

NAC 432A.240

NAC 432A.240 Change of ownership, construction or remodeling of facilities. (NRS 432A.077)

1. A building used as a facility must, upon a change of operating ownership, comply with the provisions of this chapter and applicable building and safety codes.

2. The building plans for the construction of a new facility or the remodeling of an existing facility must be submitted to the Division for review before commencement of actual construction. Review of the plans does not constitute approval of an application for a license.

NAC 432A.250

NAC 432A.250 Building and grounds. (NRS 432A.077)

1. Except as otherwise provided in this subsection, subsection 3 and NRS 432A.078, in each facility there must be:

(a) At least 35 square feet of indoor space for each child, exclusive of bathrooms, halls, kitchen, stairs, storage spaces, multipurpose rooms and gymnasiums that are not regularly used.

(b) At least 37 1/2 square feet of outdoor play space for each child, as determined by the maximum number of children stated on the license for the facility. An accommodation facility need not provide outdoor play space.

2. Each facility shall:

(a) Ensure that each room of the facility which is used by children is:

(1) Maintained free of drafts and at a temperature that is not less than 65 degrees Fahrenheit and not more than 82 degrees Fahrenheit during the months of October through March and at a temperature that is not less than 68 degrees Fahrenheit and not more than 82 degrees Fahrenheit during the months of April through September; and

(2) Heated, cooled and ventilated to maintain the temperatures required in this paragraph and to avoid the

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accumulation of odors and fumes;

(b) Ensure that electrical devices or electrical apparatuses which are accessible to children are not located near any type of water source, including, without limitation, any sink, tub, shower area or wading pool; and

(c) Install nonflammable barriers, including, without limitation, permanent guards or shields to cover heating units, including, without limitation, hot water heating pipes and baseboard heaters with a surface temperature that is hotter than 100 degrees Fahrenheit, to ensure that those heating units are inaccessible to children.

3. A facility that provides care for ill children must have:

(a) At least 50 square feet of indoor space for each child, as determined by the maximum number of children stated on the license for the facility, exclusive of bathrooms, halls, kitchen, stairs and storage spaces.

(b) A separate ventilation system if the facility is attached to another building.

4. The play area of each facility must:

(a) Be fenced or enclosed in a manner that prevents the unsupervised departure of children from the area;

(b) Have an adequate drainage system;

(c) Be free of hazards, debris and trash;

(d) If it is an outdoor play area, provide, during the months of April through September, a shade area or shade areas that are at least equal in size to the product of 5 square feet multiplied by the total number of children in the outdoor play area;

(e) Have appropriate, as determined by the Division, depths and perimeters of resilient surfacing underneath and surrounding any elevated play equipment;

(f) Have adequate safety barriers around any elevated platforms;

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(g) Not have any dangerous or poisonous plants or other vegetative matter located within the boundaries of the play area or in an area that is accessible to children from the play area;

(h) Not be in a location where any bodies of water are accessible to children; and

(i) If it has playground equipment, have only equipment that is:

(1) In good repair;

(2) Designed and constructed to minimize injury;

(3) Compatible with the age of the children in the care of the facility;

(4) Spaced to reduce accidents; and

(5) Securely anchored.

5. If a facility that provides care for ill children is a component of a child care center and provides outdoor play space, the play space must:

(a) Be separate from the play space for well children;

(b) Meet the requirements of paragraph (b) of subsection 1; and

(c) Meet the requirements of subsection 4.

NAC 432A.255

NAC 432A.255 Safety concerning weapons. (NRS 432A.077)

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1. Each facility shall ensure that weapons, including, without limitation, firearms, air rifles, bows, hunting knives or hunting slingshots, are not transported in any vehicle of the facility in which children are riding unless the weapons are made inoperable and inaccessible.

2. A licensee of a family home or group home shall ensure that any weapons in the facility are unstrung and unloaded at all times when children are in the facility.

3. A licensee of a family home or group home shall ensure that any weapons in the facility are either stored in locked containers or rooms that are out of the reach of children or are made inoperable.

4. A licensee of a family home or group home shall ensure that any ammunition and arrows in the facility are stored in separate locked containers.

5. Except as otherwise provided in this subsection and NRS 202.3673, weapons are prohibited in any child care center, child care institution or facility for special events. The provisions of this subsection do not apply to a weapon carried by a peace officer or other law enforcement personnel certified by the Peace Officers' Standards and Training Commission pursuant to NRS 289.550.

NAC 432A.260

NAC 432A.260 Health standards; inspection reports. (NRS 432A.077)

1. To maintain his or her license, the licensee must ensure that his or her facility meets all standards for environmental health which are established by the Bureau of Health Protection Services of the Division.

2. Reports of inspections concerning the sanitation of a facility must be maintained in a physical file at the facility and available for review at the facility by a parent of a child who attends the facility or a parent who is considering enrolling a child at the facility for at least 2 years after the date of the inspection.

NAC 432A.265

NAC 432A.265 Care of pets. (NRS 432A.077)

1. Each facility shall ensure that any immunizations recommended by a veterinarian for a pet kept at the facility are up-to-date, regardless of whether the pet is kept inside or outside the facility.

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2. Pets are only permitted in a facility if they are:

(a) In good health, present no problems of sanitation and have a temperament which is not hazardous or frightening to children;

(b) Handled in a manner which protects the well-being of the children and the pet;

(c) Inoculated as often as prescribed by a veterinarian; and

(d) Restricted from areas where food is prepared and from eating areas while meals are being served as required by state and local health agencies.

3. Each facility shall ensure that any litter boxes are kept out of the reach of young children and that play areas are cleaned of all animal feces before children are allowed access to those areas.

NAC 432A.270

NAC 432A.270 Advertising. (NRS 432A.077)

All advertising by a licensee of a facility must specify the type of facility for which it is licensed and must not mislead the public regarding regular programs and services offered by the licensee.

NAC 432A.280

NAC 432A.280 Plan for emergencies; drills; posting of plans; daily sign-in sheets; fire safety; maintenance and availability of reports. (NRS 432A.077, 432A.180)

1. Each licensee shall develop an appropriate plan to ensure that the staff of his or her facility is prepared to respond in an emergency, including, without limitation, a fire or natural disaster. The plan must, at a minimum, be reviewed on a quarterly basis during a meeting of the staff of the facility. Each licensee shall ensure that the plan is, at a minimum, evaluated annually and is changed as necessary.

2. Each plan developed pursuant to subsection 1 must include, without limitation:

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- (a) The duties of the director and staff;

- (b) A procedure for removing staff and children to a shelter within a building of the facility if the staff and children are instructed to do so by emergency personnel;

- (c) A procedure for evacuating the facility;

- (d) A plan for transportation;

- (e) A list of sites that may be used for relocation;

- (f) A plan for the supervision of the children of the facility during the emergency;

- (g) The manner in which children and staff from the facility will be accounted for during the emergency; and

- (h) The method for contacting emergency personnel, including, without limitation, the fire department, a law enforcement agency or any other appropriate authority.

3. The licensee of a facility shall hold:

- (a) A fire drill at least once every month; and

- (b) A drill for natural disasters at least once every 3 months.

4. Appropriate plans for removing the staff and children of a facility to a shelter within a building of the facility and for the evacuation of the facility in case of emergency must be conspicuously posted in a public place in the facility.

5. The director of the facility shall maintain a daily sign-in sheet that includes:

- (a) The first and last names of staff and children; and

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(b) The times of arrival and departure for staff and children.

6. To maintain his or her license, the licensee must ensure that his or her facility meets all standards for fire safety which are established by the State Fire Marshal.

7. The State Fire Marshal or a designee thereof shall, at least annually:

(a) Enter and inspect every building or the premises of each facility; and

(b) Observe and make recommendations regarding the drills conducted pursuant to subsection 3.

8. Reports of the drills conducted pursuant to subsection 3 and the inspections concerning the fire safety of a facility conducted pursuant to subsection 7 must be maintained in a physical file at the facility and be available for review at the facility by a parent of a child who attends the facility or a parent who is considering enrolling his or her child at the facility for at least 2 years after the date of inspection.

NAC 432A.290

**NAC 432A.290 Telephones; insurance for protection against liability to third persons; transportation.
(NRS 432A.077)**

1. Each licensee of a facility shall have a working telephone listed in a local telephone directory. A current list of emergency telephone numbers, including health agencies, fire and police departments and ambulance services must be posted adjacent to the telephone.

2. Each licensee of a facility shall have a policy of insurance for protection against liability to third persons. A certificate of insurance must be furnished by the licensee of a facility to the Division as evidence that the policy is in force. Each policy must contain a provision which requires the insurer to notify the Division at least 30 days before cancellation or nonrenewal of the policy. The licensee shall notify the Division if there is a lapse in the insurance coverage required by this subsection. The policy of insurance must be maintained at the facility. Any government, governmental agency or political subdivision of a government which operates a child care facility and is self-insured is not required to furnish a certificate of insurance to the Division.

3. If transportation is provided by the licensee of a facility, all children must be protected by adequate supervision by the staff, safety precautions and adequate insurance which covers liability for health or injury, medical expenses and damages caused by uninsured motorists. The licensee of a facility shall require that each child is instructed in the conduct required for safe transportation. A driver of a vehicle used by the licensee of a facility shall:

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- (a) Possess an appropriate driver's license and adequate insurance;
- (b) Not leave an unattended child in the vehicle at any time;
- (c) Ensure that a parent, or a person designated in writing by the parent, is present to take charge of a child upon delivery of the child to his or her home or the facility;
- (d) Ensure that each child boards or departs the vehicle on the side of the vehicle adjacent to a curb and that the child is safely conducted across any street encountered immediately before boarding or after departing; and
- (e) Ensure that the doors and windows of the vehicle are secure before proceeding.

4. Except as otherwise provided in this section and NAC 432A.532, when transporting children, the licensee of a facility shall ensure that the ratio of caregivers to children in the vehicle satisfies the applicable requirement for the ratio of caregivers to children set forth in NAC 432A.524. When transporting children who are 2 years of age or older, a licensee of a special needs facility shall ensure that the ratio of caregivers to children in the vehicle satisfies the applicable requirement for the ratio of caregivers to children set forth in NAC 432A.532.

5. If, during the time school is in operation, the licensee of a facility provides transportation for children of school age to and from a public or private school, the ratio of staff to children in the vehicle must be not less than one member of the staff for every 15 children.

6. The licensee of a facility shall maintain a log for transportation provided by the licensee of the facility. The log must be maintained at the facility for at least 4 months after the transportation is provided. The log must include:

- (a) The name of each child who was transported;
- (b) The date the transportation was provided by the licensee of the facility;
- (c) The time of departure of the vehicle and the time the vehicle arrived at its destination;
- (d) The signature of the driver of the vehicle;

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(e) The name of each adult who was transported in the vehicle, including, without limitation, the driver of the vehicle; and

(f) The signed verification required by subsection 7.

7. Upon arrival at the destination, one member of the staff of the facility shall mark each child off the log as the child departs the vehicle, conduct a physical inspection and visually and physically sweep the vehicle to ensure a child is not left behind in the vehicle, and include in the log signed verification that each child who was transported in the vehicle is accounted for and that the visual and physical sweeps were conducted.

NAC 432A.300

NAC 432A.300 Director: Requirement; qualifications; application for approval. (NRS 432A.077)

1. The licensee of a child care facility other than a facility that provides care for ill children, an accommodation facility, a special needs facility or a family or group home shall:

(a) Serve as the director of the facility, if the licensee has the qualifications of a director; or

(b) Appoint a suitably qualified person to serve as the director.

2. The director of such a facility must be at least 21 years of age and, except as otherwise provided in NAC 432A.485:

(a) Have earned a bachelor's or associate's degree and have completed at least 12 semester hours of education, of which:

(1) At least 6 semester hours are in child development; and

(2) At least 6 semester hours are in child development, child psychology, education related to the health of children or in courses directly related to these fields, of which not more than 3 semester hours may be in courses concerning the business of child care,

and have at least 6 months of verifiable experience which is satisfactory to the Division in a program

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related to child education, early childhood development or child care;

(b) Have earned a high school diploma or, if approved by the Administrator of the Division, a certificate based on general educational development, and have completed at least 12 semester hours of education, of which:

(1) At least 6 semester hours are in child development; and

(2) At least 6 semester hours are in child development, child psychology, education related to the health of children or in courses directly related to these fields, of which not more than 3 semester hours may be in courses concerning the business of child care,

and have at least 2 years of verifiable, satisfactory experience in a program related to child education, early childhood development or child care;

(c) Have a current credential as a "Child Development Associate," which has been issued by the Council for Early Childhood Professional Recognition, Washington, D.C. 20005; or

(d) Have a combination of education and experience which, in the judgment of the Administrator of the Division, is equivalent to that required by paragraph (a), (b) or (c).

