

Texas Administrative Code \_Title 40. Social Services and Assistance \_Part 19. Department of Family and Protective Services \_Chapter 747. Minimum Standards for Child-Care Homes \_Subchapter S. Safety Practices \_Division 1. Safety Precautions

40 TAC § 747.3501  
Tex. Admin. Code tit. 40, § 747.3501

**§ 747.3501. What safety precautions must I take to protect children in my child-care home?**

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 must have child-proof covers or safety outlets;
- (2) 220-volt electrical connections within any 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 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 children.

40 TAC § 747.3503  
Tex. Admin. Code tit. 40, § 747.3503

**§ 747.3503. How may I ensure the safety of the children from other persons?**

**Texas Administrative Code \_Title 40. Social Services and Assistance \_Part 19. Department of Family and Protective Services \_Chapter 747. Minimum Standards for Child-Care Homes \_Subchapter S. Safety Practices \_Division 1. Safety Precautions**

(a) People whose behavior and/or health status appears to endanger 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 child-care home, during transportation, or on field trips.

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

(d) People must not smoke or use tobacco products during operating hours in the child-care home, garage, on the playground, in transportation vehicles, or during field trips

**40 TAC § 747.3505**

**Tex. Admin. Code tit. 40, § 747.3505**

**§ 747.3505. Are firearms or other weapons allowed at my child-care home?**

(a) Firearms, hunting knives, bows and arrows, or other weapons kept on the premises of a child-care home must remain in a locked cabinet inaccessible to children during all hours of operation, with the exception of law enforcement officials who are trained and certified to carry a firearm and ammunition.

(b) You must keep ammunition in a separate locked cabinet and inaccessible to children during all hours of operation.

**40 TAC § 747.3507**

**Tex. Admin. Code tit. 40, § 747.3507**

**§ 747.3507. May I have 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 for children's use and must remain in a locked cabinet, inaccessible to children during all hours of operation.

**40 TAC § 747.3601**

**Tex. Admin. Code tit. 40, § 747.3601**

**§ 747.3601. What does "medication" refer to in this division?**

In this division, medication means:

Texas Administrative Code \_Title 40. Social Services and Assistance \_Part 19. Department of Family and Protective Services \_Chapter 747. Minimum Standards for Child-Care Homes \_Subchapter S. Safety Practices \_Division 1. Safety Precautions

(1) A prescription medication; or

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

**40 TAC § 747.3603**  
**Tex. Admin. Code tit. 40, § 747.3603**

§ 747.3603. 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 § 747.3605**  
**Tex. Admin. Code tit. 40, § 747.3605**

§ 747.3605. How must I administer medication to a child in my care?

**Texas Administrative Code \_Title 40. Social Services and Assistance \_Part 19. Department of Family and Protective Services \_Chapter 747. Minimum Standards for Child-Care Homes \_Subchapter S. Safety Practices \_Division 1. Safety Precautions**

(a) Medication must be given:

- (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 make a record of 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 caregiver administering the medication, if it is not the primary caregiver.

Texas Administrative Code \_Title 40. Social Services and Assistance \_Part 19. Department of Family and Protective Services \_Chapter 747. Minimum Standards for Child-Care Homes \_Subchapter S. Safety Practices \_Division 1. Safety Precautions

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

40 TAC § 747.3607  
Tex. Admin. Code tit. 40, § 747.3607

§ 747.3607. How must I store medication that I administer to a child?

You must store medication 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 § 747.3609  
Tex. Admin. Code tit. 40, § 747.3609

§ 747.3609. 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 child-care home, or when the medication is out-of-date, or is no longer required for the child.

40 TAC § 747.3611  
Tex. Admin. Code tit. 40, § 747.3611

§ 747.3611. 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, prior to the child's enrollment.

