

40 TAC § 744.2401
Tex. Admin. Code tit. 40, § 744.2401

§ 744.2401. What are the basic requirements for snack and mealtimes?

(a) You must serve all children regular meals and morning and afternoon snacks as specified in this subchapter.

(1) If breakfast is served, a morning snack is not required.

(2) A child must not go more than three hours without a meal or snack being offered, unless the child is sleeping.

(3) If your operation is participating in the Child and Adult Care Food Program (CACFP) administered by the Texas Department of Agriculture, you may elect to meet those requirements rather than those specified in this subsection.

(b) You must ensure a supply of drinking water is readily available to each child and is served at every snack, mealtime, and after active play in a safe and sanitary manner.

(c) You must not serve beverages with added sugars, such as carbonated beverages, fruit punch, or sweetened milk.

(d) You must not use food as a reward or punishment.

40 TAC § 744.2403
Tex. Admin. Code tit. 40, § 744.2403

§ 744.2403. How often must I feed children in my care?

(a) You must offer each child in care for less than four hours at least one snack as specified in § 744.2407 of this title (relating to What kind of foods must I serve for snacks?).

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(b) You must offer each child in care for four to seven hours one meal, or one meal and one snack, equal to 1/3 of their daily food needs.

(c) You must offer each child in care for more than seven hours two meals and one snack, or two snacks and one meal, equal to 1/2 of their daily food needs.

(d) You must offer an evening meal and/or bedtime snack and breakfast to each child who receives nighttime care. The amount you offer will vary with the time the child arrives and leaves.

(e) If your operation is participating in the Child and Adult Care Food Program administered by the Texas Department of Agriculture, you may elect to meet those requirements rather than those specified in this section.

40 TAC § 744.2405
Tex. Admin. Code tit. 40, § 744.2405

§ 744.2405. How do I know what a child's daily food needs are?

a) The daily food needs for children three years through five years old are included in the following chart:

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Figure: 40 TAC §744.2405(a)

Food Groups	Number of Servings to Meet 1/3 Daily Requirement	Number of Servings to Meet 1/2 Daily Requirement	Serving Size
Milk	2/3 of One Serving	1	3/4 c. 1% Milk or 1 & 1/2 oz. Cheese or 3/4 c. Yogurt
Meat/Meat Alternative	2/3 of One Serving	1	1 & 1/2 oz. Cooked lean meat or 3/4 Egg or 1/4 c. Cooked beans
Vegetable	1	1 and 1/2	1/2 c. Raw or cooked vegetable or 1/2 c. Raw leafy vegetable
Fruit	2/3 of One Serving	1	1/2 c. Canned or chopped fruit or 1 Piece fruit or melon wedge or 1/2 c. Juice
Whole Grains	2	3	1/2 Slice Bread or 1/4 c. Cooked cereal 1/2 oz. Ready to eat cereal or 1/4 c. Cooked pasta or rice or 3 to 5 Crackers

(b) The daily food needs for children six years old and older are included in the following chart:

Figure: 40 TAC §744.2405(b)

Food Groups	Number of Servings to Meet 1/3 Daily Requirement	Number of Servings to Meet 1/2 Daily Requirement	Serving Size
Milk	2/3 to 1	1 to 1 and 1/2	1c. 1% Milk or 1 & 1/2 oz. Natural cheese or 1 c. Yogurt
Meat/Meat Alternative	2/3 to 1	1	2 oz. Cooked lean meat, poultry, or fish or 1/2 c. Cooked beans or 1/2 c. Tofu or 2 Tb. Peanut butter
Vegetable	1 to 1 and 2/3	2	1/2 c. Raw or cooked vegetables or 1/2 c. Raw leafy vegetable
Fruit	2/3 to 1 and 1/3	1 to 2	1/2 c. Canned or chopped fruit or 1 medium piece fruit or 3/4 c. Juice
Whole Grains	2 to 3 and 2/3	3 to 5+	1 slice bread or 1/2 c. Cooked cereal or 3/4 oz. Ready to eat cereal or 1/2 c. Cooked pasta or rice or 4-6 crackers

(c) You must serve enough food to allow children second servings from the vegetable, fruit, grain, and milk groups.

