

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. **Rules Regulating Child Care Centers** (Less Than 24-Hour Care)

12 CCR 2509-8:7.702

12 Colo. Code Regs. 2509-8:7.702Alternatively cited as 12 CO ADC 2509-8

2509-8:7.702. RULES REGULATING CHILD CARE CENTERS (LESS THAN 24-HOUR CARE)

All child care centers must comply with the “General Rules for Child Care Facilities” as well as the “Rules Regulating Child Care Centers (Less Than 24-Hour Care)” and the “Rules and Regulations Governing the Sanitation of Child Care Centers in the State of Colorado.”

All infant nurseries and toddler nurseries must meet all of the requirements for centers in 7.702 except where rules specific to infant or toddler nurseries replace other rules. Rules that apply only to infant and toddler nurseries appear in bold type/italics at the end of sections. These rules either replace other rules in that section or are in addition to other rules in that section. The “contents” pages also indicate rules that apply only to infant nurseries and toddler nurseries.

12 CCR 2509-8:7.702.1

12 Colo. Code Regs. 2509-8:7.702.1Alternatively cited as 12 CO ADC 2509-8

2509-8:7.702.1. Repealed

12 CCR 2509-8:7.702.2

12 Colo. Code Regs. 2509-8:7.702.2Alternatively cited as 12 CO ADC 2509-8

2509-8:7.702.2. DEFINITIONS

A. Child care centers, less than 24-hour care (referred to as “centers”), provide comprehensive care for children when the parents or guardians are employed or otherwise unavailable to care for the children. Child care centers may operate twenty four (24) hours a day, but the children are cared for at the center fewer than twenty four (24) hours a day.

B. Child care centers, less than 24-hour programs of care, include the following types of facilities:

1. A “large child care center” provides care for 16 or more children between the ages of 2 1/2 and 16 years.

2. A “small child care center” provides care for 5 through 15 children between the ages of 2 and 16 years.

3. An “infant nursery” provides care for children between the ages of 6 weeks and 18 months.

4. A “toddler nursery” provides care for children between the ages of 12 months (when walking independently)

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care) and 36 months.

5. "Preschool" is a part-day child care program for 5 or more children between the ages of 2 ½ and 7 years.

6. "Kindergarten" provides a program for children the year before they enter the first grade.

7. A "drop-in child care center" provides occasional care for 40 or fewer children between the ages of 12 months and 13 years of age for short periods of time not to exceed six (6) hours in any 24-hour period of time or fifteen (15) hours in any seven (7) day period of time.

12 CCR 2509-8:7.702.3

12 Colo. Code Regs. 2509-8:7.702.3 Alternatively cited as 12 CO ADC 2509-8

2509-8:7.702.3. ADMINISTRATION

(See also "Administration" at 7.701.5, General Rules for Child Care Facilities)

A. The governing body must appoint a director who will be responsible to the governing body and who will be delegated the authority and responsibility for the operation of the center according to its defined purpose and policies.

B. The governing body must formulate the purpose and policies to be followed by the center. It must have a regular planned review of such purpose and policies to determine that the center is in compliance with licensing rules.

C. The governing body is responsible for providing necessary facilities, adequate financing, qualified personnel, services, and program functions for the safety and well-being of children in accordance with these rules.

D. The director of the center is responsible for administering the center in accordance with licensing rules. The director must plan and supervise the child development program, plan for or participate in selection of staff, plan for orientation and staff development, supervise and coordinate staff activities, evaluate staff performance, and participate in the program activities.

E. The director of a part-day preschool program operated by an accredited public school system is responsible for administering the center in accordance with licensing rules and supervising the child development program. The director must plan for or participate in orientation and staff development, supervise or coordinate staff activities, participate in the evaluation of staff performance, and participate in program activities.

12 CCR 2509-8:7.702.4

Current through CR, Vol. 37, No. 9, May 10, 2014.

2509-8:7.702.4. POLICIES AND PROCEDURES

7.702.41 Statement of Policies and Procedures

A written statement of the center's policies and procedures must be made available to parents and guardians and to staff and must include the following:

- A. The center's purpose and its philosophy on child care.
- B. The ages of children accepted.
- C. Services offered for special needs children in compliance with the Americans with Disabilities Act.
- D. The hours the center is open, specific hours during which special programs are offered, holidays when the center is closed.
- E. The policy regarding inclement and excessively hot weather.
- F. The procedure concerning admission and registration of children.
- G. An itemized fee schedule.
- H. The procedure for identifying where children are at all times.
- I. The policy on discipline.
- J. The procedure, including notification of parents or guardians, for handling children's illnesses, accidents, and injuries.
- K. The procedures for responding to emergencies such as lost children, tornadoes, and fires.

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

L. The procedure for transporting children, if applicable, including transportation arrangements and parental permission for excursions and related activities.

M. The written policy and procedure governing field trips, television and video viewing, and special activities, including the staff's responsibility for the supervision of children.

N. The policy on children's safety related to riding in a vehicle, seating, supervision, and emergency procedures on the road.

O. The procedure for releasing children from the center only to persons for whom the center has written authorization.

P. The procedures followed when a child is picked up from the center after the center is closed or not picked up at all, and to ensure that all children are picked up before the staff leave for the day.

Q. The procedure for caring for children who arrive late to the center and their class/group is away from the center on a field trip or excursion.

R. The procedure for storing and administering children's medicines and delegation of medication administration in compliance with Section 12-38-132, C.R.S., of the "Nurse Practice Act".

S. The procedure concerning children's personal belongings and money.

T. The policy concerning meals and snacks.

U. The policy on diapering and toilet training.

V. The policy regarding visitors to the center.

W. The policy on parent and staff conferences to inform the parents or guardians of the child's behavior, progress, and social and physical needs.

X. The procedure for filing a complaint about child care (see 7.701.5, General Rules for Child Care Facilities).

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)
Y. The policy regarding the reporting of child abuse (see 7.701.5, General Rules for Child Care Facilities).

Z. The policy regarding notification when child care service is withdrawn and when parents or guardians withdraw their children from the center.

7.702.42 Communication, Emergency, and Security Procedures

(See also Sections 7.702.41, A, and 7.702.62, B)

A. The center must notify the parents or guardians in writing of significant changes in its services, policies, or procedures so that they can decide whether the center continues to meet the needs of the child.

B. For security purposes, a sign-in/sign-out sheet or other mechanism for parents and guardians must be maintained daily by the center. It must include, for each child in care, the date, the child's name, the time when the child arrived at and left the center, and the parent or guardian's signature or other identifier.

C. The center must have a working telephone with the number available to the public. Emergency telephone numbers of the following must be posted near the telephone: a 911 notice, where 911 is available, or rescue unit if 911 isn't available; a hospital or emergency medical clinic; the local fire, police, and health departments; and Rocky Mountain Poison Control. The telephone must be available to staff at all times that the center is in operation.

D. The center must be able to provide emergency transportation to a health care facility at all times.

E. The director of the center or the director's delegated substitute must have a means for determining at all times who is present at the center.

F. A written policy regarding visitors to the center must be posted and a record maintained daily by the center that includes at a minimum the visitor's name and address and the purpose of the visit. At least one piece of identification must be inspected for individuals who are strangers to personnel at the center.

G. The center must release the child only to the adult(s) for whom written authorization has been given and is maintained in the child's record (see 7.702.101). In an emergency, the child may also be released to an adult for whom the child's parent or guardian has given verbal authorization. If the staff member who releases the child does not know the adult, identification must be required to assure that the adult is authorized to pick up the child.

H. The center must have a procedure for dealing with individuals not authorized by the parent or guardian of a child who attempts to have the child released to them.

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

I. The center must have a written emergency procedure that explains, at a minimum, how the center will be evacuated in case of fire or other disaster requiring evacuation, how to function during a tornado alert, and the reporting of reportable communicable illnesses to the local health department pursuant to regulations of the State Department of Public Health and Environment.

J. The center must have a written procedure for closing the center at the end of the day to ensure that all children are picked up.

7.702.43 Personnel Policies, Orientation, and Staff Development

A. The duties and responsibilities of each staff position and the lines of authority and responsibility within the center must be in writing.

B. At the time of employment, staff members must be informed of their duties and assigned a supervisor.

C. Prior to working with children, the staff member must read and be instructed about the policies and procedures of the center, including those related to hygiene, sanitation, food preparation practices, proper supervision of children, and reporting of child abuse. Staff members must sign a statement indicating that they have read and understand the center's policies and procedures.

D. The child care center must ensure that all staff are familiar with the licensing rules governing child care centers within 90 days of employment at the center.

E. The center must have a staff development plan that includes a minimum of fifteen (15) clock hours of training each year for all staff. The training must relate to one or more of the following areas-child growth and development, healthy and safe environment, developmentally appropriate practices, guidance, family relationships, cultural and individual diversity, and professionalism.

F. All staff must complete at least 1 1/2 hours of training in universal precautions within 3 months of employment at the center and at least every 3 years thereafter. Renewal of universal precautions training may be part of the first-aid training.

G. If volunteers are used by the center, there must be a clearly established policy in regard to their function, orientation, and supervision. See also Section 7.702.54, D.