3. Before a license is issued to a person to operate any child care facility for which a director is required, the person must submit a completed application for approval of the director. The application must be made on a form supplied by the Division. The applicant must sign an authorization which gives the Division permission to verify any information given in the application.

NAC 432A.302

**NAC 432A.302 Appointment of director convicted of certain crimes prohibited; capabilities of staff.
(NRS 432A.077)**

1. A licensee of a child care facility shall not knowingly appoint a person as director of the facility or appoint or permit the appointment of a person as an employee or volunteer at the facility if the person has been convicted of child abuse or neglect or any other crime involving physical harm to a person or if a criminal action for such a crime is pending against the person.

2. The staff of a child care facility must be able to:

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- (a) Work with children without recourse to physical punishment or psychological abuse;
- (b) Communicate with children and their parents;
- (c) Praise and encourage children and provide them with a variety of opportunities for learning and social experiences; and
- (d) Recognize and eliminate hazards to the safety of children.

NAC 432A.304

NAC 432A.304 Responsibilities of director. (NRS 432A.077)

1. The director of a child care facility is responsible for screening, scheduling and supervising the staff of the facility and for the conduct of each member of the staff at the facility.

2. The director shall:

- (a) Provide a program for child care for the facility which meets the requirements of this chapter.
- (b) Provide space for an office, the storage of records, conferences with parents, meetings of the staff and all other needs of the program for child care.
- (c) Maintain organized separate records for each employee that include, without limitation, documents related to training. Such records must include, without limitation:

(1) Documents verifying that the employee has, if applicable:

(I) Completed the training required pursuant to NRS 432A.177;

(II) Received the orientation and basic training required pursuant to NAC 432A.320;

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(III) Completed the training required pursuant to NAC 432A.323; and

(IV) Completed the training required pursuant to NAC 432A.326; and

(2) A copy of the documentation concerning, and the results of, the investigation of the employee's background and personal history which is conducted pursuant to NRS 432A.170, including, without limitation, a clearance letter from the Division or a current child care work card, and a release form for this information completed by the employee.

(d) Ensure that each member of the staff of the facility who is not a caregiver, but whose job duties may directly impact children cared for in the facility, has the training necessary to protect the health and safety of the children and the health and safety of the other members of the staff, including, without limitation, training concerning proper nutrition, methods of sanitation and procedures for maintaining a safe environment in the facility.

(e) Work with parents and include them, whenever possible, in the programming and functioning of activities.

(f) Cooperate with the Division and other agencies of government to improve the quality of child care and the competence of caregivers.

(g) Designate a member of the staff who is responsible for the operation of the facility when the director is not present at the facility.

3. If the facility is in operation 25 hours or less, the director must be present in the facility during at least half the hours of operation.

NAC 432A.306

NAC 432A.306 Requirements for caregivers. (NRS 432A.077)

1. Every caregiver in a child care facility must:

(a) Be at least 16 years of age;

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(b) Be able to summon help in an emergency;

(c) Be emotionally and physically qualified to carry out a program which places emphasis on the development of children; and

(d) Except as otherwise provided in subsection 5, within 90 days after the caregiver commences employment in the child care facility, apply with The Nevada Registry or its successor organization, and annually renew his or her registration before the date on which it expires.

2. Not more than 50 percent of the caregivers in a child care center, a child care institution or an early care and education program may be under 18 years of age. Any caregiver who is under 18 years of age and is employed in such a facility must:

(a) Have completed a course in the development of children which is approved by:

(1) The Nevada Registry or its successor organization, or any other agency designated by the Director of the Department to approve such courses; or

(2) If the course has not been approved by The Nevada Registry or its successor organization, and the Director of the Department has not designated another agency to approve such courses, the Division or the local licensing agency; or

(b) Be currently enrolled in such a course.

3. A child care facility may not be operated unless a person who is 18 years of age or older is on the premises of the facility.

4. A volunteer for a child care facility, regardless of his or her age, and a member of the staff of the facility who is under 18 years of age may not provide direct care to a child at the facility unless the care is provided under the supervision of an employee of the facility who is 18 years of age or older.

5. A caregiver in a child care institution is not required to initially apply with or annually renew his or her registration with The Nevada Registry or its successor organization.

REVISER'S NOTES.

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The regulation of the Board for Child Care filed with the Secretary of State on July 1, 2004 (LCB File No. R203-03), which amended this section, contains the following provisions not included in NAC:

“Sec. 19. 1. Each person who, on July 1, 2004, is employed in a child care facility, other than in an accommodation facility or a facility that provides care for ill children, or is required pursuant to the amendatory provisions of NAC 432A.320 to satisfy the training and certification requirements set forth in NAC 432A.323 and section 3 of this regulation [NAC 432A.322], shall:

(a) Complete the 9 hours of training required pursuant to the amendatory provisions of NAC 432A.320 or subsection 1 of NAC 432A.323; and

(b) Obtain the certification in the administration of cardiopulmonary resuscitation required pursuant to the provisions of NAC 432A.320 or section 3 of this regulation [NAC 432A.322],

within 12 months after July 1, 2004, unless the person has completed the training within the 12 months before July 1, 2004, or unless on July 1, 2004, the person is certified in the administration of cardiopulmonary resuscitation and that certification satisfies the requirements set forth in section 3 of this regulation [NAC 432A.322].

2. Evidence that such a person has completed the training required pursuant to subsection 1 and has obtained certification in the administration of cardiopulmonary resuscitation as required pursuant to subsection 1 must be included in his personnel file and must be kept at the facility.

3. With regard to training concerning the administration of first aid and the recognition of signs and symptoms of illness that is required pursuant to the amendatory provisions of NAC 432A.323, the evidence listed in NAC 432A.308 as adequate evidence of compliance is adequate evidence of compliance for the purposes of this section.

Sec. 20. Each person who on July 1, 2004, is a director or licensee of a child care facility or is a caretaker employed in a child care facility shall, within 12 months after July 1, 2004, and in addition to completing any training required pursuant to section 19 of this regulation and completing any course in the development of children required pursuant to NAC 432A.306, complete at least:

1. Three hours of training by completing a course in the development of children; and

2. Three hours of training in child care,

unless the person has completed the training within the 12 months before July 1, 2004.”

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The regulation of the Board for Child Care filed with the Secretary of State on April 23, 2009 (LCB File No. 112-06), which amended this section, contains the following provision not included in NAC:

“1. Except as otherwise provided in subsection 2, each caregiver who, on the effective date of this section [April 23, 2009], is a caregiver employed in a child care facility other than a caregiver who is employed in an accommodation facility, a facility that provides care for ill children or a child care institution shall, on or before December 31, 2012, apply with The Nevada Registry or its successor organization.

2. Each caregiver who, on the effective date of this section [April 23, 2009], is a caregiver employed in a family home or in a group home shall, on or before December 31, 2011, apply with The Nevada Registry or its successor organization.

3. As used in this section:

(a) “Accommodation facility” has the meaning ascribed to it in NAC 432A.012, as amended by section 22 of this regulation.

(b) “Caregiver” has the meaning ascribed to it in NAC 432A.020, as amended by section 23 of this regulation.

(c) “Child care center” has the meaning ascribed to it in NAC 432A.050, as amended by section 24 of this regulation.

(d) “Child care facility” has the meaning ascribed to it in NAC 432A.060.

(e) “Child care institution” has the meaning ascribed to it in NAC 432A.070, as amended by section 25 of this regulation.

(f) “Facility that provides care for ill children” means a child care facility or child care center described in subsection 1 of NAC 432A.550.

(g) “Family home” has the meaning ascribed to it in NAC 432A.100.

(h) “Group home” has the meaning ascribed to it in NAC 432A.110.

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(i) “The Nevada Registry” has the meaning ascribed to it in section 7 of this regulation [NAC 432A.143].”

NAC 432A.308

NAC 432A.308 Completion by caregiver of training for recognition of signs and symptoms of illness and administration of first aid. (NRS 432A.077)

1. Whenever a child care facility is in operation, each caregiver on duty must have completed training for the recognition of signs and symptoms of illness and the administration of first aid.

2. The training for the recognition of signs and symptoms of illness must include, without limitation, the provision of information concerning health and the observation and evaluation of signs and symptoms of illness and responses to illness and emergencies and training in the prevention of exposure to bloodborne pathogens. The training for the administration of first aid must include, without limitation, the administration of first aid to victims of fire, serious injury or the ingestion of poison. Both types of training must be:

(a) Provided by a licensed health care professional or a representative of a licensed health care agency or clinic, a community college, a university, the American National Red Cross, an adult education program in home nursing or an institution approved by The Nevada Registry or its successor organization; and

(b) Approved by:

(1) The Nevada Registry or its successor organization, or any other agency designated by the Director of the Department to approve the training; or

(2) If the training is not approved by The Nevada Registry or its successor organization, and the Director of the Department has not designated another agency to approve the training, the Division or the local licensing agency.

3. A certificate or other evidence of compliance issued by a licensed health care professional, a licensed health care agency or clinic, a community college, a university, the American National Red Cross, an adult education program in home nursing or an approved provider of such training is adequate evidence of compliance.

NAC 432A.310

NAC 432A.310 Staff: Personal health. (NRS 432A.077)

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1. Every member of the staff of a facility, including a volunteer, shall present to the director of the facility, to be placed in the employee's file, written evidence that the employee is free from communicable tuberculosis. The evidence must be in the form of a report which states that the employee is free from active tuberculosis as required pursuant to subsection 2 or 3.

2. Before a person, including a person who has received a bacillus Calmette-Guerin (BCG) vaccination, begins employment at a facility, he or she must have submitted to a:

(a) Mantoux tuberculin skin test; or

(b) Chest radiograph and examination by a provider of health care who is authorized to diagnose active tuberculosis,

within the 12 months immediately preceding the first day of employment at the facility.

3. Every member of the staff of a facility, including a volunteer, shall submit to:

(a) A Mantoux tuberculin skin test; or

(b) An examination by a provider of health care who is authorized to diagnose active tuberculosis,

at least once every 24 months after the date the skin test or chest radiograph and examination were conducted pursuant to subsection 2.

4. Each caregiver or member of the staff of a facility who has an identified health problem that may affect his or her ability to provide adequate care to children in a facility shall:

(a) Report the problem to the director of the facility or, if self-employed, to his or her licensing agency; and

(b) Submit to the director or, if self-employed, to his or her licensing agency, a written statement from a licensed physician attesting to the fact that the health of the caregiver does not endanger the children who are under his or her care in the facility.

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5. Each director shall report to his or her licensing agency any health problem reported to him or her pursuant to subsection 4.

6. Each director or caregiver, if self-employed, shall immediately report to his or her licensing agency any person residing at his or her facility who contracts a serious communicable disease.

7. Each caregiver or member of the staff of a facility who has herpetic gingivostomatitis, a cold sore or herpes labialis shall:

(a) Refrain from engaging in close contact with children cared for in the facility;

(b) Refrain from sharing food or drink with children cared for in the facility or with other caregivers or members of the staff of the facility;

(c) Avoid touching the lesions;

(d) Wash his or her hands frequently; and

(e) Cover any skin lesion with a bandage, clothing or other appropriate dressing.

NAC 432A.320

NAC 432A.320 Orientation program and basic training. (NRS 432A.077, 432A.177)

1. Except as otherwise provided in NRS 432A.177, within the first 2 weeks after commencing employment, newly employed members of the staff of a facility must be given a written and oral orientation program and be trained in the policies, procedures and programs of the facility by the director or a designee trained by the director. The orientation must address, at a minimum:

(a) Any regulatory requirements that govern the facility;

(b) The goals and philosophy and the policies and procedures of the facility;

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(c) Any planned programs or activities of the facility;

(d) The policies and practices of the facility for relating to parents;

(e) Meal patterns and food-handling policies and practices of the facility;

(f) Dealing with occupational health hazards for caregivers, including, without limitation, paying attention to the physical health and emotional demands of the job and being aware of any special considerations required by a caregiver who is pregnant;

(g) The emergency health and safety procedures of the facility; and

(h) The general health and safety policies and procedures of the facility, including, without limitation, policies and procedures concerning:

(1) Hand-washing techniques and requirements;

(2) Techniques for diapering and for assisting in the use of a toilet if care is provided to children in diapers or children needing help with using a toilet, including, without limitation, techniques for the disposal of diapers and for changing diapers;

(3) Identifying hazards and methods for preventing injuries;

(4) Techniques for preparing, serving and storing food for employees who are involved in any of the activities concerning food for children at the facility;

(5) Excluding a child from the facility because the child has an illness, and the manner in which illnesses are transmitted between persons;

(6) Methods for preparing formula if formula is prepared at the facility;

(7) Any precautions and other measures that should be taken to prevent exposure to blood and other bodily

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fluids, and policies and procedures to follow in the event of exposure to blood or other bodily fluids; and

(8) The administration of medication.