(d) If your operation is participating in the Child and Adult Care Food Program (CACFP) administered by the Texas Department of Agriculture, you may elect to meet those requirements rather than those specified in this section.

40 TAC § 744.2407
Tex. Admin. Code tit. 40, § 744.2407

§ 744.2407. What kind of foods must I serve for snacks?

Morning, afternoon, and nighttime snacks must be nutritious and include at least one of the following, which can be included in the child's daily food needs:

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(1) One serving from the fruit or vegetable group;

(2) One serving from the milk group;

(3) One serving from the whole grains group; or

(4) One serving from the meat or meat alternative group.

40 TAC § 744.2409
Tex. Admin. Code tit. 40, § 744.2409

§ 744.2409. May parents provide meals and/or snacks for their children instead of my operation providing these?

(a) Yes; however, your enrollment agreement signed by the parent must include a statement that the parent is choosing to provide the child's meals and/or snacks from home, and the parent understands the operation is not responsible for its nutritional value or for meeting the child's daily food needs.

(b) If the parent provides a meal but not a snack, you are responsible for providing a snack as specified in § 744.2407 of this title (relating to What kind of foods must I serve for snacks?).

(c) You must provide safe and proper storage and service of the individual meals and snacks provided by parents.

(d) You must ensure meals and snacks provided by a parent and shared with other children meet the needs of children who require special diets.

40 TAC § 744.2411
Tex. Admin. Code tit. 40, § 744.2411

§ 744.2411. How should my operation meet the needs of children who require special diets or do not want to eat foods we serve?

(a) You must have written approval from a physician or a registered or licensed dietician in the child's records to serve a child a therapeutic or special diet. You must give this information to all employees preparing and serving

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food.

(b) You must discuss recurring eating problems with the child's parent.

(c) You may encourage but must not force children to eat.

(d) You must not serve nutrient concentrates and supplements such as protein powders, liquid protein, vitamins, minerals, and other nonfood substances without written instructions from a physician.

40 TAC § 744.2413
Tex. Admin. Code tit. 40, § 744.2413

§ 744.2413. Must I post and maintain daily menus?

Yes. When children are in care for five or more consecutive hours per day, you must:

(1) Post daily menus showing all meals and snacks prepared and served by the operation where parents and others can see them as specified in § 744.403 of this title (relating to When and where must these items be posted?);

(2) Keep a record of any substitutions made. Substitutions must be of comparable food value;

(3) Date menus and keep copies for review at least the previous three months; and

(4) If you rotate menus, keep a record of which menu was used for each date.

40 TAC § 744.2415
Tex. Admin. Code tit. 40, § 744.2415

§ 744.2415. May I serve powdered milk?

Yes, you may serve powdered milk if you mix the powdered milk according to label directions, and prepare, store, and serve the milk in a safe and sanitary manner.

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40 TAC § 744.2417

Tex. Admin. Code tit. 40, § 744.2417

§ 744.2417. May I serve fruit or vegetable juices?

Yes, you may serve fruit or vegetable juices if you:

(1) Serve only 100% fruit or vegetable juice; and

(2) Only serve up to four ounces for children ages three years through five years old and six ounces for children ages six years old and older per day, when using to meet daily food needs.

40 TAC § 744.2419

Tex. Admin. Code tit. 40, § 744.2419

§ 744.2419. What general requirements apply to food service and preparation?

All food and drinks must be of safe quality and must be stored, prepared, distributed, and served under sanitary and safe conditions, including but not limited to the following:

(1) You must sanitize food service equipment, dishes, and utensils after each use;

(2) If your operation lacks adequate facilities for sanitizing dishes and utensils, you must use only disposable, single-use items;

(3) You must wash re-useable napkins and tablecloths after each use;

(4) You must discard single-service napkins, dishes, and utensils after use;

(5) Caregivers with open wounds and/or any injury that inhibits hand washing, such as casts, bandages, or braces, must not prepare food;

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(6) You must serve children's food on plates or napkins, and you must not place food on a bare table or eating surface, which includes the floor;

(7) You must cover all food stored in the refrigerator;

(8) When meals are prepared at the operation, the food preparation area must be separated from the eating, play, and bathroom areas. You must not use the food preparation area as a passageway while food is being prepared; and

(9) You must not store poisonous or toxic materials and cleaning supplies with food.

