for use of the medicines or drugs.

Miss. Admin. Code 15-11-55:1.14.3

15-11-55:1.14.3. Time Out

“Time out” that enables the child to regain self-control and keeps the child in visual contact with a caregiver shall be used selectively, taking into account the child’s developmental stage and the usefulness of “time out” for the particular child. “Time out” means that the child is given time away from an activity which involved inappropriate behavior. Isolation from a caregiver is not acceptable. “Time out” is not allowed for children younger than three years of age.

Miss. Admin. Code 15-11-55:1.14.4

15-11-55:1.14.4. Children Shall Not Discipline Other Children

Children shall neither be allowed nor be instructed to discipline other children.

Miss. Admin. Code 15-11-55:1.15.1

15-11-55:1.15.1. General

Regardless of transportation provisions, the child care facility is responsible for the safety of the children.

Miss. Admin. Code 15-11-55:1.15.2

15-11-55:1.15.2. Requirements It is required that:

1. All drivers are appropriately licensed.
2. All vehicles have current safety inspection stickers, licenses, and registrations.
3. Insurance adequately covers the transportation of children.
4. Children board or leave the vehicle from the curb-side of the street and/or are safely accompanied to their destinations.

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5. A parent is present if the child is delivered home.

6. Seat restraints are used.

Miss. Admin. Code 15-11-55:1.15.3

15-11-55:1.15.3. Occupant Restraints

1. All children will be properly restrained whenever they are being transported in a motor vehicle.

a. Every person transporting a child under the age of four (4) years in a passenger motor vehicle, and operated on a public roadway, street or highway, shall provide for the protection of the child by properly using a child passenger restraint device or system meeting applicable federal motor vehicle safety standards, e.g., child safety seat.

b. Every person transporting a child in a passenger motor vehicle operated on a public roadway, street or highway, shall provide for the protection of the child by properly using a belt positioning booster seat system meeting applicable federal motor vehicle safety standards if the child is at least four (4) years of age, but less than seven (7) years of age and measures less than four (4) feet nine (9) inches in height or weighs less than sixty-five (65) pounds.

c. **Any** vehicle equipped with seatbelts is subject to the requirements in items a. and b. above.

2. No vehicle shall be occupied by more individuals than its rated capacity.

3. No children shall be transported in the front seat of vehicles equipped with passenger-side air bags.

4. All vehicles under 10,000 lbs. GVWR (Gross Vehicle Weight Rated) shall be equipped with occupant restraints appropriate for the age and/or weight of the children being transported. A child under the age of four shall be transported only if the child is securely fastened in a child safety seat that meets Federal Motor Vehicle Safety Standards (FMVSS, 49 CFR 571.213), which shall be indicated on the child safety seat. The child safety seat shall be appropriate to the child's weight and be installed and used according to the manufacturer's instructions.

5. Vehicles (e.g., school buses) with a GVWR 10,000 lbs. or more at a minimum shall meet the current Federal Motor Vehicle Safety Standards (FMVSS) for buses of that size. It is the responsibility of the child care facility operator to have documentation verifying that a bus meets the current FMVSS.

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NOTE: Federal Motor Vehicle Safety Standards (FMVSS) means the National Highway and Traffic Safety Administration's standards for motor vehicles and motor vehicle equipment established under Section 103 of the Motor Vehicle Safety Act of 1966 (49 CFR Part 571) as they apply to school buses.

6. An individual seat restraint must be used for each child. The use of an individual seat restraint for two or more children is not allowed.

Miss. Admin. Code 15-11-55:1.15.4

15-11-55:1.15.4. Staff-to-Child Ratio

1. On vehicles with a GVWR of less than 10,000 lbs., the staff-to-child ratio shall be maintained at all times. The driver of the vehicle shall not be counted as a caregiver while transporting the children.