2. If required by the director or owner of the facility, a member of the staff of a facility shall participate in any specialized training related to child care which is offered in the community where the facility is located.

3. A volunteer who works at least 15 hours per week in a facility and participates in specialized child care training, as defined by the director:

(a) Is a member of the staff of the facility for the purposes of this section; and

(b) Must satisfy the training and certification requirements set forth in NAC 432A.323 and 432A.326.

4. Any training received by an employee of a facility or a volunteer who works in a facility as part of the orientation required by this section may not be applied toward meeting the training requirements set forth in NAC 432A.323 and 432A.326.

NAC 432A.321

NAC 432A.321 Training of employees who have direct contact with children in physical custody due to court order. (NRS 432A.077, 432A.177)

1. The training required pursuant to NRS 432A.177 must be approved by:

(a) An agency designated by the Director of the Department to approve such training; or

(b) If the Director has not designated an agency to approve the training, the Division or the local licensing agency.

2. The licensee of a child care facility shall:

(a) Include evidence of completion of the training required pursuant to NRS 432A.177 in the personnel file of

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each employee of the child care facility required to complete the training; and

(b) Upon request of the Division, submit the evidence of completion of the training for any employee of the child care facility required to complete such training.

NAC 432A.322

NAC 432A.322 Certification in administration of cardiopulmonary resuscitation. (NRS 432A.077)

1. Each person who is employed in a child care facility shall:

(a) Except as otherwise provided in subsection 2 and NAC 432A.560 and 432A.570, obtain certification in the administration of cardiopulmonary resuscitation within 90 days after the person commences employment in the facility; and

(b) Maintain current certification in the administration of cardiopulmonary resuscitation.

2. A person is not required to obtain the certification required pursuant to subsection 1 if, on the date that he or she commences employment in the facility, the person is certified in the administration of cardiopulmonary resuscitation and that certification satisfies the requirements set forth in this section.

3. The certification required pursuant to subsection 1 must include certification in administering cardiopulmonary resuscitation to children and:

(a) To infants, if care is provided to infants at the facility; and

(b) To adults, if necessary to ensure that the person is certified to administer cardiopulmonary resuscitation to children of all ages for which care is provided at the facility.

4. Each course completed to obtain and maintain the certification required pursuant to subsection 1 must be taught by a certified instructor who meets the standards of a nationally or internationally recognized provider of training in cardiopulmonary resuscitation, including, without limitation, the American Heart Association, the American National Red Cross, MEDIC FIRST AID International, EMS Safety Services, or the American Safety and Health Institute.

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5. Evidence that an employee has obtained and maintained current certification in the administration of cardiopulmonary resuscitation as required pursuant to this section must be included in his or her personnel file and must be kept at the facility.

NAC 432A.323

NAC 432A.323 Initial courses of training in child care. (NRS 432A.077, 432A.177)

1. Except as otherwise provided in subsection 4 and NAC 432A.521 and NRS 432A.177, within 90 days after commencing his or her employment or position in a child care facility, each person who is employed in a child care facility, other than a person employed in a facility that provides care for ill children, and each director of a child care facility shall complete:

(a) Any training required by the facility in which the director serves or in which the person is employed for the purposes of obtaining certification in the administration of cardiopulmonary resuscitation as required pursuant to NAC 432A.322;

(b) Three or more hours of training in child development or guidance and discipline specific to the age group served by the facility in which the director serves or in which the person is employed;

(c) Two or more hours of training in the administration of first aid;

(d) Two or more hours of training in the recognition of signs and symptoms of illness, which must include, without limitation, training in the prevention of exposure to bloodborne pathogens;

(e) Two or more hours of training in the recognition and reporting of child abuse and neglect; and

(f) If the person or director works with infants under 12 months of age, at least 2 hours of training concerning Sudden Infant Death Syndrome.

2. Except as otherwise provided in NAC 432A.521, within 12 months after commencing employment, each person described in subsection 1 shall, in addition to completing any training required pursuant to subsection 1 and completing any course in the development of children required pursuant to NAC 432A.306, complete at least 15 hours of training in professional development as required pursuant to NAC 432A.326.

3. Except as otherwise provided in NAC 432A.521, within 12 months after commencing employment as a member of the staff of a facility, each member of the staff of a facility who works in a nursery for infants and toddlers shall,

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in addition to completing any training required pursuant to subsections 1 and 2, and completing any course in the development of children required pursuant to NAC 432A.306, complete at least 2 hours of training concerning Sudden Infant Death Syndrome.

4. A new employee of a child care facility is not required to complete the training required pursuant to subsection 1 if he or she has completed that training within the previous 24 months.

5. The training concerning the administration of first aid and the recognition of signs and symptoms of illness that is required to be completed pursuant to subsection 1 must be provided by one of the persons, agencies or institutions listed in NAC 432A.308 as qualified to provide such training.

6. The training required pursuant to subsections 1, 2 and 3 must be designed to:

(a) Ensure the protection of the health and safety of each child enrolled in the facility; and

(b) Promote the physical, moral and mental well-being of each child enrolled in the facility.

7. If the facility is a special needs facility, the training required pursuant to subsections 1, 2 and 3 must also be designed to provide information on the characteristics of handicapping conditions and appropriate programs for children with special needs. The training must be approved by:

(a) The Nevada Registry or its successor organization, or any other agency designated by the Director of the Department to approve such training; or

(b) If the training has not been approved by The Nevada Registry or its successor organization, and the Director of the Department has not designated another agency to approve such courses, the Division or the local licensing agency.

8. Evidence that an employee has completed the training required pursuant to subsections 1, 2 and 3 must be included in his or her personnel file and must be kept at the facility. With regard to training concerning the administration of first aid and the recognition of signs and symptoms of illness, the evidence listed in NAC 432A.308 as adequate evidence of compliance is adequate evidence of compliance for the purposes of this section.

NAC 432A.326

NAC 432A.326 Continuing training in child care. (NRS 432A.077)

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1. During each 12-month period immediately succeeding the completion of the initial training required pursuant to NAC 432A.323, each director of a child care facility and each caregiver who is employed at the facility shall complete at least 15 hours of training in professional development, of which not more than 3 hours may be training in the administration of cardiopulmonary resuscitation. The required hours of training may consist of:

(a) Informal training, including, without limitation, on-site training at a facility, community workshops or conferences;

(b) Formal training; or

(c) An early child care and education course offered by a community college or university.

2. Any training relating to the administration of cardiopulmonary resuscitation must be taught by a certified instructor who meets the standards of a nationally or internationally recognized provider of training in cardiopulmonary resuscitation, including, without limitation, the American Heart Association, the American National Red Cross, MEDIC FIRST AID International, EMS Safety Services, or the American Safety and Health Institute.

3. The training must be approved by:

(a) The Nevada Registry or its successor organization, or any other agency designated by the Director of the Department to approve such training; or

(b) If the training has not been approved by The Nevada Registry or its successor organization, and the Director of the Department has not designated another agency to approve such courses, the Division or the local licensing agency.

4. A director or caregiver described in subsection 1 may not receive credit toward the training required pursuant to subsection 1 for hours of training received concerning the administration of first aid or concerning the recognition of signs and symptoms of illness more than once every 36 months.

NAC 432A.340

NAC 432A.340 Information to be provided by parent; maintenance of record for each child. (NRS 432A.077)

1. Procedures for admission must provide the caregiver with sufficient information and instruction from the parents

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to enable the caregiver to prepare a record and to make decisions or act on behalf of the child.

2. Before the admission of a child to a facility, the parent shall give the following information to the caregiver:

- (a) The child's full legal name, date of birth, current address and preferred name;
- (b) The name, address and telephone number of each parent responsible for the child and any special instructions needed to reach the parent during the hours the child is in the facility;
- (c) The name, address and telephone number of any person who can assume responsibility for the child and is authorized to take the child from the facility if the parents cannot be reached;
- (d) Information concerning the health of the child, including any special needs of the child; and
- (e) A written authorization signed by a parent which allows emergency surgical and medical care.

3. The caregiver shall, unless the facility is an accommodation facility:

- (a) Make a record for each child that includes the date the record was prepared and the date the child is scheduled to attend the facility; and
- (b) Maintain each record in good order.

NAC 432A.350

NAC 432A.350 Information to be provided by facility; criteria for admission into facility that provides care for ill children. (NRS 432A.077)

1. **Every licensee of a facility shall adopt a written statement which**

- (a) Sets forth the general services to be offered to the children;

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- (b) Provides for the special needs of each child;
- (c) States the requirements for admission and procedures for enrollment;
- (d) Sets forth fees and any plan for payment of fees;
- (e) Provides rules relating to personal belongings brought to the facility;
- (f) Covers arrangements for transportation;
- (g) Requires written parental permission for trips and activities outside the facility;
- (h) Provides for parental involvement in the general functions of the facility;
- (i) Gives either or both parents the right to observe the program of the licensee before enrollment and at any time after enrollment of the child;
- (j) For a child care facility as defined in paragraph (a) of subsection 7 of NRS 202.2491, notifies either or both parents that smoking of tobacco in any form is prohibited in the facility at all times;
- (k) For a facility other than a child care facility as defined in paragraph (a) of subsection 7 of NRS 202.2491, notifies either or both parents if smoking of tobacco is permitted on the premises of the facility in a designated area approved by the fire authority;
- (l) Notifies either or both parents if and when a member of the staff who is trained and certified in cardiopulmonary resuscitation is on duty at the facility; and
- (m) Notifies either or both parents of the contents of any plan created pursuant to NAC 432A.280 to ensure that the staff of the facility is prepared to respond to an emergency.

2. In addition to the information required by subsection 1, a licensee for a facility that provides care for ill children shall adopt criteria for admission that set forth:

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- (a) The illnesses and disabilities that are accepted;
- (b) The illnesses and disabilities that are not accepted;
- (c) The ages of children served by the facility;
- (d) The information required from a parent before a child may be admitted to the facility; and
- (e) The procedures to be followed by the staff of the facility in the event of an emergency.

3. Every licensee shall provide a copy of the statement described in subsection 1 to each paid or volunteer member of its staff, to each parent of a child enrolled in the facility and to the Division.

4. The name, business address and business telephone number of any person who has legal or administrative responsibility for the facility must be provided to each parent of a child enrolled in the facility and to the Division.

5. The licensee of a facility shall notify each parent of a child enrolled in the facility and the Division of significant changes in the services offered by the facility.

NAC 432A.360

NAC 432A.360 Limitation on disclosure of information pertaining to child. (NRS 432A.077)

1. The licensee of a facility shall not disclose to any person who is not a member of the staff of the facility or a member of the licensing staff of the Division information pertaining to any child, unless:

- (a) The parent has given written permission for the disclosure; or
- (b) There is an emergency as determined by the director or the member of the staff who is in charge at the time of the emergency.

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2. The licensee of a facility shall have available forms which allow a parent to release information pertaining to his or her child.

NAC 432A.370

NAC 432A.370 Evidence and record of health of child. (NRS 432A.077)

1. Evidence of each child's health must be presented to the director of a facility, other than an accommodation facility or a facility that provides care for ill children, within 30 days after the child's initial admission. The evidence must include a written statement from a licensed physician or registered nurse attesting to the status of the child's health and stating that all known special conditions are under treatment and the child is capable of adjusting to the programs of the facility.

2. A licensee of each such facility shall keep a record of each child which includes any pertinent information on the status of the child's health and any special needs of the child.

NAC 432A.372

NAC 432A.372 Medical care: Chart and first-aid kit; written provisions; directory. (NRS 432A.077)

1. An easily understandable chart describing first aid and emergency treatment must be available in each facility. A well-stocked first-aid kit must be readily available at all times.

2. Every licensee of a facility other than an accommodation facility shall have written provisions for:

(a) Consulting with physicians or registered nurses regarding the health of the children;

(b) Obtaining assistance in developing and maintaining current health policies; and

(c) Informing members of the staff on matters of health affecting the children, including dental health and personal cleanliness and care.

3. A written directory of emergency health services must be readily available in the facility. The directory must include the name, address and telephone number of:

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- (a) A hospital, clinic or other constantly staffed medical facility; and

- (b) A physician or registered nurse to be called for each child if the parents of the child have signed a written agreement stating that the person is acceptable.