40 TAC § 747.3613  
Tex. Admin. Code tit. 40, § 747.3613

§ 747.3613. 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 § 747.3615  
Tex. Admin. Code tit. 40, § 747.3615

**Texas Administrative Code \_Title 40. Social Services and Assistance \_Part 19. Department of Family and Protective Services \_Chapter 747. Minimum Standards for Child-Care Homes \_Subchapter S. Safety Practices \_Division 1. Safety Precautions**

**§ 747.3615. What are my requirements regarding specialized medical assistance?**

(a) If a child in your care requires specialized medical assistance, then you are required to provide 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 § 747.3701**

**Tex. Admin. Code tit. 40, § 747.3701**

**§ 747.3701. What steps must I take to have animals at my child-care home?**

If you choose to have animals on the premises while children are in care, 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 § 747.3703**

**Tex. Admin. Code tit. 40, § 747.3703**

**§ 747.3703. Must I keep documentation of vaccinations for the animals?**

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

**Texas Administrative Code \_Title 40. Social Services and Assistance \_Part 19. Department of Family and Protective Services \_Chapter 747. Minimum Standards for Child-Care Homes \_Subchapter S. Safety Practices \_Division 1. Safety Precautions**

(b) You must have a statement of health from a local veterinarian at your child-care home for all animals, such as dogs, cats, and ferrets, with the exception of small rodents, such as guinea pigs, mice, and hamsters.

**40 TAC § 747.3705  
Tex. Admin. Code tit. 40, § 747.3705**

**§ 747.3705. Must I prevent children from having contact with certain animals while at my child-care home?**

(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 child-care home and playground free of animals unfamiliar to you.

(c) In addition to the animals specified in subsection (a) of this section, you must not allow children to play with:

(1) animals unfamiliar to you;

(2) animals familiar to you but showing behavioral changes that could be perceived as dangerous; and

(3) animals that could be dangerous, such as monkeys.

**40 TAC § 747.3801  
Tex. Admin. Code tit. 40, § 747.3801**

**§ 747.3801. Must I have a first-aid kit at my child-care home?**

Yes. You must have a first-aid kit available in the child-care home and on all field trips that is:

(1) Clearly labeled;

**Texas Administrative Code \_Title 40. Social Services and Assistance \_Part 19. Department of Family and Protective Services \_Chapter 747. Minimum Standards for Child-Care Homes \_Subchapter S. Safety Practices \_Division 1. Safety Precautions**

(2) Kept in a clean and sanitary manner;

(3) Easily accessible to all caregivers and household members;

(4) In a designated location; and

(5) Kept out of the reach of children.

**40 TAC § 747.3803  
Tex. Admin. Code tit. 40, § 747.3803**

**§ 747.3803. What items must each first-aid kit contain?**

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

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

(2) Adhesive tape;

(3) Antiseptic solutions or wipes;

(4) Cotton balls;

(5) Multi-size adhesive bandages;

(6) Scissors;

**Texas Administrative Code \_Title 40. Social Services and Assistance \_Part 19. Department of Family and Protective Services \_Chapter 747. Minimum Standards for Child-Care Homes \_Subchapter S. Safety Practices \_Division 1. Safety Precautions**

(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 § 747.3901  
Tex. Admin. Code tit. 40, § 747.3901**

**§ 747.3901. Who may I release children to?**

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

**40 TAC § 747.3903  
Tex. Admin. Code tit. 40, § 747.3903**

**§ 747.3903. How do I, or someone assisting me in my child-care home, verify the identity of a parent or a person a parent has designated to pick up the child?**

(a) You must develop policies for 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 child-care home transports children, the plan must include verifying the identity of a person to whom you release a child from a child-care home transportation vehicle.

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

(c) You must instruct all caregivers and household members who are 14 years old and older who are regularly or frequently present while children are in care in your policies for the release of children, including the verification

**Texas Administrative Code \_Title 40. Social Services and Assistance \_Part 19. Department of Family and Protective Services \_Chapter 747. Minimum Standards for Child-Care Homes \_Subchapter S. Safety Practices \_Division 1. Safety Precautions**

plan. Caregivers must handle the release of children in care.