7.702.44 Department of Defense Quality Standards Pilot Program

The Department of Defense Quality Standards Pilot Program allows military families to use federal child care stipends to obtain off-base child care in facilities that meet Department of Defense Quality Child Care Standards. Pursuant to Section 26-6- 601, C.R.S., et seq.:

Current through CR, Vol. 37, No. 9, May 10, 2014.

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

A. Pilot sites shall have at least the following components

1. Special needs services; and,
2. Staff development and training; and,
3. Family support services; and,
4. A State Department of Human Services approved quality rating and improvement system.

B. Pilot sites shall comply with:

1. The Department of Defense Quality Child Care Standards (Standards), also known as the Effectiveness Rating Improvement System (ERIS), dated December 16, 2010, is incorporated by reference. This rule does not include any later amendments or editions of the Standards. The Standards can be found at: http://www.coamilitarychildcare.org/files/ERIS_2009.pdf, or on the Colorado Department of Human Services, Division of Child Care, website; and, are available for public inspection during regular business hours at the Colorado Department of Human Services, Division of Child Care, 1575 Sherman Street, Denver, Colorado 80203. Copies of the Standards are available from the Colorado Department of Human Services for a reasonable charge that comports with the Department's record request practices; and,
2. To the extent the rules do not conflict with the Standards, the General Rules located at Section 7.701 and the Rules Regulating Child Care Centers located at Section 7.702; and,
3. Applicable federal regulations.

C. Pilot program sites shall assist and comply with data gathering associated with the pilot program.

D. If the Department pursues a fee, the procedure to establish a fee to charge pilot site facilities for any additional inspections and services required for the Department to implement the pilot, is as follows:

1. The Department will perform a cost assessment based upon the number of additional inspections and/or services required to effectively implement the pilot, and the number of pilot sites to be inspected and served.

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

2. Pilot sites will be notified of the cost assessment and have the opportunity to review the cost assessment and provide feedback.

3. The fee will be reviewed and approved by the Executive Director or his/her designee.

E. The pilot program is repealed, effective June 30, 2015.

12 CCR 2509-8:7.702.5

12 Colo. Code Regs. 2509-8:7.702.5 Alternatively cited as **12 CO ADC 2509-8**

2509-8:7.702.5. PERSONNEL

7.702.51 General Requirements for All Personnel [Rev. eff. 1/1/04]

A. All personnel at the center must demonstrate an interest in and a knowledge of children and concern for their proper care and well-being.

B. The center must determine if any staff person who works at the center has ever been convicted of a crime as found at Section 7.701, D, 5 or 6 of the General Rules for Child Care Facilities.

C. A criminal record check request must be submitted to the Colorado Bureau of Investigation within 5 days that an individual is employed by the center. The personnel file of each staff member of the center must contain clearance or arrest report from the Colorado Bureau of Investigation resulting from the staff member's criminal record check. The requirement for a criminal record check is found in Section 7.701.33 of the General Rules for Child Care Facilities.

D. A request for a review of the State Department's automated system must be made within 10 working days of each staff member's first day of employment. The method for making the request is found in Section 7.701.32 of the General Rules for Child Care Facilities.

E. Staff members must be current for all immunizations routinely recommended for adults by their health care provider.

F. All staff members must submit to the center a medical statement, signed and dated by a licensed physician or other health care professional, verifying that they are in good mental, physical, and emotional health appropriate for the position for which they have been hired. This statement must be dated no more than 6 months prior to employment or within 30 days after the date of employment. This statement must indicate when subsequent medical statements are required.

Subsequent medical statements must be submitted as required in writing by a physician or other health care professional.

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

G. If, in the opinion of a physician or mental health practitioner, an employee's examination or test results indicate a physical, emotional, or mental condition that could be hazardous to a child, other staff, or self, or that would prevent satisfactory performance of duties must not be assigned or returned to a position until the condition is cleared to the satisfaction of the examining physician.

7.702.52 Director Qualifications - Large Child Care Center [Rev. eff. 5/1/10]

A. The educational requirements for the director or substitute director of a large center must be met by satisfactory completion of one of the following. (All course hours are given in semester hours, but equivalent quarter hours are acceptable.) Official college transcripts must be submitted to the Department for evaluation of qualifications.

1. All individuals with a Bachelor's or Master's degree with a major emphasis in child development, early childhood education, or early childhood special education and all other individuals submitting official transcripts for evaluation and/or completing necessary college coursework to become qualified as a director of a large center must complete a three (3) semester hour course from a regionally accredited college or university, at either a two year, four year or graduate level, in each of the following subject or content areas:

- a. Introduction to early childhood professions;
- b. Introduction to early childhood lab techniques;
- c. Early childhood guidance strategies for children;
- d. Early childhood health, nutrition, and safety;
- e. Administration of early childhood care and education programs;
- f. Administration: human relations for early childhood professions or introduction to business;
- g. Early childhood curriculum development;
- h. Early childhood growth and development.

Effective May 31, 2011, the following two (2) three (3) semester hour college courses, in addition to the courses listed in Section 7.702.52, A, 1, must be taken from a regionally accredited college or university at either a two year, four year or graduate level, in each of the following subject or content areas for a total of

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care) thirty (30) semester hours:

a. The exceptional child;

b. Infant/toddler theory and practice; or the Department approved expanding quality infant/toddler training.

2. Completion of a course of training approved by the State Department that includes course content listed at Section 7.702.52, A, 7, and experience listed at Section 7.702.52, B.

3. Completion of the Advanced Credential Assessment (formerly called the Challenge Test) through the Colorado Office of Professional Development with a score of eighty percent or better; in addition, experience listed at Section 7.702.52, B, is required.

B. All individuals holding a valid approval letter for director qualifications from the Department of Human Services that matches official Department records are required to take, or have taken, the following five (5) three (3) semester hour courses.

1. One course must be taken every two (2) years from a regionally accredited college or university at either a two year, four year or graduate level in each of the following subject or content areas:

a. Early childhood guidance strategies;

b. Early childhood health, nutrition and safety or child nutrition;

c. The exceptional child;

d. Infant/toddler theory and practice; or expanding quality in infant and toddler training;

e. Administration: human relations for early childhood professions.

2. Official transcripts from a regionally accredited college or university of the one (1) or more of the five (5) courses shall be submitted to the State Department within thirty days of completing each course until all five (5) courses have been completed. The first course must be completed by May 31, 2012.

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

Directors of public school preschools must attend a Department-approved course of training in nutrition and implementation of rules regulating child care.

3. All college course grades for large or small child care center director qualification must be a “C” or better.

C. The experience requirements for the director of a large center must be met by completion of the following amount of work experience in a child development program, which includes working with a group of children in such programs as a preschool, child care center, kindergarten, or Head Start program:

1. Persons with Bachelor’s or Master’s degree with a major emphasis in child development, early childhood education, or early childhood special education, no additional experience is required.

2. Persons with a 2-year college degree in early childhood education must have twelve (12) months (1,820 hours) of verified experience working directly with children in a child development program.

3. Persons with a Bachelor’s degree and completion of courses specified in Sections 7.702.52, A, 1-2, must have twelve (12) months (1,820 hours) of verified experience working directly with children in a child development program.

4. Persons who have no degree but have completed the twenty-four (24) semester hours specified in Section 7.702.52, A, 1-2, must have twenty-four (24) months (3,640 hours) of verified experience working directly with children in a child development program.

5. Verified experience acquired in a licensed family child care home or school-age child care center may count for up to half of the required experience for director qualifications. To have family child care home experience considered, the applicant must be or have been the licensee. The other half of the required experience must be working directly with children in a child development program.

6. Experience with five (5) year olds must be verified as follows:

a. If experience caring for five year old children occurs in a child care center classroom, the hours worked shall be counted as preschool experience;

b. If experience caring for five year old children occurs in an elementary school program, the hours worked shall be counted as school-age experience.

D. At all times, every large child care center must have a substitute director that meets all of the requirements for

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care) director as listed at Section 7.702.52, A, 1 or 7.702.52, A, 2. When the director of the large child care center cannot be present sixty percent (60%) of any day the center is in operation, the equally qualified substitute director must substitute for the director. In an emergency situation, when the equally qualified director substitute cannot be present, an individual that does not meet all of the director educational and experience requirements may substitute for the director for a maximum of two (2) weeks per calendar year if they meet one or more of the following requirements:

1. At least one year of experience as an early childhood teacher at the center.
2. A Bachelor of Arts or Bachelor of Science in the human services field.
3. Qualification as an early childhood teacher and completion of at least half of the required coursework for director qualifications including the two (2) administration classes; administration of early childhood care and education programs and administration; human relations for early childhood professions.

E. Whenever the director of a drop-in child care center cannot be present fifty percent (50%) of any day the center is in operation, a substitute that meets one of the following qualifications must be present:

1. At least one (1) year of experience as a qualified early childhood teacher at the drop-in child care center;
2. 18 months experience as a qualified early childhood teacher with children under 12 years of age and at least six (6) months experience at the drop-in child care center;
3. A Bachelor of Arts or Bachelor of Science degree from an accredited college or university in the human services field; or,
4. Qualification as an early childhood teacher and completion of at least half of the required coursework for director qualifications, including one of the administration classes.