NAC 432A.374

NAC 432A.374 Medical care: Isolation of ill or injured child; transportation of child. (NRS 432A.077)

1. If a child becomes seriously ill or injured in a child care facility, other than a facility that provides care for ill children, the child must be immediately isolated from other children and placed under appropriate supervision. A parent, a person designated by a parent or a physician designated by a parent, must be promptly notified and the child must be removed from the facility as quickly as possible. Members of the staff of a facility shall not administer any medical treatment, except emergency first aid and prescribed medications to the child.

2. If a member of the staff transports or accompanies a child for professional emergency care, he or she shall remain with the child until the parents assume responsibility for the care of the child.

NAC 432A.376

NAC 432A.376 Medication. (NRS 432A.077)

Except as otherwise provided in NAC 432A.585:

- 1. Each prescribed medication must:
 - (a) Be kept in the original container which must have a child-proof lid;

 - (b) Be plainly labeled;

 - (c) Contain the name of the child or adult for whom it is prescribed; and

 - (d) Be stored in a locked cabinet or be made inaccessible to children.

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2. Medications for external use must be kept in a separate section of the locked cabinet. Medications stored in a refrigerator must be made inaccessible to children. Nonprescription medications must be kept in a container with a child-proof lid.

3. Except in an emergency, only one person designated by the licensee of a facility may administer medications to children. A person designated by the licensee of a facility pursuant to this subsection must be trained in the administration of medication by a health care professional or the parent of a child cared for in the facility and authorized to administer the medication pursuant to NRS 453.375 or 454.213.

4. The licensee of a facility shall maintain a written record containing:

(a) The name of each medication administered;

(b) The name of the child to whom it was administered; and

(c) The date and time on which it was administered on a weekly basis. The record must be kept in the child's file.

5. A prescribed medication must, upon discontinuance of use, be promptly destroyed or returned to the child's parent.

NAC 432A.378

NAC 432A.378 Reports of accident, injury, communicable disease or death. (NRS 432A.077)

1. Upon the occurrence of any accident or injury which requires emergency professional medical care of a child, the director, operator or owner of each facility shall report the occurrence to the Division or local licensing agency as soon as possible and shall keep on file at the facility a report of the occurrence.

2. If the director, operator or owner of a facility finds that any reportable communicable disease may be present in the facility, he or she shall report that condition to the Division or local licensing agency as soon as possible. The Division or local licensing agency shall provide the list of reportable communicable diseases to all licensees and applicants.

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3. The director, operator or owner of each facility shall report as soon as possible to the Division or local licensing agency the death of any child who attends or lives in the facility.

NAC 432A.380

NAC 432A.380 Nutrition. (NRS 432A.077)

1. To the extent set forth in subsections 3 and 4, a licensee of a facility shall meet the daily nutritional needs of each child. Meals and snacks must be of a quality and quantity which supplement the food served at home. Cultural and ethnic foods which are appropriate for children must be considered in planning meals. To the extent possible, information provided by parents concerning their child's eating habits and preferences or special needs regarding food must be considered in planning for meals.

2. A licensee of a facility shall consult the Division or local licensing agency or some other public agency for nutritional information which is applicable to children of ages receiving care at the facility.

3. A child who stays in a facility:

(a) For 10 hours or less in 1 day must be offered at least one meal and two snacks or two meals and one snack; and

(b) For more than 10 hours in 1 day must be offered at least two meals and two snacks or one meal and three snacks.

4. A nutritious snack must be offered to all children in the midmorning and the midafternoon. Each child must be offered food at intervals that are at least 2 hours apart and, unless the child is asleep during that time, are not more than 3 hours apart.

5. Foods and beverages which are sweet or have little nutritional value must not be served to children except as an addition to the meals or snacks served to comply with the requirements of subsections 3 and 4.

6. Every menu must be in writing, dated, planned a week in advance, and kept on file in the facility for at least 90 days after the corresponding meal is served. The licensee of a facility shall post the current menu, including any changes, in the kitchen and in a public place within the facility convenient for parental inspection. Family homes and group homes are exempt from the requirements of this subsection.

7. Meals may be brought from home to a facility for a child to consume at the facility. The bag or other container

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used to bring the meal to the facility must be labeled with the child's first and last name. A facility shall inform the parents of each child who is cared for in the facility that perishable items must be stored or packed in a manner that maintains the temperature of the contents.

8. A child is not allowed in the kitchen of any facility unless he or she is supervised.

9. Whenever possible, members of the staff of the facility must eat with the children and encourage them to eat a variety of food and observe table manners.

10. Drinking water must be freely available to all children at all times.

11. Food must not be used as a basis for discipline or reward. Children should be encouraged, but must not be forced, to eat.

NAC 432A.382

NAC 432A.382 Restriction on employment of or contracting with person to provide medical nutrition therapy or nutrition services. (NRS 432A.077)

A licensee shall not employ or contract with a person to provide medical nutrition therapy or nutrition services unless the person is licensed pursuant to chapter 640E of NRS or exempt from such licensure.

NAC 432A.385

NAC 432A.385 Snacks and meals. (NRS 432A.077)

1. The staff of each facility shall:

(a) Provide appropriate and adequate seating for the children at the facility during snacks and meals;

(b) If a high chair is used, ensure that the chair:

(1) Is in good condition;

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- (2) Has a wide base; and
- (3) Has a safety belt for the child;
- (c) Wash with a detergent and disinfect after each use any chair or table that is used during a snack or meal;
- (d) Allow, encourage and assist each child to feed himself or herself, including, without limitation, encouraging a child to hold and drink from a cup, use a spoon and use his or her fingers to feed himself or herself;
- (e) Offer each child drinking water at times other than during his or her regular feedings;
- (f) Discard any food that is left in a dish after a meal;
- (g) Ensure that bottles and containers of food are not kept in water longer than 5 minutes, and stir, shake and test a bottle or container of food before using the bottle or container to feed an infant;
- (h) Not hold an infant while preparing food;
- (i) On a daily basis, empty, clean and sanitize any pot used to warm a bottle or food;
- (j) Store each bottle of formula and container of food in accordance with the instructions from the manufacturer of the formula or food;
- (k) Label each bottle of formula and container of food with the name of the child to whom it belongs and the date the formula or food was prepared by the facility or was prepared or purchased by the parent;
- (l) Immediately refrigerate and label each container of breast milk provided by a parent;
- (m) Return each bottle to the appropriate parent each day;
- (n) Return any unused, open container of food to the appropriate parent each day if the child was not fed directly from the container of food; and

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(o) Develop with the parents of a child a plan for feeding the child, which must include, without limitation:

(1) Instructions for feeding;

(2) Any special dietary restrictions, including, without limitation, any allergies to food;

(3) A schedule of times for feeding;

(4) Whether the child will be fed breast milk, formula or solid food;

(5) If the child will be fed breast milk or formula, when to begin feeding solid food; and

(6) Likes and dislikes of certain foods.

Green
& Pink

2. A child who is fed with a bottle and does not hold his or her own bottle must be held by a caregiver while being fed with a bottle. The bottle must not be propped for feeding. A child who demonstrates a preference for holding a bottle during feeding may hold his or her own bottle and need not be held by a caregiver if the caregiver is directly observing the child.

3. The staff of a facility may feed a child commercially prepared baby food directly from the jar in which it was packaged or from a separate dish. If the staff feeds the child from the jar, the staff shall discard the jar after it is used.

NAC 432A.390

NAC 432A.390 Standards for programs. (NRS 432A.077)

1. Every licensee of a facility shall develop a program to meet the basic needs of children for:

(a) Good health and normal physical development;

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- (b) Optimal mental growth;
- (c) Stimulating language and communicative experiences;
- (d) The attention, acceptance and affection of others;
- (e) Opportunities to experience success and to test mental, physical and social skills;
- (f) Self-identity and a sense of competence and worth;
- (g) The security provided by gentle discipline;
- (h) Relations with others which set forth the rights of adults and the rights of children;
- (i) Learning experiences planned with the aid of the child's parents which ensure harmony with the life style and cultural background of the child;
- (j) Activities which facilitate social growth and adjustment; and
- (k) The time and opportunity to learn independence and personal care.

2. A licensee of a facility shall teach each child personal hygiene. The licensee of a facility shall require all children to wash before meals and after using a toilet.

3. If the weather permits, all children must have a daily period of outdoor play. A licensee of a facility shall provide opportunities for active play which builds muscles such as climbing, jumping, running and playing with toys which have wheels. The quantity and quality of materials and equipment must be sufficient to avoid excessive competition between the children and long waiting periods to use the materials or equipment.

4. Every child who is in a facility for more than 5 hours per day must have a period for a nap during the day. A child who cannot sleep must rest during the period provided for a nap. The licensee of a facility shall provide a cot, mat or bed for each child.

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5. The amount, variety and arrangement and use of materials and equipment used in a facility must be appropriate to the developmental needs of the children cared for in the facility. Materials must be stored in a manner that allows children to select, remove and replace the materials independently or with minimal assistance.

6. Furniture must be durable, safe and intended for use by children or appropriately adapted for use by children.

7. A licensee of a facility shall provide space for the storage of the children's clothing and the storage must be within easy reach of the children.

NAC 432A.400

NAC 432A.400 Discipline. (NRS 432A.077)

1. A licensee of a facility shall enhance a child's behavior through positive guidance, redirection of the child's behavior and the setting of clear-cut limits on behavior.

2. A member, employee or other person associated with a facility shall not, for any reason:

(a) Inflict physical punishment, in any manner or form, upon any child;

(b) Verbally abuse or threaten a child;

(c) Make derogatory remarks about the child or the child's family;

(d) Threaten a child with the loss of love of any person;

(e) Threaten a child with punishment by a deity;

(f) Subject a child to any form of punishment which pertains to food or rest or restricts the use of a toilet or other bathroom fixture; or

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(g) Subject a child to any form of punishment by other children. Parental consent to allow any person within the facility to punish a child contrary to the provisions of this section is void.

3. Disciplinary measures used in a facility must be consistent with supportive, positive action, and may include:

(a) Holding a child's arm to prevent hitting;

(b) Bodily picking up the child and removing him or her from the group, and:

(1) Sitting with the child until he or she is ready to play without hitting; or

(2) Isolating the child under observation for no more than 10 minutes;

(c) Informing the child in a simple, positive manner what conduct is expected while the child is in the facility;

(d) Praising and recognizing a child who behaves in the expected manner; and

(e) Directing a child who is in a situation that is creating problems to a new activity.

NAC 432A.410

NAC 432A.410 Reports of child abuse or neglect. (NRS 432A.077)

If any person suspects that child abuse or neglect is occurring in a facility, the person may immediately report such suspicions to the Division. Every licensee or employee of a facility who has reason to believe child abuse or neglect is occurring in the facility, in the child's home or elsewhere shall report such beliefs to the appropriate authority as required in NRS 432B.220.

NAC 432A.411

NAC 432A.411 Sanitary measures for changing diapers. (NRS 432A.077)

1. Each area in a facility that is used for changing diapers must:

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(a) Have a smooth, nonabrasive, impervious surface;

(b) Be located within close proximity to a sink that is not used for the preparation of food;

(c) Not be located in an area in which food is prepared;

(d) Have a smooth, nonabsorbent floor covering;

(e) Have nearby, for wet or soiled diapers, a washable receptacle that is lined with plastic and covered with a lid;

(f) Be kept in good repair and in a safe condition; and

(g) Be cleaned and disinfected after each use by removing any visible soil and applying an approved disinfectant.

2. Each soiled cloth diaper and any soiled clothing that may be contaminated with contagious matter must be stored in an individual plastic bag and be returned to the parents daily. The facility is not required to rinse or dump the contents of a diaper or the underwear of a child cared for in the facility. Each diaper used, including, without limitation, a commercial disposable diaper, must be able to contain urine and stool and minimize contamination. If cloth diapers are used on children, an absorbent inner liner and a waterproof outer covering must be provided with the diaper.

3. The staff of a facility:

(a) Shall discourage children from coming near an area that is used for changing diapers; and

(b) Shall not leave a child unattended in the diaper changing area.

NAC 432A.412

NAC 432A.412 Written procedures for washing of hands. (NRS 432A.077)

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1. Each facility must have written procedures concerning the washing of hands.

2. The staff of a facility shall follow the procedures of the facility concerning the washing of hands and shall instruct, monitor and assist the children being cared for at the facility to ensure that the children follow the procedures.