40 TAC § 744.2421
Tex. Admin. Code tit. 40, § 744.2421

§ 744.2421. Must I serve meals family style?

(a) No, you do not have to use family-style meal service, although all meals and snack times must:

(1) Be unhurried; and

(2) Include adult supervision of children.

(b) If meals and snacks are served family style, caregivers must supervise children to prevent cross-contamination of the food.

40 TAC § 744.2423
Tex. Admin. Code tit. 40, § 744.2423

§ 744.2423. Are children allowed to use toothbrushes after meal and snack times?

(a) Yes, although toothbrushes and tooth powders or pastes provided for each child's individual use must be:

(1) Labeled with the child's full name;

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(2) Stored out of children's reach when not in use; and

(3) Stored in a manner that prevents the toothbrushes from touching each other during storage.

(b) Children must have adult supervision while brushing their teeth.

40 TAC § 744.2501
Tex. Admin. Code tit. 40, § 744.2501

§ 744.2501. Must my operation have an annual sanitation inspection?

(a) Your operation must have a sanitation inspection before we issue your initial permit and at least once every 12 months, unless your operation is located in a public school facility operated by the local independent school district.

(b) If an inspection is required, a local sanitation official must conduct the inspection.

(c) If an inspection is not available from a local sanitation official, you must:

(1) Obtain documentation from a state or local sanitation official or county judge stating that an inspection is not available; and

(2) Maintain this documentation at the operation and make it available to us upon request.

40 TAC § 744.2503
Tex. Admin. Code tit. 40, § 744.2503

§ 744.2503. How do I document that a sanitation inspection has been completed?

If required, you must keep a copy of the most recent sanitation report, letter, or checklist at the operation during hours of operation to verify the inspection date and findings. The report must include the name and telephone number of the inspector.

40 TAC § 744.2505
Tex. Admin. Code tit. 40, § 744.2505

§ 744.2505. Do I have to make corrections called for in the report?

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If required, you must comply with corrections, restrictions, or conditions specified by the inspector in the sanitation report, letter, or checklist.

40 TAC § 744.2507
Tex. Admin. Code tit. 40, § 744.2507

Green
& Purple

§ 744.2507. What steps must I take to ensure a healthy environment for children at my operation?

You must clean, repair, and maintain the building, grounds, and equipment to protect the health of the children. This includes, but is not limited to:

- (1) Machine washing used cloth toys at least weekly and when contaminated;
- (2) Machine washing used linens at least weekly, and when soiled or before a different child uses them;
- (3) Sanitizing sleeping and rest equipment before a different child uses it and when soiled;
- (4) Maintaining sand boxes and sand tables in a sanitary manner;
- (5) Making all garbage inaccessible to children and managing it to keep the operation inside and outside, free of insects, rodents, and offensive odors, and disposing of it according to local and state requirements;
- (6) Keeping all floors, ceilings, and walls in good repair and clean;
- (7) Ensuring that all paints used at the operation are lead-free;
- (8) Keeping all parts of the operation used by children well heated, lighted, and ventilated;
- (9) Sanitizing table tops, furniture, and other similar equipment used by children when soiled or contaminated with

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matter such as food or body secretions; and

(10) Clearly marking cleaning supplies and other toxic materials and keeping them separate from food and inaccessible to children.

40 TAC § 744.2509
Tex. Admin. Code tit. 40, § 744.2509

§ 744.2509. What does Licensing mean when it refers to “sanitizing”?

Sanitizing requires a four-step process. For the sanitizing process to be effective, you must follow these steps in order:

(1) Washing with water and soap;

(2) Rinsing with clear water;

(3) Soaking in or spraying on a disinfecting solution (at least two minutes). Rinsing with cool water only those items that children are likely to place in their mouths; and

(4) Allowing the surface or article to air-dry.

40 TAC § 744.2511
Tex. Admin. Code tit. 40, § 744.2511

§ 744.2511. What is a disinfecting solution?