7.702.53 Director Qualifications - Small Child Care Center [Rev. eff. 5/1/10]

A. The director or substitute director of a small center must have completed one of the following:

1. Three (3) years' satisfactory experience in the group care of children under six (6) years of age (5460 hours) and at least two (2) 3-semester hours from a regionally accredited college or university, at either a two year, four year or graduate level, in each of the following subject or content areas in early childhood education; one of the courses must be either introduction to early childhood education or guidance strategies; or,

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

2. Two (2) years' college education (sixty semester hours) at a regionally accredited college or university, at either a two year, four year or graduate level, in each of the following subject or content areas with at least two (2) 3-semester-hour courses in early childhood education; one of which must be either introduction to early childhood education or guidance strategies; and one (1) year (1820 hours) of satisfactory experience in the group care of children under six (6) years of age; or,

3. Current certification as a Child Development Associate (CDA) or Certified Child Care Professional (CCP) or other Department-approved credential; or,

4. A two (2) year college degree in child development or early childhood education from a regionally accredited college or university, at either a two year, four year or graduate level, in each of the following subject or content areas that must include at least one 3-semester hour course in either introduction to early childhood education or guidance strategies and six (6) months (910 hours) satisfactory experience in the group care of children under six (6) years of age.

B. Satisfactory experience includes all options listed at Section 7.702.52, A, 5.

7.702.54 Qualifications for Other Staff Members [Rev. eff. 5/1/10]

A. Early Childhood Teacher

1. An early childhood teacher, assigned responsibility for a single group of children and working under the supervision of a director, must be at least eighteen (18) years of age and must meet at least one of the following qualifications:

a. A Bachelor's degree from a regionally accredited college or university. Effective May 1, 2010, the major area of study for each Bachelor's degree shall be in one of the following areas:

1) Early childhood education;

2) Elementary education;

3) Special education;

4) Family and child development;

5) Child psychology.

b. Effective May 31, 2011, a Bachelor's degree from a regionally accredited college or university with a major area of study in any area other than those listed at Section 7.702.54, A, 1, a, must have two (2) three-semester hour early childhood education college courses with one course being either introduction to early childhood education or guidance strategies, and at least six (6) months (910 hours) of satisfactory experience.

c. A 2-year college degree, sixty (60) semester hours, in early childhood education from a regionally accredited college or university, which must include at least two (2) three-semester hour courses, one of which must be either introduction to early childhood education or guidance strategies; and at least six (6) months (910 hours) of satisfactory experience.

d. Completion of two (2) years of college education, sixty (60) semester hours, from a regionally accredited college or university with at least one (1) three-semester hour college course in early childhood education, plus six (6) months (910 hours) of verified experience in the care and supervision of four (4) or more children under six (6) years of age who are not related to the individual. This option to be early childhood teacher qualified will not be available after May 31, 2011.

e. Completion of twelve (12) semester hours from a regionally accredited college or university, at either a two year, four year or graduate level, in each of the following subject or content areas in early childhood education. By May 31, 2012, one of the three (3) semester hour courses must be either introduction to early childhood education or guidance strategies, plus nine (9) months (1,395 hours) of verified experience in the care and supervision of four (4) or more children under six (6) years of age who are not related to the individual.

f. Completion of a vocational or occupational education sequence in child growth and development plus twelve (12) months (1,820 hours) of verified experience in the care and supervision of four (4) or more children under six (6) years of age who are not related to the individual.

g. Current certification as a Child Development Associate (CDA) or Certified Child Care Professional (CCP) or other Department-approved credential.

h. Completion of a course of training approved by the Department that includes training and work experience with children in a child growth and development program plus twelve (12) months (1,820 hours) of verified experience in the care and supervision of four (4) or more children under six (6) years of age who are not related to the individual.

i. Thirty-six months (5,460 hours) of verified experience in the care and supervision of four (4) or more children less than six (6) years of age who are not related to the individual. This option to be qualified as an

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care) early childhood teacher will not be available after May 1, 2010.

j. Twenty-four (24) months (3,640 hours) of verified experience in the care and supervision of four (4) or more children under six (6) years of age who are not related to the individual plus either:

1) A current Colorado Level I credential; or,

2) Two (2) three-semester hour early childhood education college courses from a regionally accredited college or university, at either a two year, four year or graduate level, in each of the following subject or content areas with one course being either introduction to early childhood education or guidance strategies.

2. Verified experience in the care and supervision of four (4) or more children under six (6) years of age who are not related to the individual. Satisfactory experience includes being a licensee of a family child care home; a teacher's aide or teacher in a child care center, preschool, or elementary school.

3. All college course grades toward early childhood teacher qualifications must be "C" or better.

B. Kindergarten Teacher

Each teacher of a kindergarten class must have the same qualifications as a director for a large center (see Section 7.702.52) or be state certified or licensed as an elementary or early childhood teacher.

C. Staff Aide

Staff aides must be at least 16 years of age and must work directly under the supervision of the director or an early childhood teacher.

Infant staff aides must be at least 18 years of age.

D. Volunteers (see also Section 7.702.43, G)

1. Volunteers must have qualifications suitable to the tasks they are assigned.

2. Volunteers must be supervised and given instruction as to the center's policies and procedures.

A. Staff-Child Ratios

1. At any time when 9 or more children are present at the center, at least 2 adult staff members must be on duty. When 8 or fewer children are present, there must be at least 1 adult staff member working with the children and a second adult on call and immediately available.

2. The director or director substitute of the center must be present at the center at least 60 percent of any day that the center is open.

3. The director or substitute director of an extended hour drop-in child care center operating at least six days per week must be present at the center or involved in director activities at least fifty percent (50%) of the hours of operation of any day the center is in operation.
 - a. If the director is not on site at the center for a portion of any day the center is in operation, the director must be available by phone.

 - b. The director must be present in the center at least 30 hours each week.

4. There must be assigned at least a qualified group leader for each group of children.

5. In determining staff-child ratios, only staff members who work directly with children are counted.

6. Formal kindergarten class sessions must have 1 staff member for each 25 or fewer children in attendance. At other parts of the day when children are in attendance, the ratio must be 1 staff member to each 15 or fewer children.

7. Children of the director or of staff members who attend the center and other children on the premises for supervision and care must be counted against the licensed capacity in the appropriate age groups.

8. In determining staff-child ratios, children who are in attendance for only part of the day are counted only while at the center.

9. Staff-Child Ratios

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

AGES OF CHILDREN	NUMBER OF STAFF
6 weeks to 18 months (infants)	1 staff member to 5 infants
12 months to 36 months	1 staff member to 5 toddlers
24 months to 36 months	1 staff member to 7 toddlers
2 1/2 years to 3 years	1 staff member to 8 children
3 years to 4 years	1 staff member to 10 children
4 years to 5 years	1 staff member to 12 children
5 years and older	1 staff member to 15 children
Mixed age group 2 1/2 years to 6 years	1 staff member to 10 children

In other preschool age combinations, the staff ratio for the youngest child must be utilized if more than 20% of the group is composed of younger children.

Drop-in child care centers may follow a ratio of one (1) adult for every eight (8) children for children in a mixed age group of 2 years of age to 12 years. 1-2 children 1 year of age to 2 years of age may join the preschool age group of children for short periods of time for structured activities as long as the 1 year old children are safely confined in a toddler seat or high chair.

10. Maximum Group Size for Children

AGES OF CHILDREN	MAXIMUM GROUP SIZE
6 weeks to 18 months	10 infants
12 months to 36 months	10 toddlers
24 months to 36 months	14 toddlers
2 1/2 years to 3 years	16 children

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)
3 years to 4 years 20 children

4 years to 5 years 24 children

5 years and older 30 children

Mixed age group 2 1/2 to 6 years of age 20 children

In other preschool age combinations, the maximum group size for the youngest child must be utilized if more than 20% of the group is composed of younger children.

Preschool age and school-age groups of children must be separated into age-appropriate activities. Groups are not required to be separated from each other by permanent or portable dividers or walls.

Toddler-age groups of children must be separated from each other by permanent or portable dividers or other methods as approved by the Department.

B. Service/Housekeeping Personnel

1. Service personnel must be available for housekeeping and food preparation as needed for adequate operation and maintenance of the center.
2. Assignment of housekeeping and maintenance duties to child care staff must not interfere with their supervisory responsibilities and child care duties.

C. Health Consultant

1. Staff must consult with a currently Colorado licensed registered nurse with knowledge and experience in maternal and child health, a pediatric nurse practitioner or a family nurse practitioner, or a pediatrician at least once a month at the child care facility. The monthly consultation must be specific to the needs of the facility and include some of the following topics: training, delegation and supervision of medication administration and special health procedures, health care, hygiene, disease prevention, equipment safety, nutrition, interaction between children and adult caregivers, and normal growth and development. In part day preschools that operate less than four (4) hours per day or drop-in child care centers, consultation must occur as often as the nurse delegating medications requires.

2. The date and content of each consultation must be recorded and maintained in the center's files.

D. Substitutes

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

1. Qualified staff must be available to substitute for regularly assigned staff that are sick, on vacation, or otherwise unable to be on duty.

2. In the absence of the director of a small center, an individual who meets director qualifications for a small center must substitute for the director.

3. If the director of a large center cannot be present sixty percent (60%) of any day, a center staff member or other individual who meets director qualifications as listed at Section 7.702.52 for a large center must substitute for the director.