2. On vehicles with at GVWR of 10,000 lbs. or more, the staff-to-child ratio shall be one caregiver to each 25 children or fraction thereof. The driver of the vehicle shall not be counted as a caregiver while transporting the children. In facilities that are dually licensed, i.e., licensed to provide care for both preschool and school age children, if the vehicle is only transporting school age children (no preschool children, infants, or toddlers are being transported), the driver may be counted as a caregiver while transporting the school age children.

Miss. Admin. Code 15-11-55:1.16.1

15-11-55:1.16.1. Diaper Changing Area

Each room in which diaper-wearing children play shall contain a diapering area. A diapering area shall contain a hand washing lavatory with hot and cold running water, a smooth and easily cleanable surface, a plastic-lined, covered garbage receptacle, and sanitizing solution. The hand washing lavatories located in a diapering area shall not be included in the ratio of hand washing lavatories to children for determining a child care facility's capacity nor shall they be used for any other purpose. Example: The diaper-changing sink may not be used for washing/rinsing cups, baby bottles, food, dishes, utensils, pacifiers, etc. In addition, the diaper changing area is not to be used as a storage area for anything other than those items used when changing diapers, such as but not limited to, gloves, towels, soap, etc. For proper diaper changing procedure, see Appendix G - PROCEDURE FOR DIAPERING A CHILD.

Miss. Admin. Code 15-11-55:1.16.2

15-11-55:1.16.2. Non-Disposable Diapers and Training Pants

The fecal contents of non-disposable diapers or training pants shall be disposed of into a toilet. The soiled non-disposable diaper or training pants shall then be placed into a plastic bag, sealed, and placed in the child's individual container.

Miss. Admin. Code 15-11-55:1.16.3

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15-11-55:1.16.3. Disposable Diapers

Disposable diapers shall be placed into a plastic bag and sealed or shall be rolled up and taped securely, then placed into a plastic-lined covered garbage receptacle.

Miss. Admin. Code 15-11-55:1.16.4

15-11-55:1.16.4. Potty Chairs

Potty chairs, if used, shall be placed in the bathroom area and sanitized after each child's use.

Miss. Admin. Code 15-11-55:1.16.5

15-11-55:1.16.5. Hand Washing

Employees shall wash their hands with soap and running water before and after each diaper change. Individual or disposable towels shall be used for drying. Hand washing sinks at diaper changing stations shall not be used for any other purpose. Example: The diaper changing sink may not be used for washing cups, baby bottles, food, dishes, utensils, etc.

Miss. Admin. Code 15-11-55:1.16.6

15-11-55:1.16.6. Parental Consultation

A parent caregiver consultation is required prior to toilet training.

Miss. Admin. Code 15-11-55:1.17.1

15-11-55:1.17.1. Equipment

Each child shall be placed on a separate bed, crib, cot, or mat. Cribs shall be labeled so that the child's name is visible.

Miss. Admin. Code 15-11-55:1.17.2

15-11-55:1.17.2. Cleaning of Linens and Bed Coverings

Linens and bed coverings shall be changed immediately when soiled. All linens and bed coverings shall be changed, at a minimum, two times per week.

Miss. Admin. Code 15-11-55:1.17.3

15-11-55:1.17.3. Cleaning of Rest Period Equipment

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All rest period equipment shall be wiped clean immediately when soiled. All rest period equipment shall be cleaned twice a week with a germicidal solution. Additional cleaning may be required by the licensing authority if there is an outbreak of a communicable disease, including but not limited to, rotavirus, giardiasis, etc., or a noninfectious condition such as, but not limited to, an infestation of head lice.

Miss. Admin. Code 15-11-55:1.17.4

15-11-55:1.17.4. Sharing of Rest Period Equipment

At no time will two or more children be allowed to share the same bed, crib, cot, or mat during their time of enrollment, unless it is cleaned with a germicidal solution between each child's use.