A disinfecting solution may be:

(1) A self-made solution, prepared as follows:

(A) One tablespoon of regular strength liquid household bleach to each gallon of water used for disinfecting such items as toys and eating utensils; or

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(B) One-fourth cup of regular strength liquid household bleach to each gallon of water used for disinfecting surfaces; and

(C) You must prepare each solution daily and place it in a closed and labeled container; or

(2) A commercial product that is registered with the Environmental Protection Agency (EPA) as an antimicrobial product and includes directions for use in a hospital as a disinfectant. You must use the product according to label directions. Commercial products must not be toxic on surfaces likely to be mouthed by children.

40 TAC § 744.2513
Tex. Admin. Code tit. 40, § 744.2513

§ 744.2513. May I use a dishwasher or washing machine to sanitize items at my operation?

Items that may be washed in a dishwasher or hot cycle of a washing machine which runs at a temperature of 160 degrees Fahrenheit or higher for five or more minutes do not need additional disinfecting, because these machines use water that is hot enough, for long enough, to kill most germs.

40 TAC § 744.2515
Tex. Admin. Code tit. 40, § 744.2515

Green
& Burgundy

§ 744.2515. When must employees wash their hands?

Employees must wash their hands:

(1) Before eating or handling food or medication;

(2) Before feeding a child;

(3) After arriving at the operation;

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(4) After assisting a child with toileting;

(5) After personal toileting;

(6) After handling or cleaning body fluids, such as after wiping noses, mouths, or bottoms, and tending sores;

(7) After handling or feeding animals;

(8) After outdoor activities;

(9) After handling raw food products;

Green
& Burgundy

(10) After eating, drinking, or smoking; and

(11) After using any cleaners or toxic chemicals.

40 TAC § 744.2517
Tex. Admin. Code tit. 40, § 744.2517

§ 744.2517. When must children wash their hands?

Children must wash their hands:

(1) Before eating;

(2) Before playing in a water play table;

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(3) After toileting;

(4) After outdoor activities;

(5) After playing in sand;

(6) After feeding or touching animals; and

(7) Any other time that the caregiver has reason to believe the child has come in contact with substances that could be harmful to the child.

40 TAC § 744.2519
Tex. Admin. Code tit. 40, § 744.2519

§ 744.2519. How must children and employees wash their hands?

Children and employees must wash their hands with soap and running water. Pre-moistened towelettes or wipes and waterless hand cleaners are not a substitute for soap and running water.

40 TAC § 744.2521
Tex. Admin. Code tit. 40, § 744.2521

§ 744.2521. Must my operation have hot water for hand washing?

No. We do not require you to have hot water for hand washing. However, if hot water is accessible to the children, a thermostat must control it so that the water temperature is no higher than 120 degrees Fahrenheit.

40 TAC § 744.2523
Tex. Admin. Code tit. 40, § 744.2523

§ 744.2523. Must caregivers wear gloves when handling bodily fluids?

Yes. Caregivers must follow universal precautions outlined by the Centers for Disease Control (CDC) when handling blood, vomit, or other bodily fluids that may contain blood including:

(1) Use of disposable, nonporous gloves;

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(2) Discarding the gloves immediately after one use; and

(3) Washing hands after using and disposing of the gloves.

**40 TAC § 744.2525
Tex. Admin. Code tit. 40, § 744.2525**

§ 744.2525. Must I use a licensed exterminator to treat my operation for insects, rodents, and other pests?

You may treat your operation for pests only if you are certified as a noncommercial applicator by the Texas Department of Agriculture. Otherwise, you must use a pest control operator licensed by the Texas Department of Agriculture to prevent, control, or eliminate pest infestations at your operation, including the use of over-the-counter products designed for controlling insects, rodents, and other pests.

**40 TAC § 744.2527
Tex. Admin. Code tit. 40, § 744.2527**

§ 744.2527. Are there general precautions I must take when my operation is being treated for insects, rodents, and other pests?

(a) Children must not be allowed in areas where there is pesticide residue that may be harmful to them. Follow written instructions from the licensed pest control operator or label directions in order to determine whether the residue may be harmful to children.