4. When there is a director vacancy, a director-qualified substitute must be present at the center at least sixty percent (60%) percent of any day the center is open until a new director is appointed.

5. Substitutes for directors of part-day public school preschools may be from the sponsoring school system's list of approved substitutes. Substitutes who do not meet director qualifications must consult with a qualified director on administering the center in accordance with early childhood principles and practices and licensing rules.

7.702.56 Infant Nursery Staff [Rev. eff. 5/1/10]

A. Staff Requirements

1. If a center operates solely as an infant nursery, there must be a director who meets the qualifications for a director of either a small center or a large center (Sections 7.702.52 and 7.702.53), depending upon the number of children for which the infant center is licensed.

2. The infant nursery must have an infant nursery supervisor who has verified training and experience in one of the following:

a. A registered nurse, licensed to practice in Colorado, with a minimum of 6 months of experience in the care of infants.

b. A licensed practical nurse, licensed to practice in Colorado, with twelve (12) months of experience in the care of infants.

c. An adult who holds a certificate in infant and toddler care from an accredited college or university with completion of a minimum of 30 semester hours in the development and care of infants and toddlers in a

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care) group setting.

d. An adult who is currently certified as a Child Development Associate (CDA) or Certified Child Care Professional (CCP) and has completed the Department approved expanding quality in infant and toddler development course of training by May 31, 2012.

e. An adult who:

1) Is at least 19 years of age, and,

2) Is qualified as an early childhood teacher (Section 7.702.56, A, 4), and,

3) Has a minimum of 12 months of verifiable full-day experience in the group care of infants or toddlers; and,

4) Has completed at least two (2) 3-semester hour college courses from a regionally accredited college or university on the development and care of infants and toddlers in a group setting, one (1) of which must be infant/toddler development or the Department approved expanding quality in infant and toddler development course of training by May 31, 2012.

f. An adult who:

1) Is at least 19 years of age, and

2) Is qualified as an early childhood teacher (Section 7.702.56, A, 4), and

3) Has at least two (2) years of verifiable full-day experience in the group care of infants or toddlers, and

4) Will complete within the first 6 months of employment two (2) three-semester hour college courses from a regionally accredited college or university with one of the courses being infant/toddler development or the Department approved expanding quality in infant and toddler development by May 31, 2012.

3. An infant nursery early childhood teacher must have completed eight (8) hours of orientation in the infant nursery from the infant nursery supervisor including, but not limited to, the following topics:

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

a. Toys and equipment, appropriate activities for infants and toddlers, appropriate sleep positions for infants and toddlers, the safe and appropriate diaper change technique; and,

b. At least 6 months of experience in the care of infants or toddlers; and,

c. Meet qualifications for an early childhood teacher found at Section 7.702.54, A, or be qualified as an infant nursery supervisor.

4. The infant nursery staff aide must be at least eighteen (18) years old, must have completed eight (8) hours of orientation as listed above, at the infant nursery and must work under the direct supervision of an infant early childhood teacher.

5. There must be at least one (1) staff member on duty in each infant room at all times who holds a current Department-approved First Aid and Safety certificate that includes CPR for all ages of children.

B. Required Staff and Supervision

(See chart in Section 7.702.55)

1. In the infant nursery there must be a qualified infant nursery supervisor present 60 percent of the hours of operation of the infant nursery who is responsible for the care of the infants. An individual qualified as an infant nursery group leader must be responsible during the remaining time.

2. The infant nursery supervisor or an infant nursery group leader must be assigned to each group of 10 or fewer infants in attendance. An infant nursery staff aide may be assigned to assist the infant nursery supervisor or group leader when 6 through 10 infants are in care in the group to maintain the staff ratio of 1 adult for each 5 infants.

3. There must be assigned at least 1 infant nursery supervisor in the infant nursery for each 20 or fewer infants in attendance.

7.702.57 Toddler Nursery Staff

A. Staff Requirements

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

1. If a center operates solely as a toddler nursery, there must be a director who meets the qualifications for a director of either a large center or a small center (7.702.52 and 7.702.53), depending upon the number of children for which the toddler center is licensed.

2. The toddler group leader, a staff member assigned responsibility for a single group and working under the supervision of the director, must meet at least one of the following qualifications:

a. A registered nurse, licensed to practice in Colorado, with a minimum of 6 months of experience in the care of infants and/or toddlers.

b. An adult who holds a certificate in infant and toddler care from an accredited college or university with completion of at least 30 semester hours or equivalent in such courses as child growth and development, nutrition, and care practices with children birth to 3 years old.

c. An adult who is certified as a Child Development Associate (CDA) or Certified Child Care Professional (CCP) or holds another Department-approved certificate.

d. A licensed practical nurse with at least 12 months of verifiable experience in the care of children less than 3 years old.

e. An adult who meets the education and experience requirements for group leader of a large center (Section 7.702.54, A).

3. Staff aides must be at least 16 years of age, must work directly under the supervision of the director or a toddler group leader, and must have completed 8 hours of orientation at the toddler nursery.

4. For every 15 or fewer toddlers, there must be at least 1 staff member in the toddler nursery at all times who has a current Department-approved first aid and safety certificate that includes CPR for all ages of children.

B. Staff-Child Ratio & Group Size

(See chart in Section 7.702.55)

One qualified toddler group leader must be assigned to each group at all times, and additional staff must be assigned to meet the required staff-child ratio.

7.702.58 Infant and Toddler Nurseries Affiliated with Public School Teen Parent Programs

Current through CR, Vol. 37, No. 9, May 10, 2014.

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

A. Infant nursery programs affiliated with teen parent programs that are operated by accredited public school systems and on school premises may substitute the following age requirements for those at Section 7.702.2, B, 3.

1. The minimum age of infants in care is 7 days.
2. Infants between the ages of 7 and 14 days may be accepted for care only with written approval from a health care professional and if there are no medical complications for the infant and/or teen mother.
3. Infants 14 days of age and over may be accepted for care if there are no medical complications for the infant and/or teen mother.
4. The maximum age of infants in care may be extended only in those situations where no teen parent program toddler nursery exists. In this circumstance, an infant may remain in the infant nursery until the end of the school semester in which the infant becomes 18 months old.

B. Infant and toddler nursery programs affiliated with teen parent programs that are operated by accredited public school systems on school premises may substitute the following staff requirements for those at 7.702.56 and 7.702.57:

1. Director qualifications may be met by a certified teacher with a major in home economics education or a vocationally credentialed teacher in consumer and homemaking or early childhood occupations. The director must complete at least 3 semester hours in administration of a child care center.
2. The director must be present in the nursery or adjacent teen parent classroom at least 60 percent of any day the center is open.
3. If the director cannot be present 60 percent of any day, an individual who meets director qualifications must substitute for the director.
4. Infant staff aides must be at least 15 years of age and may be parents-to-be, parents of enrolled infants, or students enrolled in a child care related course with the sponsoring school system.
5. Substitutes for nursery staff must be from the sponsoring school system's list of approved substitute nursery staff members. Substitutes who do not meet minimum staff qualifications can work in the nursery no more than 10 consecutive days per assignment.

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

6. Substitutes for nursery staff must hold a current department-approved first aid and safety certificate that includes CPR for all ages of children.

12 CCR 2509-8:7.702.6

12 Colo. Code Regs. 2509-8:7.702.6 Alternatively cited as 12 CO ADC 2509-8

2509-8:7.702.6. CHILD CARE SERVICES

7.702.61 Admission Procedure

A. The center can accept children only of the ages for which it has been licensed. At no time can the number of children in attendance exceed the number for which the center has been licensed.

B. Admission procedures must be completed prior to the child's attendance at the center and must include:

1. A pre-admission interview with the child's parent(s) or guardian(s) to determine whether the services offered by the center will meet the needs of the child and the parent(s) or guardian(s).

2. Explanation of the center's policies and procedures. Parents' signatures must be secured, indicating that they have read and agree to the center's policies and procedures.

3. Completion of the registration information required for inclusion in the child's record as required in Section 7.702.101.

C. Special Needs Children

1. The admission of a child with special needs must be in compliance with the Americans with Disabilities Act, and a reasonable effort must be made to accommodate the child's needs and to integrate the child with other children. (See General Rules for Child Care Facilities, Section 7.701.14)

2. Upon enrollment of a child with special health care needs, the center must obtain from the child's parent or guardian a copy of an existing individualized health care plan for the child that can be reviewed, adopted, and implemented by the center staff when providing child care services to the child. An individualized health care plan shall include the following as needed for the child and must be signed by the health care provider:

a. Medication schedule

b. Nutrition and feeding instructions

c. Medical equipment or adaptive devices, including instructions

d. Medical emergency instructions

e. Toileting and personal hygiene instructions

3. For a child with special health care needs, the center must obtain written instructions for providing services from the child's parents or legal guardian and the health care provider. If the child with special health care needs does not have an existing individualized health care plan, the individualized health care plan must be completed within 30 calendar days of the child's enrollment.

4. The plan must be updated at least every 12 months from the date of the initial plan or as changes occur.

5. The center must inform its child care health consultant as soon as possible of the enrollment of a child with special health care needs so staff can receive training and support as indicated by the child's individualized health care plan.

D. If the parent agrees that the center should care for a child in the infant nursery who is 18 months or older, the center must have on file a written statement from a licensed physician confirming that care for the child is appropriate in this infant nursery.