3. The procedures concerning the washing of hands must require, without limitation, that:

(a) The staff of the facility wash their hands with soap from a dispenser and warm water:

(1) Any time that their hands come into contact with blood, mucus, vomit, feces or urine;

(2) Before preparing or handling food;

(3) Before engaging in any activity related to serving food, including, without limitation, setting the table;

(4) Before and after eating a meal or snack;

(5) After using the toilet, helping a child use the toilet or changing a diaper with or without gloves;

(6) After attending to an ill child;

(7) After handling an animal;

(8) Before and after giving medication to a child; and

(9) After cleaning a container used to store garbage or handling garbage.

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(b) The children being cared for in the facility wash their hands with soap from a dispenser and warm water:

(1) Any time that their hands come into contact with blood, mucus, vomit, feces or urine;

(2) Before handling food;

(3) Before and after eating a meal or snack;

(4) After handling an animal;

(5) After the diaper or underwear of the child is changed;

(6) After playing in water; and

(7) After playing in a sandbox.

(c) The staff of the facility shall ensure that:

(1) Each bathroom has running water, soap and single-use or disposable towels; and

(2) Any common basin or sink which is filled with standing water is not used for the washing of hands.

NAC 432A.413

NAC 432A.413 Written guidelines for toilet training. (NRS 432A.077)

1. Each facility shall develop written guidelines concerning the methods used by the staff of the facility for toilet training and the use of appropriate equipment and clothing for such training.

2. The guidelines concerning toilet training must be distributed to each parent of each child being cared for at the facility who is not yet toilet trained.

3. The guidelines must require the staff of the facility:

- (a) Not to force a child to remain on the toilet for a prolonged period of time or punish a child for wetting or soiling his or her clothing;
- (b) Not to leave a child unattended while the child is sitting on a potty-chair or on the toilet;
- (c) To instruct and assist the children in washing their hands after using the toilet; and

(d) If a potty-chair is used to train a child to use the toilet, to:

- (1) Place the potty-chair on a washable, impervious floor;
- (2) Use the potty-chair in accordance with the instructions from the manufacturer;
- (3) Ensure that the potty-chair is stored and used in an area that is not in close proximity to an area used for the preparation of food;
- (4) Empty the potty-chair into a toilet immediately after each use;
- (5) Thoroughly clean and disinfect the potty-chair after each use; and
- (6) Disinfect the utility sink where the potty-chair was cleaned.

NAC 432A.414

NAC 432A.414 Sanitary measures for floors, rugs, carpets and nonporous surfaces. (NRS 432A.077)

- 1. A carpeted floor or rug on a floor that is too large to wash in a washing machine must be vacuumed not less than one time each day or more often if necessary and cleaned not less than one time every 3 months or more often if

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necessary. If the carpeted floor or rug is cleaned by a member of the staff of the facility using a carpet cleaning machine, the Division may require the carpeted floor or rug to be professionally cleaned if the carpeted floor or rug does not appear to be clean.

2. Each floor of a facility that is not carpeted must be swept and mopped not less than one time each day or more often if necessary.

3. When cleaning a nonporous surface in a facility, including, without limitation, cleaning toys, cribs, tables, high chairs and surfaces used to change diapers, the staff of the facility shall:

(a) Clean the surface first with soap and water to remove any dirt or debris; and

(b) Disinfect the surface with a disinfecting agent.

4. The disinfecting agent used pursuant to subsection 3 must consist of:

(a) One-fourth of a cup of liquid chlorine bleach added to 1 gallon of water that is prepared fresh daily and kept in a closed container;

(b) One tablespoon of liquid chlorine bleach added to 1 quart of water that is prepared fresh daily; or

(c) A solution that is approved by the appropriate state or local agency and is at least as effective as the solutions described in paragraphs (a) and (b).

NAC 432A.415

**NAC 432A.415 Safety and sanitation of toys, equipment and other objects and material used for play.
(NRS 432A.077)**

1. Equipment and any material other than a toy that is used for play in a facility must be durable and free from characteristics that may be hazardous or injurious to a child who is less than 2 years of age, including, without limitation, such characteristics as sharp or rough edges, toxic paint or objects that are small enough for a child of that age to swallow and choke on.

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2. Any object, toy or component of a toy that is accessible by a child who is less than 3 years of age at a facility must meet the federal size requirements set forth in 16 C.F.R. § 1501.4.

3. Toys with sharp points or edges, plastic bags and objects made from Styrofoam must not be accessible to a child who is less than 3 years of age.

4. A toy or any other piece of equipment that is used for play must be made of a material that is capable of being disinfected and must be cleaned and disinfected promptly after the toy or other piece of equipment has been soiled or put into the mouth of a child, or not less than one time each day.

5. The staff of a facility shall not provide a stuffed animal to any child unless the stuffed animal is laundered or disinfected not less than one time each day or more often if necessary.

6. Toys placed in a crib at a facility must be appropriate for the age of the child using the crib. The staff of a facility shall adhere to any requirement set forth on the label of a toy regarding the safe use of the toy.

7. Each room at a facility that is used for play and other activities for children must have:
 - (a) Low, open shelves to store toys;

 - (b) An adequate supply of toys that are in good condition and appropriate for the age of the children;

 - (c) Tables and chairs that are the appropriate size for the children; and

 - (d) Any other equipment that is necessary to meet the needs of the children.

8. Any toy that is broken or has a missing part must be repaired or replaced before the toy may be used in the facility.

9. Walkers for children that are designed to be moved across the floor must not be used in a facility.

NAC 432A.416

NAC 432A.416 Sleeping devices; napping. (NRS 432A.077)

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1. Each member of the staff of a facility that is necessary to meet the applicable requirement for the ratio of caregivers to children set forth in NAC 432A.526 for napping or sleeping children must be on the same floor in the same building where the children are napping or sleeping. Members of the staff of each facility must be readily accessible and available to be summoned to ensure the safety of the children in the facility.

2. Areas provided for napping or sleeping in a facility must be sufficiently lighted to provide for visual supervision of the children at all times.

3. The staff of each facility shall:

(a) Ensure that each infant under 12 months of age is placed on his or her back on a firm mattress, mat or pad manufactured for use by an infant when the infant is napping or sleeping;

(b) Use a safe, sturdy, well-constructed, single-level, free-standing crib, portable crib or playpen for children to nap or sleep in;

(c) Equip any such sleeping device with a waterproof, firm-fitting mattress;

(d) Ensure that each crib to be used by a child who is 6 months of age or younger is constructed with vertical slats that are not more than 2 3/8 inches apart;

(e) Ensure that a child who is 18 months of age or younger naps or sleeps in a crib which is appropriate for his or her age or in another sleeping device which has been approved by the Division;

(f) Ensure that a child who is older than 18 months of age naps or sleeps in an appropriate crib or on a cot or mat;

(g) Ensure that each sleeping device has appropriate bedding and a waterproof and washable covering;

(h) Wipe clean each sleeping device with a disinfectant not less than one time each week or more often if necessary;

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- (i) Ensure that the bedding that each child uses is used only for that particular child;
- (j) Replace the bedding each time it is wet or soiled by a child or when the sleeping device is to be used by another child;
- (k) Within 15 minutes after a child in a crib has awakened from a nap or from sleeping, take the child out of the crib and engage him or her in an appropriate activity;
- (l) Ensure that each child takes a nap as needed;
- (m) Ensure that each napping or sleeping child is in an area from which the staff can readily hear and see the child; and
- (n) Ensure that each napping or sleeping child is checked by a caregiver not less than one time every 15 minutes.

4. The staff of a facility shall not change the diaper of a child in a crib or other sleeping device.

5. The staff of a facility shall not use a waterbed, sofa, soft mattress, pillow or any other soft surface as a surface on which to place an infant under 12 months of age to nap or sleep.

NAC 432A.420

NAC 432A.420 Nurseries for infants and toddlers: Part of larger facility; director. (NRS 432A.077)

1. A nursery for infants and toddlers may be a part of another type of facility if each part of the facility meets the requirements of this chapter. If such a nursery is a part of a larger facility, the director or one caregiver who meets the qualifications of a director must spend at least one-half of his or her time in the nursery.

2. In a facility where a director is not required, the director of the nursery for infants and toddlers shall ensure that the required number of persons on the staff is maintained.

NAC 432A.425

NAC 432A.425 Nurseries for infants and toddlers: General requirements. (NRS 432A.077)

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1. The director or a designated member of the staff of a nursery for infants and toddlers or other facility that enrolls infants and toddlers shall discuss policies concerning the health of an infant or toddler with the parents before enrollment of the child. Every parent must be given a description of and agree in writing to the following matters concerning the child:

(a) Feeding;

(b) Diapering;

(c) Changes of clothing, which are to be provided by the parents;

(d) Bathing, including, without limitation, the kind of soap to be used;

(e) Precautions against infectious disease;

(f) Sleeping;

(g) Toilet training;

(h) Daily reports to the parents;

(i) Any special precautions regarding the health and safety of the child; and

(j) Any other information deemed necessary by the facility or the Division.

2. A caregiver must be assigned to a specific group of infants on a continuing basis.

3. Except as otherwise provided in paragraph (n) of subsection 3 of NAC 432A.416, each infant and toddler must be under direct visual observation by a qualified caregiver at all times.

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4. Each infant and toddler must be given undivided attention by the same caregiver for at least 30 minutes in the morning and 30 minutes in the afternoon, including periods of feeding and bathing. The caregiver shall, during this time:

(a) Hold and talk to the child;

(b) Encourage the development of the child's coordination by allowing him or her to reach for, grasp, creep, crawl or pull up;

(c) Give toddlers the opportunity to develop the large muscles of the body by activities such as climbing and walking; and

(d) Encourage the child to interact socially through playing, using language and solving problems using materials and equipment that are appropriate for the age of the child. Infants under 6 months of age must be provided an additional period of not less than 2 hours of activity each day out of the crib, for example, in a playpen or other suitable area.

5. Each licensee of a facility shall provide an indoor area which is covered by a soft or nonabrasive material and is protected from traveled walkways where crawling children can be on the floor for at least a part of the day.

6. A caregiver may take the infant or toddler assigned to him or her outside or to areas of the facility other than their usual room for a part of each day to provide a change in their physical environment and to increase opportunities for social interaction.

7. When weather permits, each toddler over 12 months of age must be taken outside for a portion of each day. If the weather is extremely hot, the toddler must be kept in a shaded area while outdoors.

8. An infant who is awake must not be left in a crib for long periods without direct adult care and never for more than 30 minutes at a time.

9. The staff of a nursery for infants and toddlers shall separate the infants from the toddlers while the toddlers are engaging in physical activities.

10. There must be a resilient surface under equipment that is used for playing and climbing at a nursery for infants and toddlers. Such equipment must be appropriate for the age of the children using the equipment.

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11. The staff of a nursery for infants and toddlers shall promote the healthy development of toddlers by:

- (a) Expressing feelings with words;
- (b) Giving directions that are worded in a positive manner;
- (c) Modeling desirable behavior; and
- (d) Redirecting behavior.

12. The staff of a nursery for infants and toddlers shall not discipline or punish an infant or toddler by confining him or her to a crib, high chair, playpen or other such piece of furniture or equipment.

13. The staff of a nursery for infants and toddlers shall prepare a daily report for each infant less than 12 months of age for whom it provides care. The report must be posted in a conspicuous place in each room used to care for the infants and must include, without limitation, information concerning the feeding, diapering and sleeping of each infant.

NAC 432A.430

NAC 432A.430 Early care and education programs. (NRS 432A.077)

1. Each facility, including, without limitation, a family home and a group home, shall have an early care and education program.

2. Each facility described in subsection 1 shall develop a written assessment plan which is designed to, without limitation:

- (a) Identify the interests and needs of each child enrolled in the facility;
- (b) Describe the developmental and educational progress of each child enrolled in the facility who is not attending public or private elementary school;

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(c) Identify the need for and referral of a child enrolled in the facility for developmental screening and the referral of the child for diagnostic assessment, if appropriate;

(d) Describe the methodology for developing curriculum for the children enrolled in the facility;

(e) Adapt teaching practices and the environment to the children enrolled in the facility;

(f) Facilitate the early care and education program required pursuant to subsection 1; and

(g) Promote communication with the family of a child enrolled in the facility.

3. In addition to the written assessment plan which is developed pursuant to subsection 2, each facility described in subsection 1 shall, within 3 months after a child enrolls in the facility, assess the child by use of, without limitation, portfolios, observations, checklists, rating scales and screening tools. Such an assessment must be repeated biannually thereafter to monitor and support the learning and development of each child enrolled in the facility.