**40 TAC § 747.3931  
Tex. Admin. Code tit. 40, § 747.3931**

**§ 747.3931. What are “children’s products?”**

Children’s products are products that are designed or intended to be used by a child under 13 years of age or used by a caregiver during the care of a child under 13 years of age. The term does not include:

- (1) An item that is not designed or intended to be used solely or primarily by a child under 13 years of age or for the care of a child under 13 years of age;
- (2) A medication, drug, food, or other item that is intended to be ingested; or
- (3) Clothing.

**40 TAC § 747.3933  
Tex. Admin. Code tit. 40, § 747.3933**

**§ 747.3933. When is a children’s product considered to be unsafe?**

A children’s product is considered to be unsafe if after it has been recalled for any reason by the United States Consumer Product Safety Commission:

- (1) The recall has not been rescinded; and
- (2) The product has not been made safe through being remanufactured or retrofitted.

**40 TAC § 747.3935  
Tex. Admin. Code tit. 40, § 747.3935**

**§ 747.3935. What are my responsibilities regarding unsafe children’s products in my child-care home?**

- (a) You are responsible for reviewing the United States Consumer Product Safety Commission (CPSC) recall list.

**Texas Administrative Code \_Title 40. Social Services and Assistance \_Part 19. Department of Family and Protective Services \_Chapter 747. Minimum Standards for Child-Care Homes \_Subchapter S. Safety Practices \_Division 1. Safety Precautions**

You may view all current and past recalls through the CPSC's Internet website at: [www.cpsc.gov](http://www.cpsc.gov). You must ensure that there are no unsafe children's products in your child-care home unless one or more of the following apply:

- (1) The product is an antique or collectible children's product and is not used by, or accessible to any child; or
  - (2) The unsafe children's product is being retrofitted to make it safe and the product is not used by, or accessible to any child.
- (b) You must certify annually in writing using a form provided by DFPS that you have reviewed each of the recall notices issued by the CPSC and that there are no unsafe products in the home except products specified in subsection (a) of this section. The form must be kept on file and available for review upon request by Licensing staff, parents, and employees during hours of operation.
- (c) You must post a notice for parents and employees in a prominent and publicly accessible place that includes information on how to access a listing of unsafe children's products through the CPSC Internet website or through the DFPS Internet website.

**40 TAC § 747.4001  
Tex. Admin. Code tit. 40, § 747.4001**

**§ 747.4001. How many square feet of indoor useable activity space must I have for each child?**

Your registered or licensed child-care home must have at least 30 square feet of indoor useable activity space for each child in care.

**40 TAC § 747.4003  
Tex. Admin. Code tit. 40, § 747.4003**

**§ 747.4003. May I care for 12 children if I do not have 30 square feet of indoor useable activity space?**

No. We will limit the number of children you may care for based on the indoor useable activity space in the child-care home.

**40 TAC § 747.4005  
Tex. Admin. Code tit. 40, § 747.4005**

**§ 747.4005. What does Licensing mean by "indoor useable activity space"?**

Texas Administrative Code \_Title 40. Social Services and Assistance \_Part 19. Department of Family and Protective Services \_Chapter 747. Minimum Standards for Child-Care Homes \_Subchapter S. Safety Practices \_Division 1. Safety Precautions

Indoor useable activity space is space that may be used by a child in the child-care home for a variety of activities specified in this chapter. You must demonstrate to us how the space will be used for at least the following activities:

(1) Use of cribs and space to explore outside of the crib;

(2) Use of interest centers or activity stations;

(3) Space for meals and snack time;

(4) Space for individual and group activities; and

(5) Space for nap or rest time.

40 TAC § 747.4007  
Tex. Admin. Code tit. 40, § 747.4007

§ 747.4007. Am I required to care for children younger than 18 months separately from older children?

No, but you must be close enough to the younger children to interact with them and to intervene, if needed to protect them.

40 TAC § 747.4009  
Tex. Admin. Code tit. 40, § 747.4009

§ 747.4009. Do the indoor useable activity space requirements in § 747.4001 of this title (relating to How many square feet of indoor useable activity space must I have for each child?) apply to my home if it was registered or licensed before September 1, 2003?

If you were registered or licensed before September 1, 2003, you are exempt from this requirement until your permit to operate is no longer valid.