Miss. Admin. Code 15-11-55:1.18.1

15-11-55:1.18.1. Hand Washing

Employees shall wash their hands with soap and water, and dry their hands with individual or disposable towels, before and after each feeding. The infant and toddler's hands shall be washed with soap and water, and dried with individual or disposable towels, before and after each feeding.

Miss. Admin. Code 15-11-55:1.18.2

15-11-55:1.18.2. Bottle Feeding

Infants shall be held while being bottle fed. Bottles shall not be propped at any time. With parental consent and when infants are old enough to hold their own bottles, they may feed themselves without being held. The bottle shall be removed at once when empty or when the child has fallen asleep.

Miss. Admin. Code 15-11-55:1.18.3

15-11-55:1.18.3. Formula Storage

Formula shall be labeled with the child's name, dated, and placed in the refrigerator upon arrival.

Miss. Admin. Code 15-11-55:1.18.4

15-11-55:1.18.4. Baby Food

Foods stored or prepared in jars shall be served from a separate dish for each infant or toddler. Any leftovers from the serving dish shall be discarded. Leftovers in the jar shall be labeled with the child's name, dated, refrigerated, and used within the next 24 hours or discarded.

Miss. Admin. Code 15-11-55:1.18.5

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15-11-55:1.18.5. Refrigerator

A refrigerator shall be available and easily accessible to the infant or toddler's room(s).

Miss. Admin. Code 15-11-55:1.18.6

15-11-55:1.18.6. Heating Unit and Microwave Use

1. A heating unit for warming bottles and food shall be accessible only to adults.

2. Microwave ovens shall not be used for warming bottles or baby/infant food.

Miss. Admin. Code 15-11-55:1.18.7

15-11-55:1.18.7. Breast-Feeding Accommodations and Staff Training

This section applies to all mothers choosing to breast-feed their child regardless of the child's age.

1. Breast-feeding mothers, including employees, shall be provided a sanitary place that is not a toilet stall to breast-feed their child or to express milk. This area shall provide an electrical outlet, comfortable chair, and nearby access to running water.

2. A refrigerator must be available to accommodate storage of expressed breast milk. It is acceptable to store expressed milk in the same refrigerator as other milk/bottles provided each bottle is appropriately labeled with the child's name and the time of expected expiration of the milk. Milk must be stored in accordance with the American Academy of Pediatrics and Centers for Disease Control guidelines. Universal precautions are not required in handling human milk.

3. Child care staff shall be trained in the safe and proper storage and handling of human milk. Although other training materials may be utilized, training materials will be available through MSDH.

Guidelines for Milk Storage and Use for All Infants

Storage Method and Temperature

Maximum Amount of Time For Storage

Room (25 C or 77 F)

4 hours

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Refrigerator (4 C or 39 F)

48 hours

Previously thawed -- Refrigerated milk

24 hours

Freezer (-20 C or 0 F)

3 months

From the ACOG/AAP publication: Breastfeeding Handbook for Physicians

Miss. Admin. Code 15-11-55:1.19.1

15-11-55:1.19.1. General

This section shall apply to any child care facility that, as part of its program, allows the children to swim, wade, or participate in any water activities whether on site or at any other location during the time staff has responsibility for children enrolled.

Miss. Admin. Code 15-11-55:1.19.2

15-11-55:1.19.2. Lifeguard Supervision

1. Swimming pools, lakes, etc.

a. A person having an American Red Cross lifeguard certificate, or the equivalent as recognized by the licensing agency, shall be present at all swimming and water activities.

b. One lifeguard is required for every 25 children or any portion thereof (i.e., two lifeguards are required for groups of 26 - 50, three for 51 - 75, etc.). This required ratio also includes activities that occur near water such as fishing or beach activities.

c. Lifeguards are not counted in the staff-to-child ratio.

d. The staff-to-child ratio shall be maintained at all times.

e. It is the child care facility operator's responsibility to provide adequate certified lifeguards if the pool or lake operator does not.