(b) Areas where children are present may be treated with chemicals only when permissible under the label directions.

**40 TAC § 744.2529
Tex. Admin. Code tit. 40, § 744.2529**

§ 744.2529. May I use water from a private water supply instead of a public water supply for my operation?

Yes, you may use water from a private water supply, although you must:

(1) Maintain the water supply in a safe and sanitary manner; and

(2) Maintain written records indicating the private water supply meets the requirements of the Texas Commission on Environmental Quality, if applicable.

**40 TAC § 744.2531
Tex. Admin. Code tit. 40, § 744.2531**

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§ 744.2531. May I use a septic system for sewage disposal?

Yes, if the septic system is sanitary and meets the standards of the Texas Commission on Environmental Quality, including any routine inspections required by law.

40 TAC § 744.2551
Tex. Admin. Code tit. 40, § 744.2551

§ 744.2551. What steps must caregivers follow for assisting children with toileting?

Caregivers must:

(1) Promptly change soiled or wet clothing;

(2) Thoroughly cleanse and dry children with individual cloths or disposable towels. You must discard the disposable towels after use and launder any cloths before using them again;

(3) Not change children in or on areas that children come in close contact with during play or eating, such as dining tables, sofas, or floor play areas;

(4) Wash their hands after assisting with toileting. Refer to § 744.2519 of this title (relating to How must children and employees wash their hands?); and

(5) Place soiled and wet clothing in individual sealed bags.

40 TAC § 744.2571
Tex. Admin. Code tit. 40, § 744.2571

§ 744.2571. What type of illness would prohibit a child from being admitted for care?

You must not admit an ill child for care if one or more of the following exists:

(1) The illness prevents the child from participating comfortably in program activities, including outdoor play;

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(2) The illness results in a greater need for care than caregivers can provide without compromising the health, safety, and supervision of the other children in care;

(3) The child has one of the following, unless medical evaluation by a health-care professional indicates that you can include the child in the program's activities:

(A) Oral temperature above 101 degrees and accompanied by behavior changes or other signs or symptoms of illness;

(B) Rectal temperature above 102 degrees and accompanied by behavior changes or other signs or symptoms of illness;

(C) Armpit temperature above 100 degrees and accompanied by behavior changes or other signs or symptoms of illness; or

(D) Symptoms and signs of possible severe illness such as lethargy, abnormal breathing, uncontrolled diarrhea, two or more vomiting episodes in 24 hours, rash with fever, mouth sores with drooling, behavior changes, or other signs that the child may be severely ill; or

(4) A health-care professional has diagnosed the child with a communicable disease, and the child does not have medical documentation to indicate that the child is no longer contagious.

**40 TAC § 744.2573
Tex. Admin. Code tit. 40, § 744.2573**

§ 744.2573. What communicable diseases would exclude a child from attending my operation?

You must follow the communicable disease exclusions required for schools as defined by the Texas Department of State Health Services (DSHS) in 25 TAC § 97.7 (relating to Diseases Requiring Exclusion from Schools). You can access this information from the Department of State Health Services or Licensing staff.

**40 TAC § 744.2575
Tex. Admin. Code tit. 40, § 744.2575**

§ 744.2575. What if a child becomes ill while in care?

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If a child becomes ill while in your care, you must:

- (1) Contact the parent to pick up the child;
- (2) Care for the child apart from other children;
- (3) Give appropriate attention and supervision until the parent picks the child up; and
- (4) Give extra attention to hand washing and sanitation if the child has diarrhea or vomiting.

**40 TAC § 744.2577
Tex. Admin. Code tit. 40, § 744.2577**

§ 744.2577. How should caregivers respond to critical illness or injury?

If critical illness or injury requires immediate attention of a physician, you must:

- (1) Contact emergency medical services or take the child to the nearest emergency room;
- (2) Give the child first-aid treatment or CPR when needed;
- (3) Contact the child's parent; and
- (4) Ensure supervision of other children in the group.

**40 TAC § 744.2579
Tex. Admin. Code tit. 40, § 744.2579**

§ 744.2579. What is a vaccine-preventable disease for the purpose of this division?

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A vaccine-preventable disease is a disease that is included in the most current recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control and Prevention.