E. If the parent agrees that the center should care for a child in the toddler nursery who is 12 months old but not walking independently, or is over 36 months old, the center must have on file a written statement from a licensed physician confirming that care for the child is appropriate in this toddler nursery.

7.702.62 Health Care

A. Statements of Health Status

1. At the time of admission, the center must obtain health information for each child entering the center, including any known allergies, medication being taken, special diets required, or any chronic health condition. The name, address, and phone number of the child's physician and dentist must be provided. The center must also obtain information regarding all immunizations a child has had, including month, date, and year each

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

immunization was administered. Immunizations must be recorded on the Certificate of Immunization form supplied by the Colorado Department of Public Health and Environment (CDPHE) or an approved alternate certificate approved by CDPHE. If immunizations are contraindicated because of a medical condition, a statement from the child's health care provider must be on file.

2. The parent or guardian of each child 2 1/2 years of age and over must submit a statement of the child's current health status signed and dated by an approved health care professional who has seen the child within the last 12 months. The statement of health status must be obtained at the time of admission or within 30 days after admission or for a drop-in child care center at the second visit, whichever is longer, must be kept at the center. If a child has an identified health condition or developmental concern including, but not limited to, seizures, asthma, diabetes, allergies, heart or respiratory conditions, and physical disabilities, information and instruction on care of the child must be included on the statement of health status signed by the physician. The center has the right to refuse to admit a child if a statement from an approved health care professional is not submitted.

3. Subsequent statements of the child's current health status, signed and dated by an approved health care professional, must be obtained at least annually for each child 2 to 6 years of age and whenever the director has reason to suspect that a child participating in the program may have a condition potentially hazardous to others, or finds that the child's general condition indicates the need for such examination.

4. For children 6 years of age and older or who have completed the first grade, subsequent statements of health status must be submitted every 3 years thereafter.

5. For children attending a drop-in child care center, subsequent statements are not necessary if there have been no health changes in the child and the parent(s) attest in writing to the health status of the child on an annual basis. Children with special medical needs must have the statement from a health care professional as indicated at Section 7.702.62, A, 3-4.

6. If a parent or guardian of a child wishes an exemption from the requirement for immunizations due to religious or personal beliefs, a written statement signed by the child's parent or guardian which states the reason for such an exemption and that the child is in good health must be submitted to the center.

Parents must be notified in writing prior to their child's enrollment in the center if non-immunized children are admitted to the center. This information must be contained in the policies required at Section 7.702.41, F.

7. In an infant nursery, at the time of admission or within 30 days, each infant's parent or guardian must submit a statement dated and signed by an approved health care professional. The statement must include information about the infant's health status and special needs. All immunizations must be recorded on the Certificate of Immunization supplied by CDPHE or an approved alternate certificate approved by CDPHE, including month, day, and year each immunization was administered, and must be on file the first day of admission.

Infants and toddlers under 2 years of age must follow the recommended Academy of Pediatrics schedule for routine health assessments.

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

8. In a toddler nursery, at the time of admission or within 30 days, each toddler's parent or guardian must submit a statement of the child's health status as required at Section 7.702.62, A, 2, signed and dated by an approved health care professional who has seen the child within the last 6 months.

B. Emergency Procedures

1. At the time of admission, the center must obtain telephone numbers of the child's physician or other appropriate health care professional and numbers where the parent or guardian and at least 1 other responsible adult can typically be reached in the event of accident, illness, or other emergency.

2. The center must obtain written authority to arrange for medical care in the event of an emergency. This information must be on file the first day a child attends the center.

3. When accidents, injuries, or illnesses occur, the director or responsible adult in charge must notify the parent or guardian of the child and if necessary call the physician or medical facility as instructed in writing by the parent or guardian.

4. For every 30 or fewer children in attendance, there must be at least one (1) staff member on duty who holds a current department-approved first aid and safety certificate (including CPR for all ages of children) and is responsible for administering first aid and CPR to children. Such individuals must be with the children at all times when the center is in operation. If children are at different locations, there must be a first aid and CPR qualified staff member at each location.

5. Children too ill to remain in the group must be comfortably cared for and supervised until they can be taken home or suitably cared for elsewhere.

6. Portable first aid kits must be available to staff at all times, including field trips, and must be located out of reach of children and maintained in a sanitary condition. First aid kits must be checked and restocked on at least a monthly basis.

C. Medication

1. Prescription and non-prescription (over-the-counter) medications for eyes or ears, all oral medications, topical medications inhaled medications, and certain emergency injections can be administered only with the written order of a person with prescriptive authority and with written parental consent. Centers may administer medications for chronic health conditions or emergency situations.

2. The written order by the licensed prescribing practitioner must include:

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

- Child's name

- Licensed prescribing practitioner name, telephone number, and signature

- Date authorized

- Name of medication and dosage

- Time of day medication is to be given

- Route of medication

- Length of time the medication is to be given

- Reason for medication (unless this information needs to remain confidential)

- Side effects or reactions to watch for

- Special instructions

3. Medications must be kept in the original labeled bottle or container. Prescription medications must contain the original pharmacy label that lists:

- Child's name

- Prescribing practitioner's name

- Pharmacy name and telephone number

- Date prescription was filled

- Expiration date of the medication

- Name of the medication

- Dosage

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

- How often to give the medication

- Length of time the medication is to be given

Over-the-counter medication must be kept in the originally labeled container and be labeled with the child's first and last name.

4. In the case medication needs to be given on an ongoing, long-term basis, the authorization and consent forms must be reauthorized on an annual basis. Any changes in the original medication authorization require a new written order by the prescribing practitioner and a change in the prescription label. Verbal orders taken from the licensed prescriber may be accepted only by a licensed registered nurse.

5. All child care staff designated by the center director to give medications must complete the 4-hour Department-approved medication administration training and have current first aid and universal precautions training prior to administering medication. Staff of drop-in child care centers may complete training from their nurse consultant delegating medication.

6. The center's licensed health consultant:

- Must observe and document the competency of each staff member involved in medication administration

- Must delegate to one or more of the child care staff the task of medication administration, to include routine medications only. For medications not covered in the medication training, the health consultant must provide additional training, delegate on a one-to-one (1:1) basis, and provide ongoing supervision.

7. Medications must be kept in an area, locked and inaccessible to children. Controlled medications must be counted and safely secured, and specific policies regarding their handling require special attention in the center's policies. Access to these medications must be limited (see Section 12-22-318, C.R.S.).

8. Children are not allowed to bring medications to child care unless accompanied by a responsible adult. If a medication is out of date or left over, parents are responsible for picking up the medication. If parents do not respond, the center is responsible for the disposal of medications according to center policy and procedures. Disposal of medications must be documented.

9. A written medication log must be kept for each child. This log is part of the child's records. The log must contain the following:

- Child's name

- Name of the medication, dosage, and route

- Time medication is to be given
- Special instructions
- Name and initials of the individuals giving the medication
- Notation if the medication was not given and the reason

10. Topical preparations such as petroleum jelly, diaper rash ointments, sunscreen, bug sprays, and other ointments may be administered to children with written parental authorization. These preparations may not be applied to open wounds or broken skin unless there is a written order by the prescribing practitioner.

D. Sun Protection

1. The center must obtain the parent or guardian's written authorization and instructions for applying sunscreen to their children's exposed skin prior to outside play. A doctor's permission is not needed to use sunscreen at the center.
2. When supplied for an individual child, the sunscreen must be labeled with the child's first and last name.
3. If sunscreen is provided by the center, parents must be notified in advance, in writing, of the type of sunscreen the center will use.
4. Children over 4 years of age may apply sunscreen to themselves under the direct supervision of a staff member.

E. Control of Communicable Illnesses

1. When children have been diagnosed with a communicable illness such as hepatitis, measles, mumps, meningitis, diphtheria, rubella, salmonella, tuberculosis, giardia or shigella, the center must immediately notify the local health department or the State Department of Public Health and Environment, all staff members, and all parents and guardians of children in care. Children's confidentiality must be maintained.
2. The director must ask parents to report exposure of a child to communicable illness outside of the center, and, at the discretion of the director, the child should be excluded from the center for the period of time prescribed by the child's physician or by the local health department.

7.702.63 Personal Hygiene

A. Hand Washing

Children's hand washing must be supervised and must be taught when necessary.

B. Diapering

(See also Section 7.702.83, A, 3)

The center must have one or more designated diaper change areas for all children in need of diaper changing. The diaper change area must:

1. Be a minimum of 36 by 18 inches in size and large enough to accommodate the size of the child
2. Be adjacent to or within reach of a hand washing sink
3. Have a place inaccessible to children for storing all diaper change supplies and disinfecting solutions and products
4. Have a sufficient supply of diapers at all times.

7.702.64 Physical Care

A. General

1. All children must be under direct supervision of a responsible adult at all times.
2. The time a child arrives and leaves the center each day must be recorded. Attendance verification must be made periodically throughout the day by staff members at the center.
3. The center must provide a rest period for all preschool-age children remaining in the center longer than 4 hours. A rest period and rest equipment must also be provided for older children who require a rest time.