40 TAC § 747.4011  
Tex. Admin. Code tit. 40, § 747.4011

§ 747.4011. How does Licensing determine the indoor useable activity space?

Texas Administrative Code \_Title 40. Social Services and Assistance \_Part 19. Department of Family and Protective Services \_Chapter 747. Minimum Standards for Child-Care Homes \_Subchapter S. Safety Practices \_Division 1. Safety Precautions

(a) We determine the useable activity space by:

(1) Measuring all useable activity space at floor level;

(2) Rounding all measurements to the nearest inch;

(3) Excluding single-use areas. See § 747.105(44) of this title (relating to What do certain words and terms mean when used in this chapter?) for more information on single-use areas; and

(4) Excluding floor space occupied by permanent and stationary fixtures, such as built-in bookcases, shelving, and storage/counter space that is not intended for use by children.

(b) We use the sum of the measurements to calculate the useable activity space and to determine the maximum number of children you may care for.

**40 TAC § 747.4013**  
**Tex. Admin. Code tit. 40, § 747.4013**

**§ 747.4013. May other programs use my indoor useable activity space at the same time I have children in care?**

No. You must not share the indoor useable activity space with other programs at the same time you have children in care.

**40 TAC § 747.4015**  
**Tex. Admin. Code tit. 40, § 747.4015**

**§ 747.4015. May I care for children above or below ground level?**

You must not care for children on any level above or below ground level without written approval from the state or local fire marshal. If your child-care home was registered or licensed before September 1, 2003, you have one year from September 1, 2003, to obtain written approval or relocate all care to the ground level.

**40 TAC § 747.4101**  
**Tex. Admin. Code tit. 40, § 747.4101**

**§ 747.4101. How many square feet of outdoor activity space must I have?**

Texas Administrative Code \_Title 40. Social Services and Assistance \_Part 19. Department of Family and Protective Services \_Chapter 747. Minimum Standards for Child-Care Homes \_Subchapter S. Safety Practices \_Division 1. Safety Precautions

Your registered or licensed child-care home must have 80 square feet of outdoor activity space for each child using the outdoor area at one time.

40 TAC § 747.4103  
Tex. Admin. Code tit. 40, § 747.4103

§ 747.4103. Do the outdoor activity space requirements apply to my home if it was registered or licensed before September 1, 2003?

If your child-care home was licensed or registered before September 1, 2003, you are exempt from the requirements in § 747.4101 of this title (relating to How many square feet of outdoor activity space must I have?) until your permit to operate is no longer valid.

40 TAC § 747.4105  
Tex. Admin. Code tit. 40, § 747.4105

§ 747.4105. Must I fence the outdoor activity space area?

You must enclose your outdoor activity space area with a fence at least four feet high, unless the only children using the outdoor area are five years old and older. The wall of a building may serve as part of the enclosure, provided it is at least four feet tall.

40 TAC § 747.4107  
Tex. Admin. Code tit. 40, § 747.4107

§ 747.4107. Does the fence requirement apply to my home if it was registered or licensed before September 1, 2003?

If your child-care home was registered or licensed before September 1, 2003, you have one year from September 1, 2003, to enclose your outdoor activity space area.

40 TAC § 747.4109  
Tex. Admin. Code tit. 40, § 747.4109

§ 747.4109. How many exits must I have from my fenced outdoor activity space area?

Each fenced yard must have at least two exits. An entrance to your child-care home may count as one exit, but one exit must be away from the child-care home.

40 TAC § 747.4111  
Tex. Admin. Code tit. 40, § 747.4111

§ 747.4111. May I keep the gates leading into my outdoor activity area locked while children are in care?

Texas Administrative Code \_Title 40. Social Services and Assistance \_Part 19. Department of Family and Protective Services \_Chapter 747. Minimum Standards for Child-Care Homes \_Subchapter S. Safety Practices \_Division 1. Safety Precautions

Yes, but caregivers must be able to open the gates immediately in an emergency. For example, all caregivers would carry a key with them to open the locked exits. Caregivers must be able to demonstrate to Licensing staff that they can open the gate immediately.