**40 TAC § 744.2581
Tex. Admin. Code tit. 40, § 744.2581**

§ 744.2581. What must a policy for protecting children from vaccine-preventable diseases include?

A policy for protecting the children in your care from vaccine-preventable diseases must:

(1) Specify any vaccines that you have determined an employee must have for vaccine-preventable diseases based on the level of risk the employee presents to children by the employee's routine and direct exposure to children;

(2) Require each employee to receive each specified vaccine that the employee is not exempt from having;

(3) Include procedures for verifying whether an employee has complied with your policy;

(4) Include procedures for an employee to be exempt from having a required vaccine because of:

(A) Medical conditions identified as contraindications or precautions by the Centers for Disease Control and Prevention (CDC); or

(B) Reasons of conscience, including a religious belief;

(5) Include procedures that an exempt employee must follow to protect children in your care from exposure to disease, such as the use of protective medical equipment, including gloves and masks, based on the level of risk the employee presents to children by the employee's routine and direct exposure to children;

(6) Prohibit discrimination or retaliatory action against an exempt employee, except that required use of protective medical equipment, including gloves and masks, may not be considered retaliatory action for purposes of this section;

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(7) Outline how you will maintain a written or electronic record of each employee's compliance with or exemption from your policy; and

(8) State the disciplinary actions you may take against an employee who fails to comply with your policy.

**40 TAC § 744.2601
Tex. Admin. Code tit. 40, § 744.2601**

§ 744.2601. What safety precautions must I take to protect children in my operation?

All areas accessible to a child must be free from hazards including, but not limited to, the following:

(1) Electrical outlets accessible to a child younger than five years old must have childproof covers or safety outlets;

(2) 220-volt electrical connections within a child's reach must be covered with a screen or guard;

(3) Air conditioners, electric fans, and heaters must be mounted out of all children's reach or have safeguards that keep any child from being injured;

(4) Glass in sliding doors must be clearly marked with decals or other materials placed at children's eye level;

(5) Play materials and equipment must be safe and free from sharp or rough edges and toxic paints;

(6) Poisonous or potentially harmful plants must be inaccessible to all children;

(7) All storage chests, boxes, trunks, or similar items with hinged lids must be equipped with a lid support designed to hold the lid open in any position, be equipped with ventilation holes, and must not have a latch that might close and trap a child inside; and

(8) All bodies of water such as pools, hot tubs, ponds, creeks, birdbaths, fountains, buckets, and rain barrels must be inaccessible to all children.

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40 TAC § 744.2603

Tex. Admin. Code tit. 40, § 744.2603

§ 744.2603. How can I ensure the safety of the children from other persons?

(a) People whose behavior and/or health status poses an immediate threat or danger to the health or safety of the children must not be present when children are in care.

(b) People must not consume alcohol or controlled substances without a prescription in the operation, during transportation, or on field trips.

(c) People must not be under the influence of or impaired by alcohol or controlled substances in the operation, during transportation, or on field trips.

(d) People must not smoke or use tobacco products at the operation, on the premises, on the playground, in transportation vehicles, or during field trips.

40 TAC § 744.2605

Tex. Admin. Code tit. 40, § 744.2605

§ 744.2605. Am I required to have a video or audio monitoring system?

Although permissible, you are not required to have a video or audio monitoring system.

40 TAC § 744.2607

Tex. Admin. Code tit. 40, § 744.2607

§ 744.2607. Are firearms or other weapons allowed at my operation?

(a) Law enforcement officials who are trained and certified to carry a firearm on duty may have firearms or ammunition on the premises of the operation.

(b) For all other persons, firearms, hunting knives, bows and arrows, and other weapons are prohibited on the premises of the operation, unless the operation is also your residence and except as allowed under subsection (e) of this section.

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(c) Firearms, hunting knives, bows and arrows, and other weapons kept on the premises of an operation located in your home must remain in a locked cabinet inaccessible to children during your hours of operation.

(d) Ammunition must be kept in a separate locked cabinet and inaccessible to children during your hours of operation.