4. Each facility described in subsection 1 shall develop a written plan of curriculum for the children enrolled in the facility. The plan must:

(a) Be made available for parental review;

(b) Be prepared before the early care and education program becomes effective;

(c) Be kept on file at the facility for at least 1 year;

(d) Include a program of speaking and listening to English;

(e) Integrate age appropriate key areas of instruction, including, without limitation, literacy, mathematics, science, social studies, creative expression and the arts, and health and safety;

(f) Incorporate instruction, concepts and activities that foster the social, emotional, physical, linguistic and

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cognitive development of children; and

(g) Provide for the involvement of parents of the children enrolled in the facility in learning activities at the facility and at home.

5. Each facility described in subsection 1 shall provide materials and equipment to carry out the written plan of curriculum developed pursuant to subsection 4 that:

(a) Reflect the lives of the children and the families of the children enrolled in the facility;

(b) Reflect the diversity of the children in our society with regard to the gender, age, native language, ethnicity, culture and abilities of the children enrolled in the facility;

(c) Provide for the safety of the children enrolled in the facility while being appropriately challenging for the children;

(d) Encourage the children enrolled in the facility to explore, experiment and discover new information and ideas;

(e) Promote action on the part of the children enrolled in the facility and interaction among the children enrolled in the facility;

(f) Are organized in a manner which facilitates independent use of the materials and equipment by a child enrolled in the facility;

(g) Are rotated to reflect changes in the curriculum and to accommodate the different interests and skill levels of the children enrolled in the facility;

(h) Allow for a variety of uses; and

(i) Accommodate the special needs of the children enrolled in the facility.

NAC 432A.435

NAC 432A.435 Accommodation facilities. (NRS 432A.077)

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1. During the hours of operation, each accommodation facility must have a person on duty who is designated as the person responsible for the operation of the facility.
2. An accommodation facility may care for a child for not longer than 3 1/2 hours in any 24-hour period while the adult responsible for placing the child in the accommodation facility remains on the premises of the business establishment which operates the accommodation facility.
3. The accommodation facility must maintain a daily attendance record which includes the name of each child cared for in the facility, the child's date of birth, the names of his or her parents or guardians, the home address and telephone number of the parents or guardians, the time of arrival and departure of the child and the name of a person to contact in the case of an emergency.
4. The accommodation facility must be located in a separate section of the business establishment and enclosed from the other business conducted in the establishment. If the accommodation facility is operated by a business that is licensed to sell or dispense alcohol or to conduct gaming in any form, the accommodation facility must be physically located in such a manner that the sale and dispensing of alcohol and the participation in gaming ventures are isolated and obscured from the view and hearing of the children in the accommodation facility.
5. No medication may be administered to a child in an accommodation facility.

NAC 432A.436

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NAC 432A.436 Extended care accommodation facilities. (NRS 432A.077)

1. Each extended care accommodation facility must have:
 - (a) A designated napping area for all children cared for in the facility; and
 - (b) A separate area designated for infants and toddlers.
2. Any meals or snacks provided by an extended care accommodation facility pursuant to NAC 432A.385 may be provided by the facility or a parent of a child cared for in the facility. Food prepared at home by a parent of a child cared for in the facility may only be consumed by that child at the facility in accordance with state and local health agencies.

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3. In addition to the 35 square feet of indoor space for each child required by NAC 432A.250, an extended care accommodation facility must have:

(a) A designated indoor area that provides sufficient space for physical activity, including, without limitation, climbing, basketball, dancing and gymnastics; and

(b) Either a separate designated indoor area that provides sufficient area for physical activity for infants and toddlers, or a time in which the designated indoor area described in paragraph (a) is used only for infants and toddlers.

4. An extended care accommodation facility may care for a child for not longer than 5 hours in any 24-hour period.

5. An extended care accommodation facility shall not operate as a preschool.

6. An extended care accommodation facility shall obtain the full name, address and telephone number or pager number of at least two persons who may be contacted by the facility in an emergency involving the child.

7. An extended care accommodation facility shall not provide field trips for children cared for in the facility.

NAC 432A.437

NAC 432A.437 Facilities for special events: Licensure of applicant. (NRS 432A.077)

1. In addition to satisfying the requirements of NAC 432A.200, an applicant for a license to operate a facility for special events must:

(a) Have and indicate in his or her application for a license to operate the facility for special events a permanent physical location for the business where the records concerning the facility will be maintained.

(b) Submit to the Division an application for a license to operate the facility for special events for each special event for which child care will be provided by the facility for special events, which must include written approval from the owner or operator of the premises of the business at which the special event will be held and at which child care will be provided. The application must be filed with the Division at least 60 working days before the date on which the special event begins and must include:

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- (1) The appropriate fee as prescribed in NAC 432A.200;
- (2) The name of the special event and the address at which the special event will occur;
- (3) The square footage and a diagram of the specific area in which child care will be provided;
- (4) A copy of the contract which will be provided to the parent of a child who will receive care provided by the facility for special events;
- (5) The plan for the program of care for the children who will receive child care provided by the facility for special events, which must be broken down by the age groups of the children who will be served by the facility and the ages and number of children to whom child care services will be provided; and
- (6) A copy of the statement that will be provided to each parent of a child who receives care provided by the facility for special events which indicates that the members of the staff of the facility may have varied levels of training and experience.

2. A license to operate a facility for special events issued by the Division must include a statement indicating that the members of the staff of the facility may have varied levels of training and experience.

3. The Division shall not renew a license to operate a facility for special events.

NAC 432A.438

NAC 432A.438 Facilities for special events: Requirements for care of children; records; procedures for emergencies; field trips. (NRS 432A.077)

1. Child care that is provided by a facility for special events may be provided only:

(a) To the children of persons who are attending the special event; and

(b) On the dates on which the special event is occurring and may not be provided for more than:

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(1) Seven days; and

(2) Ten hours in 1 day.

2. A parent of a child who is receiving child care services from a facility for special events must provide to the facility the full name, address and telephone number or pager number of at least two persons who may be contacted by the facility in an emergency involving the child.

3. A facility for special events shall provide and accurately maintain a sheet for signing children and members of the staff in and out of the facility.

4. A facility for special events must be physically located in such a manner that any sale or dispensing of alcohol and any participation in gaming ventures are obscured from the view and hearing of the children in the facility.

5. The records of the children receiving child care from a facility for special events must be maintained on-site at the facility. A parent of a child receiving care from a facility for special events must provide proper photo identification to remove the child from the facility. The facility will allow a child to be removed from the facility by a parent of the child only if the parent:

(a) Provides the facility with proper photo identification; and

(b) Is preauthorized as a person who is allowed to remove the child from the facility.

6. Any immunization records required by NRS 432A.230 for enrollment in a facility for special events may be sent by facsimile to the facility.

7. Each facility for special events shall ensure that a parent of a child is notified upon checking the child into the facility of an off-site emergency location where the children receiving care at the facility will be taken if the facility is evacuated. The emergency location must:

(a) Be predetermined by the facility after consultation with and approval of the security department of the business at which the special event is being held, if any; and

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(b) Not be above the main floor of the facility at which the special event is being held.

8. Each facility for special events shall ensure that a manager who is 21 years of age or older is on duty at the specific area in which child care is being provided at all times that child care is being provided by the facility.

9. Each facility for special events shall ensure that a child who is receiving child care from the facility and who is 5 years of age or less does not participate in any field trips sponsored by the facility unless the child is accompanied by a parent.

10. A facility for special events shall submit to the Division a program plan for each field trip the facility plans at least 14 days before the field trip is to occur. The plan must include, without limitation:

(a) The company that will be providing the transportation;

(b) An itinerary of the field trip;

(c) An estimated time of departure for and return from the field trip;

(d) The plan for food service, which must comply with any applicable requirements of state and local health agencies;

(e) The approximate ages and number of children who will be participating in the field trip;

(f) Lists for the members of the staff of the facility that identify the group of children for whom each member of the staff will be responsible during the field trip;

(g) A system of identification that will be prominently displayed and will assist each member of the staff in readily identifying each child who is in the group of children for whom the member of the staff of the facility will be responsible during the field trip;

(h) Copies of the notices of the field trip that were sent to and authorized by a parent of each child who will be participating in the field trip; and

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(i) For each child who will be participating in the field trip:

(1) The telephone number and names of at least two persons who may be contacted by the facility in an emergency involving the child; and

(2) A statement signed by a parent of the child indicating that the child does not have any health issues that would prevent the child from participating in the field trip.

NAC 432A.440

NAC 432A.440 Institutions: General requirements. (NRS 432A.077)

1. A licensee of an institution may:

(a) Contract with any parent for the supervision, care and guidance of a child;

(b) Provide for the moral and religious training of the children according to the religious belief of the child or the child's parents; or

(c) Accept guardianship of a child when appointed as a guardian by a juvenile court.

2. A licensee of an institution shall:

(a) Establish the policies which it will follow and review the policies and purposes on a regular basis to determine whether the interests of the children are being served;

(b) Review its practices to ensure that they do not discriminate in the employment of personnel, the admittance of children or the services provided to children on the basis of race, color, national origin, religion or the marital status or age of the parents;

(c) Approve a budget and be responsible for obtaining and disbursing money;

(d) Maintain accurate records of the employment of members of its staff;

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(e) Employ a qualified person as director and delegate to the director the responsibility for the administration of the institution and the employment of other members of the staff; and

(f) Notify the Division of any major changes which are pending or have occurred in the organization or administration of the institution, including any changes in its owner or director.

3. A director of an institution shall:

(a) Possess knowledge of services available for the welfare of children and demonstrate administrative skill and leadership;

(b) Be a graduate of an accredited college or university and have taken a minimum of 15 credits in the social sciences;

(c) Have at least 2 years' experience in an administrative or supervisory position in a child care facility; and

(d) Authorize a member of the staff who is qualified to be a director to act as director in his or her absence.

4. The director, or a person to whom he or she has delegated responsibility, must be available to parents and the Division at all times.

5. The licensee of an institution shall notify the parents of a child of the child's discharge within a reasonable time before the discharge. Discharge of a child must be a part of a planned program which was established after informing the child and his or her parents. Upon discharge, the licensee of an institution shall provide pertinent information regarding the child's health to the person receiving the child.

6. A representative of the Division who is authorized by the Administrator of the Division must have access to any report of an institution which is pertinent to licensing.

7. Each licensee of an institution shall develop a list of clothing which is required for each child at the institution and shall maintain the child's wardrobe at a level which is comparable to that of other children in the community. Each child's clothing must, by a label or marking, be identified as belonging to the particular child. Children must, to the greatest extent feasible, be allowed to participate in the selection and purchase of their clothing. Donated clothing may be used at an institution only if it is suitable for use and in good condition.

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8. Any serious illness or hospitalization of a child must be reported to the child's parent.

9. Each licensee of an institution shall arrange with a physician licensed in this State or with a clinic employing a physician to serve as the medical director of or consultant to the institution and to be responsible for a program of medical care within the institution, which includes visits to the institution and office visits.

10. Each child must receive adequate dental care.

11. Each licensee of an institution shall provide:

(a) Separate toilets and bathrooms for children of each sex who are over 6 years of age;

(b) Separate bath and toilet facilities for the staff;

(c) One toilet for every eight children, one tub or shower for every eight children and one washbasin for every four children; and

(d) At least one toilet and washbasin near every living room and recreation area.

12. A licensee of an institution shall:

(a) Provide each child with a bed for the child's own use, which must be at least 30 inches wide, of a length which is adequate for the child's height and the bottom of which is at least 6 inches above the floor;

(b) Provide separate sleeping areas for boys and girls;

(c) House no more than four children in one sleeping area, except that partitions may be used in large areas;

(d) Keep all beds at least 3 feet apart at the head, foot and sides;

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(e) Provide each bed with level box springs, a comfortable and supportive mattress in good condition, a pillow, two sheets and coverings which are sufficient for the child's comfort;

(f) Provide a complete change of clean bed linens at least once a week; and

(g) Provide each child with a closet, locker or dresser for clothing and personal belongings, access to which must be reserved solely to the child.

NAC 432A.445

NAC 432A.445 Institutions: Social workers. (NRS 432A.077)

1. A licensee of a child care institution shall maintain a ratio of social workers to children that will fulfill the needs of the children, but there must be at least two social workers for every 50 children in the institution.

2. Each social worker must:

(a) Possess a bachelor's or more advanced degree which is based on at least 15 credits in the social sciences; and

(b) Within 2 years after commencing employment with the institution, participate in at least 180 hours of documented training while in service.