40 TAC § 747.4113  
Tex. Admin. Code tit. 40, § 747.4113

**§ 747.4113. Must the outdoor activity area be connected to the child-care home?**

We must approve a plan to use an outdoor activity area that is not connected to your child-care home, such as a nearby park, schoolyard, or other alternative. All outdoor activity areas used by children must be accessible by a safe route. We will consider the following criteria before approving the plan:

(1) Traffic patterns of vehicles and people in the area;

(2) Ages of children in your care;

(3) Availability of appropriate equipment;

(4) Usage of the location by other groups when the children would be most likely to use it;

(5) Safety hazards related to the crime rate for the area;

(6) Accessibility to children and caregivers by foot or the availability of push carts or other means of transporting infants and toddlers;

(7) Reasonable accessibility of restroom facilities; and

(8) Ability to obtain assistance, if needed, when injury or illness occurs.

40 TAC § 747.4115  
Tex. Admin. Code tit. 40, § 747.4115

Texas Administrative Code \_Title 40. Social Services and Assistance \_Part 19. Department of Family and Protective Services \_Chapter 747. Minimum Standards for Child-Care Homes \_Subchapter S. Safety Practices \_Division 1. Safety Precautions

§ 747.4115. Must I comply with additional requirements if my plan to use an outdoor activity area not connected to my child-care home is approved by Licensing?

Yes. If we approve an outdoor activity area not connected to your child-care home, you must:

(1) Give parents written notification of the location of the outdoor activity area, upon children's enrollment;

(2) Supervise children both during play and while traveling to and from the activity area; and

(3) Meet other conditions we specify, if applicable.

40 TAC § 747.4117  
Tex. Admin. Code tit. 40, § 747.4117

§ 747.4117. May other programs use the outdoor activity space at my child-care home at the same time I have children in care?

No. You must not share the outdoor activity space at your child-care home with other programs at the same time children are in care.

40 TAC § 747.4201  
Tex. Admin. Code tit. 40, § 747.4201

§ 747.4201. How many sinks and toilets must I have for children's use?

You must have at least one sink and one flush toilet available for children's use. A urinal may not substitute for a toilet.

40 TAC § 747.4203  
Tex. Admin. Code tit. 40, § 747.4203

§ 747.4203. Where must the sink and toilet be located for children's use?

(a) Sinks and toilets must be located inside the child-care home and allow supervision by caregivers as needed.

**Texas Administrative Code \_Title 40. Social Services and Assistance \_Part 19. Department of Family and Protective Services \_Chapter 747. Minimum Standards for Child-Care Homes \_Subchapter S. Safety Practices \_Division 1. Safety Precautions**

(b) Children must be able to safely and independently access the toilet.

(c) Children must be able to safely and independently access the sink for hand washing. For further information on hand washing, refer to § 747. 3215 of this title (relating to How must children and caregivers wash their hands?).

**40 TAC § 747.4205  
Tex. Admin. Code tit. 40, § 747.4205**

**§ 747.4205. Must I supply soap and disposable towels for children's use?**

You must equip sinks children use for hand washing with soap and running water. Single-use disposable towels or an individual towel labeled with the child's name may be provided for children to dry their hands.

**40 TAC § 747.4207  
Tex. Admin. Code tit. 40, § 747.4207**

**§ 747.4207. May potty-chairs be used?**

Yes. You may use potty-chairs, but a potty chair is not a substitute for a flush toilet required under § 747.4201 of this title (relating to How many sinks and toilets must I have for children's use?).

**40 TAC § 747.4209  
Tex. Admin. Code tit. 40, § 747.4209**

**§ 747.4209. Do I have to use toilets and sinks that are sized for children?**

No, but you must equip a sink, urinal, or toilet that is too high for children to use safely and independently with anchored steps or a broad-based platform with a non-slip surface.