4. The center must provide mats or cots and a designated rest period for all preschool age children. Drop-in child care centers must provide mats or cots for at least fifty percent (50%) of the licensed capacity of the center. Children must not be forced to sleep. Children who do not sleep after a reasonable period of time must be provided with appropriate quiet toys and equipment to play with, such as puzzles or books.

5. The center must ensure that children are dressed appropriately for the weather before going outside.

B. Infant and Toddler Nurseries

1. *The staff must have daily contact with adults who transport the infants and toddlers to and from the center.*

2. *Children must not be confined for prolonged periods of time to cribs, playpens, swings, high chairs, infant seats, or other equipment that confines movement. They must have an opportunity each day for freedom of movement, such as creeping, crawling, or walking in a safe, clean, open, uncluttered area.*

3. *Throughout the day, each child must have frequent, individual, personal contact and attention from an adult, such as being held, rocked, taken on walks inside and outside the center, talked to, and sung to.*

4. *There must be no attempt to toilet train children under the age of 18 months.*

5. *Staff must investigate whenever children cry.*

6. *Children must be allowed to form and observe their own pattern of sleep and waking periods. Special provision must be made so that children requiring a morning nap time have a separate area for their nap apart from space used for play.*

7. *Infant monitors may be used in separate sleeping rooms for infants under the following conditions:*

a. The sound monitoring equipment is able to pick up the sounds of all sleeping infants. Additional equipment must be provided as necessary to provide adequate coverage.

b. The receiver of the sound monitoring equipment is actively monitored by staff at all times.

c. Sleeping infants are physically monitored and periodically checked by a staff member.

d. Sound monitoring equipment is regularly checked to assure that it is working correctly.

7.702.65 Food and Nutrition

A. Meals & Snacks

1. Meals and nutritious snacks must be served at suitable intervals. Children who are at the center for more than 4 hours, day or evening, must be offered a meal that meets at least one-third of the child's daily nutritional needs.

2. The size of servings must be suitable for the child's age and appetite, and sufficient time must be allowed so that meals are unhurried.

3. In centers that do not regularly provide a meal, if a child brings a meal from home that does not appear to meet one-third of the child's daily nutritional needs, the center must have foods available to supplement that meal.

4. Staff members must sit with the children and encourage them to try a variety of food served. During meals, children should be encouraged to engage in conversation and to express their independence.

5. All food prepared by the center must be from sources approved by the local health department or the State Department of Public Health and Environment. All food must be prepared, served, and stored in such a manner as to be clean, wholesome, free from spoilage, and safe for human consumption. Home-canned vegetables, fruits, and meats cannot be served.

6. Meal menus must be planned at least 1 week in advance, dated, and posted in a place visible to parents. After use, menus must be filed and retained for 3 months. Records must be available for periodic review and evaluation.

B. Feeding the Infant

1. An individualized diet and feeding schedule must be provided according to a written plan submitted by the parent or by the child's physician with the knowledge and consent of the parent. A change of diet and schedule must be noted on each child's daily activity schedule and posted in an area clearly visible to the nursery staff.

2. Commercially prepared formula must be mixed according to the manufacturer's direction.

3. All infants under 6 months of age must be held for bottle feeding. Bottles must not be propped. Older infants must not be allowed to hold their own bottles when lying flat. Bottles must not be allowed in a crib with the infant.

4. Older infants must be provided with suitable solid foods that encourage freedom in self-feeding and must be fed in safe chairs such as high chairs or baby-feeding tables.

5. When the infant nursery provides food other than formula, food must be varied and include food from cereal, vegetable, fruit, and protein sources. When the center does not provide solid food, it must supply any additional foods and/or monitor the infant's total nutritional intake.

6. There must be a sufficient supply of bottles provided for the entire day; or if nursing bottles are to be reused, they must be washed, rinsed, and sanitized after each use.

7. Bottles of formula or breast milk must never be warmed in a microwave oven. Green & Pink

8. A staff member may not mix cereal with formula and feed it to an infant from a bottle or infant feeder unless there are written instructions from the child's health care provider.

C. Feeding the Toddler

1. Staff members must either feed toddlers or supervise them when they are eating, and children must be encouraged to try a variety of food served.

2. Toddlers must be sitting when drinking from a bottle. Bottles must not be allowed during nap time after the first 30 days in care.

3. Commercially prepared formula must be mixed according to the manufacturer's direction and each bottle marked with the child's name.

4. There must be a sufficient supply of bottles provided for the entire day; or if nursing bottles are to be reused, they must be washed, rinsed, and sanitized after each use.

7.702.66 Discipline

A. Children must not be subjected to physical or emotional harm or humiliation.

B. The director must not use, or permit a staff person or child to use, corporal or other harsh punishment, including but not limited to pinching, shaking, spanking, punching, biting, kicking, rough handling, hair pulling, or any humiliating or frightening method of discipline.

C. Discipline must not be associated with food, rest, or toileting. No child should be punished for toileting accidents. Food must not be denied to or forced upon a child as a disciplinary measure.

D. Separation, when used as discipline, must be brief and appropriate for the child's age. The child must be in a safe, lighted, well-ventilated area and be within sight and hearing of an adult. The child must not be isolated in a locked, closed room or closet.

E. Verbal abuse and derogatory remarks about the child are not permitted.

7.702.67 Overnight Care

A. All of the provisions required in Section 7.702 of these rules for child care centers apply to centers offering overnight care of children (care that extends through a large portion of the night). In addition, centers must observe the following provisions:

B. A nutritious evening meal must be made available to children.

C. Quiet activities must immediately precede the children's bedtime.

D. Children's faces and hands must be washed, and children must be changed into comfortable clothing for sleeping.

E. Each child must be provided with a comfortable separate bed, crib, or cot suitable for the child's age or a 2-inch sleeping mat or mattress. Each child must also be provided with sheets and a clean, washable covering. If mats or mattresses are used, the room temperature at floor level must be 68 to 72 degrees. Pads and mattresses must be fitted with a clean, washable, removable covering. Permission of parents or guardians must be obtained for each child who uses a sleeping mat or mattress placed on the floor.

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)
F. All children must be directly supervised at all times.

G. The staff-child ratio for sleeping children is 1 adult when 6 or fewer children are in attendance and 2 adults when 7 to 12 children are in attendance, plus 1 adult for each additional 6 or fewer children.

7.702.68 Activities

A. Activity Schedules

1. The center must carry out a planned program suitable to the needs of the children. This program must be described in writing and be available for review when requested by the department or by parents or guardians of children in care.

2. The program must include outdoor play each day except when the severity of weather, including temperature extremes, makes it a health hazard or when a child must remain indoors due to health reasons.

3. If the center takes children on routine short excursions, such activities and locations must be posted at the center.

4. If a child participates in activities away from the facility, the center must obtain the parent or guardian's written permission for the child to participate in the activity at a specific location and day. Staff ratios found at Section 7.702.55 must be maintained.

5. Television viewing, including videos, should not be permitted without the approval of a child's parents, who must be advised of the center's policy regarding television and video viewing.

B. Special Activities Staff

1. If the center engages in special activities away from the child care facility, the staff member responsible for the activity must possess evidence of appropriate experience, training, and/or certification in the program specialty. Verification of experience and/or certification must be in the staff member's personnel file at the center. This staff member must be present whenever the activity is being carried out unless otherwise indicated in these regulations.

2. The qualified supervising staff member of special activities has the following duties:

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

- a. Direct training of other staff members working in the activity.
- b. Assign duties to staff members.
- c. Assure that all staff members supervising the activity are actively participating in the supervision of children.
- d. Assure that all necessary equipment is complete, in good repair, and safe to use.
- e. Assure that environmental hazards are not severe enough to cause danger to participating children.

C. Field Trips

1. The center must notify the children's parents or guardians in advance of any field trip. The staff-child ratio found at Section 7.702.55 must be maintained at all times.
2. Children must be actively supervised at all times.
3. An accurate itinerary must remain at the center.
4. The staff must have with them on a field trip the following information about each child: name, address, and phone number of the child's physician or other appropriate health care professional and the written authorization from the parent or guardian for emergency medical care.
5. A list of all children and staff on a field trip must be kept at the center.

D. Swimming

1. If the center uses a public pool for which the center is not responsible, the center need not provide a lifeguard if a qualified lifeguard is provided by the pool. Staff-child ratios must be maintained, and the lifeguard must not be counted in the staff to child ratio.
2. If the public or private pool does not provide a qualified lifeguard, staff members meeting qualifications as

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care) stated at Section 7.702.68, D, 3, a, must be provided by the center.

- a. There must be at least 1 staff member at the pool for each 10 or fewer children.
 - b. Swimming area rules and emergency procedures must be posted at the swimming area and explained to the children.
 - c. Swimming is prohibited when fewer than the required qualified staff members are present.
3. If the center uses a swimming area at a lake or pond, swimming area rules and emergency procedures must be posted at the swimming area and explained to the children.
- a. A swimming supervisor must be present who, as a minimum, holds a current American Red Cross lifeguard training certificate or equivalent certification from a group such as the YMCA or Boy Scouts.
 - b. An additional staff member who holds at least an American Red Cross lifeguard training certificate or equivalent must be present at the swimming area for each 30 additional children in the water.
 - c. At least 1 staff member must be at the swimming area for each 10 or fewer children present.
 - d. Swimming is prohibited when fewer than the required qualified staff members are present.
 - e. Swimming areas must be clearly designated.
4. The swimming pool or swimming area must meet the standards of the Colorado Department of Public Health and Environment or its local unit.
5. Before children are permitted to swim in water deeper than shoulder height, their swimming skills must be tested by staff members who hold an American Red Cross lifeguard training certificate or equivalent.
6. Child care staff must directly supervise and monitor all children while at the swimming area. Supervision must include monitoring children for exhaustion, distress, sunburn, heatstroke, and threat of drowning.