NAC 432A.450

NAC 432A.450 Institutions: Programs; use of isolation and restraints. (NRS 432A.077, 432A.177)

1. Each licensee of an institution shall:

(a) Formulate, in writing, a statement of:

(1) The services and specific programs offered; and

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(2) The procedure for admission and the information which must be contained in an application for admission.

(b) Obtain or develop a complete social study of each child not later than 30 days after his or her admission.

(c) If caring for a child for money, enter into a written agreement with the parent of the child which outlines the duties and responsibilities of each party.

2. Each licensee of an institution shall:

(a) Establish a regular program of activities which has sufficient flexibility to respond to the needs of each child;

(b) Integrate the institutional programs with activities in the community in a manner that allows children to participate in the normal living patterns of the community;

(c) Maintain and develop constructive relationships between the child and his or her parents, brothers and sisters, other relatives and members of the staff of the institution;

(d) Make the greatest use of small groups of persons to aid in developing the individuality of the child and helping him or her to attain a sense of personal identity;

(e) Establish a program of personal hygiene for every child;

(f) Provide every child with his or her own toiletries, including a toothbrush and comb, and with clean towels and washcloths;

(g) Provide space for individual storage of toiletries; and

(h) Establish policies governing the social, emotional, physical and intellectual development of each child.

3. Each licensee of an institution shall provide supervised work for each child which is appropriate to the age, health and abilities of the child. Work must be assigned for the purpose of training and contributing to the growth of the

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particular child. Work must not interfere with the child's time for school, periods of study, play and sleep, normal relations within the community or visits with his or her family.

4. A licensee of an institution shall establish a written policy which sets forth:

(a) Any daily chores that a child is expected to perform; and

(b) Any merit system that will be used by the institution to provide consequences to a child for his or her conduct.

5. A licensee of an institution shall not use any child to solicit money for the institution in any way which would be harmful or cause embarrassment to the child or his or her family. The written consent of the parent or legal guardian must be obtained before an institution may use a child's picture or name in any written, visual or oral system of communication.

6. Each licensee of an institution shall have written policies on religious training. The consent of a child's parent must be obtained before a child may attend church or receive religious instruction.

7. Each licensee of an institution is responsible for providing academic or vocational training to each child. The licensee of an institution shall, by using resources in the community, provide specialized training for children who are unable to benefit from a regular school program because of their physical, mental or emotional disabilities.

8. Recreation and programs of activity must be planned as an integral part of the institution's total program.

9. Each licensee of an institution shall have a written, planned program to supervise the children's health and provide medical and dental care.

10. Each licensee of an institution shall provide a statement outlining the policies and procedures concerning the use of isolation or restraints on the children in the institution. The members of the staff of the institution must be trained and certified through a nationally recognized organization concerning the use of restraints. If isolation or restraints are used, a committee established by the institution must evaluate and review the process concerning the use of isolation or restraints within 30 days after isolation or restraints are used to determine:

(a) Whether safety guidelines were followed by the institution;

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- (b) The effectiveness of the process concerning modifying the behavior of the child; and
- (c) The institution's compliance with the written policies and procedures of the institution.

NAC 432A.460

NAC 432A.460 Institutions: Records. (NRS 432A.077)

1. Each licensee of an institution shall maintain an individual record for each child accepted for care. The record is confidential and must be protected from examination by unauthorized persons.

2. Every record must contain the following information, if available:

- (a) The child's full name, birthplace and date of birth;
- (b) The religion of the child and his or her parents;
- (c) Both parents' full names;
- (d) If the child's parents are deceased, the date, place and cause of death;
- (e) If the child's parents are divorced or separated, the date and place of the divorce or separation;
- (f) The names, addresses and dates of birth of other children in the family;
- (g) The names and addresses of close relatives;
- (h) The name of a person to whom the child may be referred for care;
- (i) The date and reason for placement of the child;

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(j) The financial terms of the placement;

(k) The report of the original study and investigation of the child, including:

(1) All information concerning the educational, economic and cultural background of the child's family;
and

(2) All personal information about the child, including his or her:

(I) History of development and health;

(II) Personality;

(III) Placement and adjustment in school;

(IV) Previous placements in institutions; and

(V) Relationships with his or her family;

(l) Any available documents pertaining to the current legal custody of the child;

(m) Every written contract between the licensee of an institution and the child's parents, except an authorization to provide medical care, which must be kept in the records of the health of the child;

(n) Reports and records of schools attended by the child, including his or her grades, progress and adjustment;

(o) Records or summarized reports of the child's progress and development while under care, the work done with the child's family, and plans for care and supervision of the child after discharge;

(p) If members of the staff of another agency or institution are also working with the child, the licensee of an

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institution mainly providing care to the child shall periodically provide the staff members of the other agency or institution with summary reports of the services it is providing and shall formulate plans for continuing the services, for maintaining an appropriate staff and for arranging conferences with other agencies and institutions who are also providing care for the child; and

(q) Reports of the staff of the institution concerning the child's adjustment to the institutional setting.

NAC 432A.470

NAC 432A.470 Special needs facilities: Meeting required before admission of child. (NRS 432A.077)

Before a child may be admitted to a special needs facility, the child's parents, the appropriate members of the staff of the facility and any appropriate specialists shall meet to determine whether the needs of the child can be adequately met by the facility and to ascertain the information and training which must be obtained from the child's parents and other persons who provide services to the child.

NAC 432A.475

NAC 432A.475 Special needs facilities: Training of staff; plan of services. (NRS 432A.077)

A special needs facility shall provide the members of its staff with appropriate training and prepare a written plan of services for each child with special needs it accepts. The plan of services must contain:

1. The name, age and date of birth of the child;
2. The name, address and telephone number of the parents of the child;
3. Any information needed to contact the parents of the child;
4. Any information needed to contact an appropriate person in an emergency;
5. The name and telephone number of any physician or specialist who is treating the child;
6. The name and telephone number of any special consultants who are available to the facility to assist in the care or treatment of the child;

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7. The signatures of all persons participating in and agreeing to abide by the plan;

8. If relevant to the plan, a diagnosis of the child's special condition;

9. Any special needs of the child, precautions or arrangements concerning:

(a) Diet and feeding;

(b) Devices and equipment;

(c) Positioning;

(d) Body wastes;

(e) Communication;

(f) Management of behavior; and

(g) Modification of the building or other aspects of the environment;

10. Any specific plans for training the members of the staff of the facility regarding any needs, precautions or arrangements identified pursuant to subsection 9; and

11. A date for review of the plan by the parents of the child, the appropriate members of the staff of the facility, and the physician of the child, if appropriate.

NAC 432A.485

NAC 432A.485 Special needs facilities: Qualifications of director. (NRS 432A.077)

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The director of a special needs facility must:

1. Have earned a bachelor's or associate's degree, and have completed at least:

(a) Twelve semester hours of education, of which:

(1) Three semester hours are in child development;

(2) Six semester hours are in the education of children with special needs; and

(3) Three semester hours are in child psychology, education related to the health of children, the education of children with special needs or courses directly related to those subjects; and

(b) Six months of verifiable experience, satisfactory to the Division, in a program related to the education of children, early childhood development, child care or the education of children with special needs;

2. Have earned a high school diploma or a certificate based on general educational development approved by the Administrator of the Division, and have completed at least:

(a) Twelve semester hours of education, of which:

(1) Three semester hours are in child development;

(2) Six semester hours are in the education of children with special needs; and

(3) Three semester hours are in child development, child psychology, education related to the health of children, the education of children with special needs or courses directly related to those subjects; and

(b) Two years of verifiable experience satisfactory to the Division, in a program related to child education, early childhood development, child care or the education of children with special needs; or

3. Have a combination of education and experience which, in the judgment of the Administrator of the Division, is

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equivalent to the requirements of subsection 1 or 2.

NAC 432A.500

NAC 432A.500 Mumps. (NRS 432A.230, 439.200)

1. The State Board of Health hereby declares the disease of mumps to be a communicable disease.
2. Unless excused because of religious belief or medical condition, a child may not be enrolled in a child care facility in this State unless he or she has been immunized against the mumps.

NAC 432A.501

NAC 432A.501 Hepatitis A. (NRS 432A.230, 439.200)

1. The State Board of Health hereby declares infection with hepatitis A to be a communicable disease.
2. Unless excused because of religious belief or medical condition, a child may not be enrolled in a child care facility in this State unless he or she has been immunized against hepatitis A.

NAC 432A.502

NAC 432A.502 Hepatitis B. (NRS 432A.230, 439.200)

1. The State Board of Health hereby declares infection with hepatitis B to be a communicable disease.
2. Unless excused because of religious belief or medical condition, a child may not be enrolled in a child care facility in this State unless he or she has been immunized against hepatitis B.

NAC 432A.503

NAC 432A.503 Varicella. (NRS 432A.230, 439.200)

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1. The State Board of Health hereby declares infection with varicella to be a communicable disease.

2. Unless excused because of religious belief or medical condition, a child may not be enrolled in a child care facility in this State unless he or she has been immunized against varicella.

NAC 432A.504

NAC 432A.504 Streptococcus pneumoniae. (NRS 432A.230, 439.200)

1. The State Board of Health hereby declares infection with streptococcus pneumoniae to be a communicable disease.

2. Unless excused because of religious belief or medical condition, a child may not be enrolled in a child care facility in this State unless he or she has been immunized against streptococcus pneumoniae.

NAC 432A.505

NAC 432A.505 Haemophilus influenzae type b. (NRS 432A.230, 439.200)

1. The State Board of Health hereby declares infection with Haemophilus influenzae type b to be a communicable disease.

2. Unless excused because of religious belief or medical condition, a child may not be enrolled in a child care facility in this State unless he or she has been immunized against Haemophilus influenzae type b.

NAC 432A.510

**NAC 432A.510 Documents to be submitted by parent who resides outside county. (NRS 432A.077,
432A.230)**

1. If the operator of a facility conditionally admits a child whose parent has not established permanent residence in the county in which the facility is located, the operator shall keep the proof submitted by the parent that he or she has not established a permanent residence in the county on file at the facility for 1 year. The proof must be in the form designated by the licensing authority and may include a driver's license.

2. In any case governed by this section, the parent shall submit a written statement of the immunization status of the

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child to the operator of the facility. The statement must be signed by the parent.

NAC 432A.520

NAC 432A.520 General requirements; requirements for field trips. (NRS 432A.077)

1. A licensee of a child care facility shall have a staff which is sufficient in number to provide physical care, supervision and individual attention to each child and allow time for interaction between the staff and the children to promote the children's social competence, emotional well-being and intellectual development.

2. Except as otherwise provided in subsection 3, in addition to the number of caregivers that are required to satisfy the applicable ratio of caregivers to children set forth in NAC 432A.524, one additional caregiver or an adult volunteer per each group of children must be present on all field trips away from the child care facility to assist in providing direct supervision to the children and to increase the safety of the children.

3. The provisions of subsection 2 do not apply:

(a) If the purpose for leaving the child care facility is to transport the children from the child care facility to another location and, upon reaching that location, the responsibility for caring for the children is assumed by another adult.

(b) To a group of children that is composed entirely of children of school age, including children who are attending kindergarten.

4. A member of the staff of a facility who is supervising a child pursuant to subsection 1 must:

(a) Be physically present in the room where the child being supervised is present;

(b) Observe, oversee and guide the child;

(c) Be aware of the needs of the child and accountable for the care of the child; and

(d) Maintain a proximity to the child that allows the member of the staff to be capable of intervening if assistance or direction is needed by the child.

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NAC 432A.521

NAC 432A.521 Replacement of absent caregiver. (NRS 432A.077)

A facility, other than an accommodation facility or a facility that provides care for ill children, may replace a caregiver who has:

1. An unplanned absence with an alternate caregiver:

- (a) Who is able to be on the premises of the facility within 5 minutes after being requested to do so;
- (b) Whom the Division has investigated pursuant to paragraph (a) of subsection 2 of NAC 432A.200; and
- (c) Who satisfies the requirements of NAC 432A.310 and paragraph (a) of subsection 1 of NAC 432A.323.

2. A prearranged absence with a substitute caregiver who satisfies each of the requirements of a caregiver set forth in this chapter and chapter 432A of NRS.

NAC 432A.522

NAC 432A.522 Nurseries for infants and toddlers. (NRS 432A.077)

1. A licensee of a nursery for infants and toddlers shall have on duty at least the following number of caregivers:

- (a) If all children in the nursery are under 9 months old, one caregiver for every four children;
- (b) If all children in the nursery are between 9 months and 18 months old, one caregiver for every six children;
or
- (c) If all children in the nursery are between 18 months and 3 years old, one caregiver for every eight children,

except that if there are more than six children in the facility, there must be at least two caregivers on duty in the

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facility.