(e) If your operation uses specialized equipment or weapons that are fundamental to teaching a skill, talent, ability, expertise, or proficiency that is the goal of skill instruction or training that is a core component of your operation's program, such as batons and sticks used in martial arts programs:

(1) The equipment must be used according to manufacturer's instructions and supervised by trained personnel;

(2) The safety practices employed by the operation and the risks associated with the use of the equipment must be outlined in your policies and procedures; and

(3) Parents must provide written consent before children may use the equipment. Written consent must be kept on file at the operation in the child's record and available for review by Licensing during your hours of operation.

40 TAC § 744.2609

Tex. Admin. Code tit. 40, § 744.2609

§ 744.2609. May I have other toys or equipment that explodes or shoots things?

No. Toys that explode or that shoot things, such as caps, BB guns, darts, or fireworks are prohibited as toys for children in both residential and non-residential locations. Toys that explode or shoot things kept on the premises of an operation located in your home must remain in a locked cabinet inaccessible to any child during your hours of operation.

40 TAC § 744.2651

Tex. Admin. Code tit. 40, § 744.2651

§ 744.2651. What does "medication" refer to in this division?

In this division, medication means:

(1) A prescription medication; or

Current through 39 Tex.Reg. No. 5000, dated June 27, 2014, as effective on or before June 30, 2014

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(2) A non-prescription medication, excluding topical ointments such as sunscreen.

40 TAC § 744.2653
Tex. Admin. Code tit. 40, § 744.2653

§ 744.2653. What authorization must I obtain before administering a medication to a child in my care?

(a) Authorization to administer medication to a child in your care must be obtained from the child's parent:

(1) In writing, signed and dated;

(2) In an electronic format that is capable of being viewed and saved; or

(3) By telephone to administer a single dose of a medication.

(b) Authorization to administer medication expires on the first anniversary of the date the authorization is provided.

(c) The child's parent may not authorize you to administer medication in excess of the medication's label instructions or the directions of the child's health-care professional.

(d) Parent authorization is not required if you administer a medication to a child in a medical emergency to prevent the death or serious bodily injury of the child, provided that you administer the medication as prescribed, directed, or intended.

40 TAC § 744.2655
Tex. Admin. Code tit. 40, § 744.2655

§ 744.2655. How must I administer medication to a child in my care?

(a) Medication must be given:

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(1) As stated on the label directions; or

(2) As amended in writing by the child's health-care professional.

(b) Medication must:

(1) Be in the original container labeled with the child's full name and the date brought to the operation;

(2) Be administered only to the child for whom it is intended; and

(3) Not be administered after its expiration date.

(c) When you administer medication to a child in your care, you must record the following:

(1) Full name of the child to whom the medication was given;

(2) Name of the medication;

(3) Date, time, and amount of medication given; and

(4) Full name of the employee administering the medication.

(d) You must keep all medication records for at least three months after administering the medication.

**40 TAC § 744.2657
Tex. Admin. Code tit. 40, § 744.2657**

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§ 744.2657. How must I store medication that I administer to a child?

You must store medications as follows:

(1) Keep it out of the reach of children or in locked storage;

(2) Store it in a manner that does not contaminate food; and

(3) Refrigerate it, if refrigeration is required, and keep it separate from food.

40 TAC § 744.2659

Tex. Admin. Code tit. 40, § 744.2659

§ 744.2659. How long may I keep the medication that I administer to a child?

You must dispose of the medication or return it to the parent when the child withdraws from the operation, or when the medication is out-of-date or is no longer required for the child.

40 TAC § 744.2661

Tex. Admin. Code tit. 40, § 744.2661

§ 744.2661. Do I have to notify parents if I do not want to administer medications?

Yes. If you choose not to administer medication to children, you must inform the parents of this policy in writing before the child's enrollment.

40 TAC § 744.2663

Tex. Admin. Code tit. 40, § 744.2663

§ 744.2663. What is specialized medical assistance?

Specialized medical assistance is any medical assistance other than medication. Examples include, but are not limited to, assisting with an apnea monitor, protective helmet, or leg brace.

40 TAC § 744.2665

Tex. Admin. Code tit. 40, § 744.2665

§ 744.2665. What are my requirements regarding specialized medical assistance?