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f. Each child will be tested by a certified lifeguard prior to participating in swimming lessons or any pool activities. Children will be assigned to swim groups according to the results of the test.

g. Staff, as well as lifeguards, shall be responsible for enforcing general safety rules.

h. Staff is responsible for requiring children to obey all swimming/water rules. These rules shall be explained each day that swimming/water activities occur so that all ages can understand what is expected.

2. **Wading pools** For activities taking place in wading pools with a water depth of one foot or less the following is required:

a. There shall be a person(s) with a valid CPR certificate and a valid first aid certificate present at all times.

b. The staff-to-child ratio shall be maintained at all times.

c. Wading pools shall be cleaned after each use.

Miss. Admin. Code 15-11-55:1.19.3

15-11-55:1.19.3. Health and Safety

1. All piers, floats, and platforms shall be in good repair, and where applicable, the water depth shall be indicated by printed numerals on the deck or planking.

2. There shall be a minimum water depth of 10 feet for a one-meter diving board and 13 feet for a three-meter board or diving tower.

3. For outdoor swimming areas in natural bodies of water, the bottom shall be cleared of stumps, rocks, and other obstacles.

4. Diving boards shall be mounted on a firm foundation and never on an insecure base, such as a float that can be affected by shifting weight loads and wave action. The entire length of the top surface of diving boards shall be covered with nonskid material. The diving board shall be level. All diving boards shall be installed in accordance with manufacturer's guidelines for the board by professional swimming pool installers who shall certify in writing to the facility that the diving board is adequately installed in accordance with manufacturer's guidelines for the board, in a commercially reasonable manner, located so as to allow a child to safely enter the water from the diving board, and that the diving board is safe for its intended use. Facilities with existing pools equipped with

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diving boards that are unable to obtain the required certification within 60 days of the adoption of this regulation shall have the diving boards removed.

5. Swimming pools, when in use, shall be continuously disinfected by a chemical that imparts an easily measured free available residual effect. When chlorine is used, a free chlorine residual of at least 0.4 ppm shall be maintained throughout the pool whenever it is open or in use. If other halogens are used, residuals of equivalent disinfecting strength shall be maintained.

6. A testing kit for measuring the concentration of the disinfectant, accurate within 0.1 ppm, shall be provided at each swimming pool.

7. Swimming pool water shall be maintained in an alkaline condition as indicated by a pH of not less than 7.2 and not over 8.2. A pH testing kit accurate to the nearest 0.2 pH unit shall be provided at each swimming pool. The alkalinity of the water shall be at least 50 ppm, as measured by the methyl-orange test. The following chart may be used for reference:

pH Minimum Free Available

Residual Chlorine-mg/L

(not stabilized with cyanuric acid)

7.2 0.40

7.3 0.40

7.4 0.40

7.5 0.40

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7.6..... 0.50

7.7..... 0.60

7.8..... 0.70

7.9..... 0.80

8.0..... 1.00

8. If cyanuric acid is used to stabilize the free available residual chlorine, or if one of the chlorinated isocyanurate compounds is used as the disinfecting chemical in a swimming pool, the concentration of cyanuric acid in the water shall be at least 30 mg/L but shall not exceed 100 mg/L. The free available residual chlorine, of at least the following concentrations, depending upon the pH of the water, shall be maintained:

pH Minimum Free Available

Residual Chlorine-mg/L

(cyanuric acid is at least equal to 30 mg/L, but not greater than 100 mg/L)

7.2..... 1.00

7.3..... 1.00

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7.4 1.00

7.5 1.00

7.6 1.25

7.7 1.50

7.8 1.75

7.9 2.00

8.0 2.50

9. The water in a swimming pool shall have sufficient clarity at all times so that a black disk, six inches in diameter, is readily visible when placed on a white field at the deepest point of the pool. The pool shall be closed immediately if this requirement cannot be met.

10. For natural bodies of water (e.g., lakes, rivers, streams, etc.), sewage treatment plants or other discharge lines shall not be within 750 feet of swimming areas.