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

7. The following equipment must be available for use at the pool side or the lake shore where swimming is permitted:

a. A buoy or a lemon line; and

b. Reach pole; and

c. Backboard.

8. If swimming is permitted in a lake or a pond, a rescue boat equipped with a reach pole and a lemon line or a buoy must be available at all times.

9. If a center has shoreline activities such as wading, fishing, ecology, or nature studies, the center must have a written policy that defines qualifications of persons accompanying the group and safety guidelines to be followed. Staff members must be acquainted with the policy.

10. If the center has a permanent wading pool, children in care can use it only in the presence of an adult who holds a current American Red Cross basic lifeguarding certificate or equivalent and is responsible for providing lifesaving protection for the children. The required staff-child ratio must be maintained at all times.

E. Trampolines

1. The trampoline supervisor must have formal training and experience in use of the trampoline and knowledge of safety and spotting techniques.

2. Trampolines must be equipped with pads along the sides and kept in good repair.

3. Use of the trampoline is prohibited when there is no trampoline supervisor present.

4. Trampolines must be secured from unauthorized use.

5. Only 1 child is allowed on a trampoline at any one time, regardless of the size of the trampoline.

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

6. Staff spotters must be posted on 4 sides of each trampoline at all times. Spotters must not stand, sit, or lie on the trampoline, but must stand in a position of readiness, watching the jumper at all times.

7. Children must dismount the trampoline by sitting on the edge and sliding off. They must not be allowed to jump off the trampoline.

7.702.69 Transportation

A. Transportation Provided by the Center

1. The center is responsible for any children it transports.
2. The center must obtain written permission from parents or guardians for any transportation of their child during child care hours.
3. The number of staff members who accompany children when being transported in the vehicle must meet the child care staff ratio found at Section 7.702.55. The driver of the vehicle is considered a staff member.
4. Children must not be permitted to ride in the front seat of a vehicle unless they are 4 years old or over, more than 40 pounds, and are secured in a child restraint system that conforms to all applicable Federal Motor Vehicle Safety Standards. Children must remain seated while the vehicle is in motion.
5. Children must be loaded and unloaded out of the path of moving vehicles.
6. Children must not be permitted to stand or sit on the floor of a moving vehicle, and their arms, legs, and heads must remain inside the vehicle at all times.
7. Children must not be left unattended in the vehicle.
8. Transportation arrangements for school-age children must be by agreement between the center and the children's parents, i.e., whether the child can walk, ride a bicycle, or travel in a car. The center must monitor the children to be sure they arrive at the center when expected and follow up on their whereabouts if they are late. Written permission from parents or guardians for their children to attend community functions after school hours must include agreements regarding transportation.
9. Prior to a field trip or other excursion, the center must obtain information on liability insurance from parents

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B. Requirements for Vehicles

1. Any vehicle used for the transportation of children to and from the center or during center activities must meet the following requirements:

- a. The vehicle must be enclosed and have door locks.
- b. The seats of the vehicle must be constructed and installed according to the vehicle manufacturer's specifications.
- c. The vehicle must be kept in satisfactory condition to assure the safety of occupants. Vehicle tires, brakes, and lights must meet safety standards set by the Colorado Department of Revenue, Motor Vehicle Division.
- d. Seating must be comfortable with a seat of at least 10 inches wide for each child.

2. In passenger vehicles, which include automobiles, station wagons, and vans with a manufacturer's established capacity of 16 or fewer passengers and less than 10,000 pounds, the following is required:

- a. Each child must be restrained in an individual seat belt.
- b. Two or more children must never be restrained in 1 seat belt.
- c. Lap belts must be secured low and tight across the upper thighs and under the belly.
- d. Children must be instructed and encouraged to keep the seat belt properly fastened and adjusted.

3. In vehicles with a manufacturer's established capacity of 16 or more passengers, seat belts for passengers are not required.

C. Requirements for Drivers of Vehicles

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

1. All drivers of vehicles transporting children must comply with applicable laws of the Colorado Department of Revenue, Motor Vehicle Division, and ordinances of the municipality in which the center operates.
2. All drivers of vehicles owned or leased by the center in which children are transported must have a current department-approved first aid and safety certificate that includes CPR for all ages of children.
3. In each vehicle used to transport children, drivers must have access to a first aid kit.
4. The driver must ensure that all doors are secured at all times when the vehicle is moving.
5. The driver must make a good faith effort to ensure that each child is properly belted throughout the trip.

D. Transporting Infants and Toddlers

1. Children must be properly fastened into a child restraint system that conforms to all applicable Federal Motor Vehicle Safety Standards pursuant to Colorado law.

2. There must be at least 1 adult, in addition to the driver, for each 5 or fewer infants/toddlers being transported. Each adult must have a current department-approved first aid and safety certificate that includes CPR for all ages of children.

3. An adult must accompany each child to and from the vehicle.

4. Infants and toddlers must not be transported in the front seat of a vehicle.

12 CCR 2509-8:7.702.7

12 Colo. Code Regs. 2509-8:7.702.7Alternatively cited as 12 CO ADC 2509-8

2509-8:7.702.7. CHILD CARE EQUIPMENT AND MATERIALS

7.702.71 General Requirements

- A. Indoor and outdoor play equipment and materials must be appropriate for children's ages, size, and activities.

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

B. Indoor and outdoor materials and equipment must be sufficiently varied and appropriate for the developmental needs of the children and the number attending.

C. Indoor and outdoor equipment, materials, and furnishings must be sturdy, safe, and free of hazards.

D. Durable furniture such as tables and chairs must be child-sized or appropriately adapted for children's use.

E. Children must wear helmets when riding scooters, bicycling, skateboarding, or rollerblading.

F. In infant nurseries, an adequate number of high chairs or other suitable pieces of equipment that meet federal Consumer Product Safety Commission standards must be provided for infant feeding.

G. The infant nursery must have an adult rocking chair.

H. Each infant nursery must have a piece of sturdy equipment that is easily mobile and will hold a minimum of 5 infants for use in emergency exiting.

7.702.72 Play-Equipment and Materials

A. Equipment and materials must be provided for both indoor and outdoor play.

B. Outdoor play equipment must meet the following requirements:

1. Swings must have seats made of a flexible material.

2. Moving equipment must be located toward the edge or corner of a play area or be designed in such a way as to discourage children from running into the path of the moving equipment.

3. Metal equipment must be placed in the shade when possible and must be arranged so that children playing on one piece of equipment will not interfere with children playing on or running to another piece of equipment.

4. The maximum height of any piece of playground equipment is 6 feet if accessible to children 2 ½ to 6 years of age, and 3 feet if accessible to children under 2 ½ years of age.

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

5. All pieces of playground equipment must be designed to guard against entrapment and strangulation.

6. All pieces of permanently installed playground equipment must be surrounded by a resilient surface of a depth of at least 4 inches. By January 1, 2003, for equipment over 3 feet, resilient material must be a depth of at least 6 inches. Rubber mats manufactured for such use consistent with the guidelines of the Consumer Product Safety Commission may be used in place of resilient material for both equipment heights.

7. Sand used as a resilient surface must be raked regularly to retain its resiliency and to retain a depth of 6 inches.

8. The use of any materials under permanently installed playground equipment other than wood chips, wood mulch, engineered wood fiber, pea gravel, synthetic pea gravel, shredded rubber tires, and fine loose sand must be approved by the Department.

C. The center must have enough play materials and equipment so that at any one time each child for which the center is licensed can be individually involved. Separate play rooms or separate interest centers must be provided for each category of equipment required for the program. A variety of material and equipment from the following categories must be available.

1. Art Supplies

2. Blocks and Accessories

3. Books and Posters

4. Dramatic Play Area

5. Large Muscle Equipment

6. Manipulative Toys

7. Musical Equipment

8. Science Materials

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

D. If the center serves school-age children, it must have some age-appropriate materials and equipment from each of the following categories:

1. Arts and Crafts

2. Games

3. Sports

4. Science

5. Library

E. An appropriate supply of play materials must be readily accessible to children and must be arranged in an orderly manner so that children can select, remove, and replace the play materials either independently or with minimum assistance.

F. Toys and toy parts accessible to children under 3 years of age must be large enough that they cannot be swallowed or inhaled.

G. Toys made of brittle, easily breakable plastic are not permitted for children under 5.

H. In the infant nursery, some play equipment from the following list must be provided: mobiles, rubber washable toys, rattles, blocks, balls, record player, radio, tape player.

I. In the toddler nursery, some play materials easily accessible to children must be provided from each of the following categories:

1. Gross Motor Development

2. Fine Motor Development

3. Language Development

4. Social Interaction

J. Drop-in child care centers must provide access to indoor large muscle equipment, including, but not limited to, an indoor climbing structure with resilient surface underneath, an open area for indoor large muscle games, and must provide large muscle activities at least two times during each six (6) hour period of time.