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(a) If a child in your care requires specialized medical assistance, then you are required to provide the specialized medical assistance as recommended or ordered by a health-care professional.

(b) If you are provided with a written copy of the health-care professional's recommendations or orders, you must maintain this written information in the child's record for at least three months after the health-care professional has indicated that the specialized medical assistance is no longer needed.

**40 TAC § 744.2701
Tex. Admin. Code tit. 40, § 744.2701**

§ 744.2701. What steps must I take to have animals at my operation?

If you choose to have animals on the premises, you must:

(1) Notify parents in writing when animals are or will be present;

(2) Ensure the animals do not create unsafe or unsanitary conditions;

(3) Ensure that children do not handle any animal that shows signs of illness, such as lethargy or diarrhea; and

(4) Ensure that caregivers and children practice good hygiene and hand washing after handling or coming into contact with an animal and items used by an animal, such as water bowls, food bowls, and cages.

**40 TAC § 744.2703
Tex. Admin. Code tit. 40, § 744.2703**

§ 744.2703. Must I keep documentation of vaccinations on file for the animals?

(a) Yes. You must have documentation at your operation showing dogs and cats have been vaccinated as required by Texas Health and Safety Code, Chapter 826.

(b) You must have a statement of health from a local veterinarian at your operation for dogs, cats, ferrets, and other animals other than small rodents, such as guinea pigs, mice, and hamsters.

**40 TAC § 744.2705
Tex. Admin. Code tit. 40, § 744.2705**

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§ 744.2705. Must I prevent children from having contact with certain animals while at my operation?

(a) Yes. Children must not have contact with chickens, ducks, and reptiles, such as snakes, turtles, lizards, iguanas, and amphibians, such as frogs and toads.

(b) You must keep the operation and playground free of animals unfamiliar to you.

(c) You must not allow children to play with animals unfamiliar to you or other animals that could be dangerous, including exotic animals such as monkeys.

**40 TAC § 744.2751
Tex. Admin. Code tit. 40, § 744.2751**

§ 744.2751. Must I have a first-aid kit at my operation?

Yes. You must have a complete first-aid kit available in each building at the operation, during all field trips, and while transporting children. Each first-aid kit must be:

(1) Clearly labeled;

(2) Kept in a clean and sanitary condition;

(3) Easily accessible to all employees;

(4) Stored in a designated location known to all employees; and

(5) Kept out of the reach of children.

**40 TAC § 744.2753
Tex. Admin. Code tit. 40, § 744.2753**

§ 744.2753. What items must each first-aid kit contain?

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(a) Each first-aid kit must contain the following supplies:

(1) A guide to first aid and emergency care;

(2) Adhesive tape;

(3) Antiseptic solution or wipes;

(4) Cotton balls;

(5) Multi-size adhesive bandages;

(6) Scissors;

(7) Sterile gauze pads;

(8) Thermometer, preferably non-glass;

(9) Tweezers; and

(10) Waterproof, disposable gloves.

(b) The first-aid supplies must not have expired.

40 TAC § 744.2801
Tex. Admin. Code tit. 40, § 744.2801

Texas Administrative Code _Title 40. Social Services and Assistance _Part 19. Department of Family and Protective Services _Chapter 744. Minimum Standards for School-Age and Before or After-School Programs _ Subchapter J. Nutrition and Food Service

§ 744.2801. To whom may I release children?

You must release children only to a parent or a person designated by the parent.

40 TAC § 744.2803

Tex. Admin. Code tit. 40, § 744.2803

§ 744.2803. How do my employees verify the identity of a parent or a person a parent has designated to pick up the child?

(a) You must develop operation policies for the release of children, including a plan to verify the identity of a person authorized to pick up a child but whom the caregiver does not know. If your operation transports children, the plan must include verifying the identity of a person to whom you release a child from an operation transportation vehicle.

(b) Your policies must include a reasonable means to record the identity of the individual, such as a copy of valid photo identification, an instant photograph of the individual, or recording the driver's license number and car license plate numbers. You must retain this information in the child's records for at least three months.

(c) You must instruct all employees in the operation's policies for the release of children, including the verification plan.