2. If the nursery contains children from more than one of these age groups, the required number of staff members is determined by computing the average of the ages of all children attending the nursery and using the average age to determine the applicable ratio of caregivers to children.

NAC 432A.524

NAC 432A.524 Child care centers and accommodation facilities: Caregivers during the day. (NRS
432A.077)

Except as otherwise provided in NAC 432A.290, 432A.532 and 432A.546, a licensee of a child care center or accommodation facility shall have on duty between the hours of 6:30 a.m. and 9:00 p.m. at least the following number of caregivers:

1. Where the children are 2 years of age and older:

(a) For 1 to 6 children, inclusive, one caregiver;

(b) For 7 to 20 children, inclusive, two caregivers;

(c) For 21 to 35 children, inclusive, three caregivers;

(d) For 36 to 50 children, inclusive, four caregivers;

(e) For 51 to 65 children, inclusive, five caregivers;

(f) For 66 to 80 children, inclusive, six caregivers;

(g) For 81 to 93 children, inclusive, seven caregivers; and

(h) For every 13 children in excess of 93, one additional caregiver.

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2. In a classroom which contains children who are 2 or more years of age but less than 3 years of age:

- (a) For 1 to 10 children, inclusive, one caregiver;
- (b) For 11 to 20 children, inclusive, two caregivers;
- (c) For 21 to 30 children, inclusive, three caregivers; and
- (d) For every 1 to 10 children, inclusive, in excess of 30, one additional caregiver.

NAC 432A.526

NAC 432A.526 Child care centers, accommodation facilities and facilities for special events: Caregivers at night. (NRS 432A.077)

1. Except as otherwise provided in NAC 432A.532 and 432A.546, a licensee of a child care center, accommodation facility or facility for special events which is operated between the hours of 9:00 p.m. and 6:30 a.m. shall have on duty the following number of caregivers:

- (a) For 1 to 15 children, inclusive, one caregiver;
- (b) For 16 to 31 children, inclusive, two caregivers;
- (c) For 32 to 46 children, inclusive, three caregivers;
- (d) For 47 to 61 children, inclusive, four caregivers; and
- (e) For every 15 children in excess of 61, one additional caregiver.

2. Every member of the staff of a child care center, accommodation facility or facility for special events who is on duty at night shall remain awake during duty hours.

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NAC 432A.528

NAC 432A.528 Child care centers: Caregivers for infants and toddlers. (NRS 432A.077)

1. Whenever one or more infants or toddlers who are under 2 years of age are being cared for in a child care center, the licensee shall have at least one caregiver on duty who is designated to provide that care.
2. An additional caregiver must be on duty whenever more than six infants or toddlers who are under 30 months of age are in a child care center between the hours of 6:30 a.m. and 9:00 p.m.

NAC 432A.530

NAC 432A.530 Child care centers: Additional children outside normal school hours. (NRS 432A.077)

1. A licensee of a child care center may, after obtaining the written permission of the Administrator of the Division, provide care before and after normal school hours for up to three additional children or 10 percent more children than the number stated on the facility's license, whichever number is greater, if each of the additional children is attending first grade or a grade higher than first grade but is less than 16 years of age.
2. A licensee of a child care center who accepts such additional children shall have one additional caregiver for up to 20 children so accepted and one additional caregiver for every 1 to 20 additional children thereafter.
3. The care must not exceed 3 consecutive hours before normal school hours and 3 consecutive hours after normal school hours.

NAC 432A.532

NAC 432A.532 Special needs facilities. (NRS 432A.077)

Except as otherwise provided in [NAC 432A.546](#), a licensee of a special needs facility in which care is provided to children who are 2 years of age and older shall have on duty at all times at least the following number of caregivers:

1. For 1 to 6 children, inclusive, one caregiver;

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2. For 7 to 20 children, inclusive, two caregivers;

3. For 21 to 30 children, inclusive, three caregivers;

4. For 31 to 40 children, inclusive, four caregivers;

5. For 41 to 50 children, inclusive, five caregivers;

6. For 51 to 60 children, inclusive, six caregivers;

7. For 61 to 70 children, inclusive, seven caregivers;

8. For 71 to 80 children, inclusive, eight caregivers;

9. For 81 to 90 children, inclusive, nine caregivers;

10. For 91 to 100 children, inclusive, 10 caregivers; and

11. For every 6 children in excess of 100, one additional caregiver.

NAC 432A.534

NAC 432A.534 Family homes. (NRS 432A.077)

1. In a family home:

(a) Not more than four of the children may be less than 2 years of age, and not more than two of the children may be less than 1 year of age; and

(b) Any children of the person who is required to reside in the facility pursuant to subsection 3 who are less than 3 years of age will be counted for the purpose of the ratios set forth in this section.

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2. Except as otherwise provided in NAC 432A.546, a licensee of a family home shall:

- (a) Have one caregiver on duty at all times;
- (b) Have a second caregiver on duty whenever four or more of the children in the facility are children with special needs; and
- (c) Provide an alternate caregiver in case of an emergency.

3. If a licensee of a family home is:

(a) A natural person, the licensee shall:

- (1) Reside in the facility; and
- (2) Provide direct care to the children in the facility.

(b) Not a natural person, one of the persons listed on the license pursuant to NRS 432A.150 as a person authorized to operate the facility shall:

- (1) Reside in the facility; and
- (2) Provide direct care to the children in the facility.

NAC 432A.536

NAC 432A.536 Group homes. (NRS 432A.077)

1. In a group home, not more than eight of the children may be less than 3 years of age, and not more than four of the children may be less than 1 year of age.

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2. Except as otherwise provided in NAC 432A.546, a group home must have one caregiver on duty at all times. An additional caregiver must be on duty whenever one or more of the following conditions exist:

- (a) More than six children are in the facility;
- (b) More than four of the children are less than 2 years of age; or
- (c) More than two of the children are less than 1 year of age.

Three caregivers must be on duty whenever eight or more of the children in the facility are children with special needs.

3. If a licensee of a group home is:

(a) A natural person, the licensee shall:

- (1) Reside in the facility; and
- (2) Provide direct care to the children in the facility.

(b) Not a natural person, one of the persons listed on the license pursuant to NRS 432A.150 as a person authorized to operate the facility shall:

- (1) Reside in the facility; and
- (2) Provide direct care to the children in the facility.

NAC 432A.538

**NAC 432A.538 Family homes and group homes: Additional children outside normal school hours.
(NRS 432A.077)**

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1. A licensee of a family home or group home may, after obtaining the written permission of the Administrator of the Division, provide care before and after normal school hours for as many as three children in addition to the number stated on the facility's license if each of the additional children is:

(a) At least 6 years of age or is attending school for a full day; and

(b) Less than 16 years of age.

2. Children who live in such a home and are 11 years of age or less must be included in counting the additional children.

3. The care must not exceed 3 consecutive hours before normal school hours and 3 consecutive hours after normal school hours.

NAC 432A.540

NAC 432A.540 Facilities that provide care for ill children. (NRS 432A.077)

1. A licensee of a facility that provides care for ill children shall have on duty at least the following number of staff:

(a) If all children in the facility are younger than 2 years old, one member of the staff for every three children;

(b) If all children in the facility are between 2 years and 3 years old, one member of the staff for every four children;

(c) If all children in the facility are between 3 years and 6 years old, one member of the staff for every five children; or

(d) If all children in the facility are older than 6 years, one member of the staff for every seven children.

2. If the director provides care for ill children, he or she may be included in calculating the ratio of staff to children.

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3. If a facility that provides care for ill children contains children from more than one of these age groups, the required number of staff is determined by computing the average of the ages of all children attending the facility and using the average age to determine the applicable ratio of staff to children.

NAC 432A.541

NAC 432A.541 Child care institutions. (NRS 432A.077)

Except as otherwise provided in NAC 432A.546, a licensee of a child care institution shall have on duty between the hours of 6:30 a.m. and 9:00 p.m. at least the following number of caregivers if the children are 2 years of age or older:

1. For 1 to 6 children, inclusive, one caregiver;
2. For 7 to 20 children, inclusive, two caregivers;
3. For 21 to 35 children, inclusive, three caregivers;
4. For 36 to 50 children, inclusive, four caregivers;
5. For 51 to 65 children, inclusive, five caregivers;
6. For 66 to 80 children, inclusive, six caregivers;
7. For 81 to 93 children, inclusive, seven caregivers; and
8. If the number of children is greater than 93:
 - (a) At a residential child care institution, for every 10 children in excess of 93, one additional caregiver;
 - (b) At a shelter child care institution, for every 13 children in excess of 93, one additional caregiver; and

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(c) At an educational child care institution, for every 18 children in excess of 93, one additional caregiver.

NAC 432A.542

NAC 432A.542 Educational child care institutions. (NRS 432A.077)

1. Except as otherwise provided in NAC 432A.546, a licensee of an educational child care institution shall have on duty between the hours of 9:00 p.m. and 6:30 a.m., when children are generally asleep, at least the following number of caregivers:

(a) For 1 to 25 children, inclusive, one caregiver; and

(b) For every 25 children in excess of 25, one additional caregiver plus an additional on-call or back-up person on-site.

2. Every member of the staff who is on duty at night shall remain awake during duty hours.

NAC 432A.543

NAC 432A.543 Residential child care institutions. (NRS 432A.077)

1. Except as otherwise provided in NAC 432A.546, a licensee of a residential child care institution shall have on duty between the hours of 9:00 p.m. and 6:30 a.m., when children are generally asleep, at least the following number of caregivers:

(a) For 1 to 15 children, inclusive, one caregiver;

(b) For 16 to 31 children, inclusive, two caregivers;

(c) For 32 to 46 children, inclusive, three caregivers;

(d) For 47 to 61 children, inclusive, four caregivers; and

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(e) For every 15 children in excess of 61, one additional caregiver.

2. Every member of the staff who is on duty at night shall remain awake during duty hours.

NAC 432A.544

NAC 432A.544 Shelter child care institutions. (NRS 432A.077)

1. Except as otherwise provided in NAC 432A.546, a licensee of a shelter child care institution shall have on duty between the hours of 9:00 p.m. and 6:30 a.m., when children are generally asleep, at least the following number of caregivers:

(a) For 1 to 15 children, inclusive, one caregiver;

(b) For 16 to 31 children, inclusive, two caregivers;

(c) For 32 to 46 children, inclusive, three caregivers;

(d) For 47 to 61 children, inclusive, four caregivers; and

(e) For every 15 children in excess of 61, one additional caregiver.

2. Every member of the staff who is on duty at night shall remain awake during duty hours.

NAC 432A.546

NAC 432A.546 Facilities which provide activities in water. (NRS 432A.077)

1. Portable wading pools and other containers of water may be used in a facility if:

(a) The depth of the water in the pool or container does not exceed 6 inches; and

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(b) The pool or container is emptied, cleaned and sanitized immediately after each use.

2. A facility which provides activities in water that has a depth greater than 6 inches, other than a swimming lesson which is taught at a public swimming pool, shall ensure that:

(a) No child is in water with a depth that is higher than the chest of the child while the child is standing;

(b) At least one caregiver is within arm's reach of each child who is less than 3 years of age;

(c) The children are not allowed to wade or swim in a moving body of water, including, without limitation, a stream, river, creek or irrigation ditch; and

(d) At least one person who is currently certified as a lifeguard or water safety instructor by the American National Red Cross or an equivalent water safety program is supervising the children. A public lifeguard may satisfy the requirement of this paragraph.

3. A facility which offers an activity in the water as described in subsection 2 must offer the activity as an optional activity.

4. When children cared for in a facility are engaged in an activity in the water as described in subsection 2 and the children are:

(a) Less than 3 years of age, the ratio of caregivers to children must be one caregiver for each child;

(b) At least 3 years of age but less than 6 years of age, the ratio of caregivers to children must be one caregiver for every 4 children; and

(c) Except as otherwise provided in subsection 5, at least 6 years of age or older, the ratio of caregivers to children must be one caregiver for every 6 children.

5. When children cared for in a facility are engaged in an activity in the water as described in subsection 2 and the children are at least 6 years of age or older, if:

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(a) There are more than 6 children but less than 12 children engaged in the activity, the ratio of caregivers to children must be two caregivers for each group of that size;

(b) There are at least 12 children but less than 20 children engaged in the activity, the ratio of caregivers to children must be three caregivers for each group of that size; and

(c) There are 20 or more children engaged in the activity, the ratio of caregivers to children must be three caregivers plus one additional caregiver for every sixth additional child in excess of 20 children.