**40 TAC § 747.4211  
Tex. Admin. Code tit. 40, § 747.4211**

**§ 747.4211. May the doors to the restrooms have locks on them?**

Yes. Doors on restrooms and toilets used by children may have locks, although:

(1) Locks must be out of children's reach; or

**Texas Administrative Code \_Title 40. Social Services and Assistance \_Part 19. Department of Family and Protective Services \_Chapter 747. Minimum Standards for Child-Care Homes \_Subchapter S. Safety Practices \_Division 1. Safety Precautions**

(2) If locks are within children's reach, there must be a way to immediately open the door from the outside in an emergency, and:

(A) The unlocking mechanism must be accessible to all caregivers at all times and must be demonstrated satisfactorily to Licensing staff upon request; and

(B) A caregiver must be present in or near the restroom when children younger than five years are using restrooms with door locks within children's reach.

**40 TAC § 747.4301  
Tex. Admin. Code tit. 40, § 747.4301**

**§ 747.4301. Must I use child-sized tables and chairs for children?**

No; however, you must ensure that any table or chair used by a child is safe, easy to clean, and of a height and size that the child can use it safely and easily.

**40 TAC § 747.4303  
Tex. Admin. Code tit. 40, § 747.4303**

**§ 747.4303. Must I provide a cot or mat for each child to sleep or rest on?**

(a) Yes. You must provide the following:

(1) An individual crib meeting requirements specified in Subchapter H of this chapter (relating to Basic Care Requirements for Infants) for each non-walking child younger than 18 months to sleep or rest in;

(2) An individual cot, bed, or mat that is waterproof or washable for each walking child through four years old to sleep or rest on;

(3) Individual arrangements for sleep or rest for children five years and older who are in care for more than five hours per day, or whose individual care needs require a nap or rest time.

(b) Cots, beds, or mats must be labeled with the child's name. Labeling cots, beds, or mats with a number related to a number assignment map may be used as an alternative.

**Texas Administrative Code \_Title 40. Social Services and Assistance \_Part 19. Department of Family and Protective Services \_Chapter 747. Minimum Standards for Child-Care Homes \_Subchapter S. Safety Practices \_Division 1. Safety Precautions**

(c) Floor mats used for napping must be marked or colored so that the sleeping side can be distinguished from the floor side.

**40 TAC § 747.4305  
Tex. Admin. Code tit. 40, § 747.4305**

**§ 747.4305. Must I have storage for each child's individual belongings?**

Yes. You must have individual lockers, cubicles, baskets, separate hooks and shelves, or other adequate storage space for each child's personal belongings. You must clearly label the storage space with the child's name, a photograph of the child, or other symbol he recognizes as his own.

**40 TAC § 747.4307  
Tex. Admin. Code tit. 40, § 747.4307**

**§ 747.4307. Must I have a telephone at my child-care home?**

Yes. You must have a working telephone or cellular phone at your child-care home with a listed telephone number. The telephone must not be a coin-operated pay phone.

**40 TAC § 747.4309  
Tex. Admin. Code tit. 40, § 747.4309**

**§ 747.4309. May I have lofts?**

(a) Yes, as long as the lofts are designed and used as an extension of the learning area and you comply with the following safety standards:

(1) Caregivers must be able to adequately supervise children at all times;

(2) Platforms over 20 inches in height must be equipped with protective barriers that prevent children from crawling over or falling through the barrier, or becoming entrapped; and

(3) Stairs and steps, regardless of height, must have handrails the children can reach. Rung ladders do not require handrails.

**Texas Administrative Code \_Title 40. Social Services and Assistance \_Part 19. Department of Family and Protective Services \_Chapter 747. Minimum Standards for Child-Care Homes \_Subchapter S. Safety Practices \_Division 1. Safety Precautions**

(b) If lofts are used as indoor active play space or equipment they must comply with the requirements specified in Subchapter U of this chapter (relating to Indoor and Outdoor Active Play Space and Equipment).

**40 TAC § 747.4311**

**Tex. Admin. Code tit. 40, § 747.4311**

**§ 747.4311. If my child-care home was registered or licensed before September 1, 2003, will I be given an opportunity to comply?**

If your child-care home was registered or licensed before September 1, 2003, you have five years from September 1, 2003, to comply with the requirements specified in § 747.4309(1) of this title (relating to May I have indoor climbing equipment, such as slides or lofts?).