7.702.73 Rest Time Equipment

A. A firm cot or 2-inch mat with a sheet and blanket or other suitable covering must be provided for each preschool child remaining in the center more than 4 hours.

B. Cots or pads must be spaced at least 2 feet apart on all sides during rest time. Children must have a safe area in which to rest.

C. When the room provided for rest is used for other program activities, the cots, pads, and linens must be stored in an area that is not included in the required square footage assigned for play space.

D. In rooms used for napping, the light must be dim at nap time to promote an atmosphere conducive to sleep.

E. In the infant nursery, individual cribs must be provided that allow sufficient space for the infant's length, size, and movement. Each crib must be sturdy, meet federal Consumer Product Safety Commission standards, and have a firm, comfortable mattress with safe, department-approved plastic sheeting or other type of waterproof material.

F. In the toddler nursery, a crib, sleeping cot, or 2-inch mat must be provided for each child, and there must be a minimum of 2 feet between each crib or cot. Aisles between cots or cribs must be kept free of all obstructions while cribs are occupied. No child under the age of 2 years should use a cot for sleeping without written permission of the parent or guardian.

1. Individual cribs must provide each toddler with sufficient space for the toddler's length, size, and movement, and must meet federal Consumer Product Safety Commission standards. Each crib must be fitted with a firm, comfortable mattress and heavy plastic sheeting or other type of waterproof material. If individual cribs are used, they must be separated by a sturdy divider from the area used for activities.

2. Sleeping cots and mats must be of firm construction and in good repair.

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

G. In the infant nursery, soft bedding materials that could pose a suffocation hazard are not permitted in cribs or playpens.

H. Infants who fall asleep in a swing or infant seat must be placed in their cribs for the remainder of their nap.

I. Infants must be placed on their backs for sleeping.

J. In the toddler nursery, a sheet and a blanket or suitable covering must be provided for each child to be used only by that child.

12 CCR 2509-8:7.702.8

12 Colo. Code Regs. 2509-8:7.702.8 Alternatively cited as 12 CO ADC 2509-8

2509-8:7.702.8. BUILDINGS AND FACILITIES

7.702.81 Building Site

A. General

1. Centers can be located in a private residence only when that portion of the residence to which children have access is used exclusively for the care of children during the hours the center is in operation or is separate from the living quarters of the family.

2. No other business can operate in the rooms used by the center during the hours of child care.

3. Rooms licensed for specific ages of children cannot be used for other ages of children without the prior written approval of the licensing authority.

B. Infant Nursery

1. The infant nursery must be located on the grade level.

2. If the infant nursery is in the same building as a facility caring for children of other ages, the infant nursery must be physically separated in different rooms.

1. The toddler nursery must be located on grade level.

2. If the toddler nursery is combined with a large child care center or an infant nursery, toddler facilities, both indoor and outdoor, must be completely separate from facilities for other age groups, except as allowed by Section 7.702.83, B, 8 and 9. If the facility wishes to provide opportunities for a toddler to have occasional contact with siblings, plans must be approved by the department licensing representative.

3. A toddler nursery located in a drop-in child care center licensed for five (5) or fewer toddlers may be separated from the rest of the center by a five (5) foot wall.

7.702.82 Building Plans and Construction

A. The center must comply with applicable state and local building code and zoning regulations.

B. Prior to construction, architectural plans for new buildings or for extensive remodeling of existing buildings must be submitted for review and approval by the department, the local fire department, and the local building department as to appropriateness, adequacy, and suitability for child care functions.

7.702.83 Space Requirements

A. Indoor Area Requirements

1. There must be open, indoor play space of at least 30 square feet of floor space per child, including space for movable furniture and equipment. Indoor space must be exclusive of kitchen, toilet rooms, office, staff rooms, hallways and stairways, closets, laundry, furnace rooms, and space occupied by permanent built-in cabinets and permanent storage shelves inaccessible to children.

Child care centers in operation prior to January 1, 1966, and which continue operation under the same governing body, must provide open indoor play space of at least 25 square feet of floor space per child, including space for readily movable furniture and equipment, and with the exclusions noted in the preceding paragraph.

2. Adequate storage space must be provided for indoor and outdoor equipment and supplies. Space for reserve supplies must be in addition to the designated space allotment for children's play activities.

3. There must be at least 1 diaper change area for each 20 or fewer children in need of diaper changing. Diaper change areas must be located and arranged so as to provide privacy for older children in need of diaper

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care) changing. See also Section 7.702.63, B.

4. Number of Children Allowed in One Room

AGE OF CHILDREN	MAXIMUM NUMBER OF CHILDREN IN A ROOM
6 weeks to 18 months	10 infants
12 months to 18 months	10 infants
12 months to 36 months	20 toddlers
18 months to 24 months	20 toddlers
24 months to 36 months	28 toddlers
30 months to 36 months	28 toddlers

Toddler centers licensed prior to 7/1/89 are exempt from the room size requirement.

5. Square Footage Requirement per Child

AGE OF CHILD	SEPARATE FREE PLAY AREA	SEPARATE SLEEP AREA	COMBINED SLEEP AND PLAY AREA
6 weeks to 18 months (infants)	35 square feet	adequate space to accommodate size of cribs and needs of infants and staff	50 square feet
12 months to 36 months (toddlers)	30 square feet	30 square feet	45 square feet
2 1/2 years to 5 years (preschool)			30 square feet
5 years and over (school-age)			30 square feet

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

6. In the infant nursery, the minimum indoor space per infant for sleep and activities is 50 square feet. This space is exclusive of kitchen, toilet rooms, office, staff rooms, hallways and stairways, closets, laundry, furnace rooms, and space occupied by permanent built-in cabinets and storage shelves.

a. If a separate sleep room is provided, it must have enough square footage that all babies and cribs are easily accessible to staff members. The activity room must contain at least 35 square feet per child.

b. If a combination sleep/activity room is used, the sleep area must be separated by a sturdy divider from the area used for activities, and cribs must be arranged so that all babies and cribs are easily accessible to staff members.

B. Outdoor Area Requirements

1. The center must provide an outdoor play area that is adjacent to or safely accessible to the indoor facilities. When the area is not adjacent, staff members must accompany children to and from the play area. Drop-in child care centers are not required to provide an outdoor play area.

2. The outdoor play area must provide a minimum of 75 square feet of space per child for a group of children using the total play area at any one time. The total play area must accommodate at least 33 percent of the licensed capacity of the center or a minimum of 1500 square feet, whichever is greater.

3. The play area must be fenced or have natural barriers, such as hedges or stationary walls at least 4 feet high, to restrict children from unsafe areas.

4. The play area must be designed so that all parts are visible and easily supervised.

5. The playground area must have at least 2 different types of surfaces. Each type of surface must cover at least 10 percent of the playground area.

6. A shaded area in the fenced play area of at least 150 square feet must be provided by means of trees or other cover to guard children against the hazards of excessive sun and heat.

7. In the infant nursery, the outdoor play area must be a minimum of 400 square feet.

8. In the infant nursery, the outdoor area can be used by other age groups at the center, but it must not be used by any other group of children while infants are using it.

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

9. In the toddler nursery, the outdoor play area can be shared by infants, but infants and toddlers must not be allowed to use the play area at the same time.

7.702.84 Food Preparation Area

A. See the “Rules and Regulations Governing the Sanitation of Child Care Centers in the State of Colorado.”

B. Infant and Toddler Nurseries

1. A table, counter, or shelf, separate from the diaper changing area, must be available for preparing infants’ and toddlers’ food.

2. The nursery must prepare formula or food in the center’s kitchen, or the nursery must have a second sink or a covered commercial container with a spigot for preparation of formula and food.

7.702.85 Toilet Facilities

A. Toilet facilities for the staff and other adults must be in separate compartments or separated by a partition from children’s facilities, except in centers licensed for 30 or fewer children and in centers with programs of 4 hours or less.

B. Toilet rooms for children must be separate from rooms used for other purposes and must be located on the same floor as the inside play area.

C. A minimum of one (1) lavatory and one (1) flush toilet must be provided for each 15 or fewer children. Drop-in child care centers must provide a minimum of one 1 lavatory and one 1 flush toilet for each 20 or fewer children.

D. The same toilet facilities must not be used simultaneously by school-age children of both sexes, and toilets for school-age children must be separated by partitions to provide privacy.

E. Toilet facilities are not required for children under 2 years of age.

F. Toilet facilities must be provided for children 2 years of age and older.

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

G. Toilet rooms for children must be located within the toddler nursery, except that drop-in child care centers need not provide a toilet in the toddler nursery if the facility is licensed for ten (10) or fewer toddlers. A diaper change table and hand washing sink is required in every toddler nursery.

7.702.86 Office Facilities

A. Office space separate from areas used by children, other than for isolation purposes, must be provided for staff to perform administrative duties.

B. The office must have sufficient space for maintenance and safe storage of children's and staff records and the center's business records.

12 CCR 2509-8:7.702.9

12 Colo. Code Regs. 2509-8:7.702.9 Alternatively cited as 12 CO ADC 2509-8

2509-8:7.702.9. FIRE AND OTHER SAFETY REQUIREMENTS

7.702.91 General Requirements

A. Buildings must be kept in good repair and maintained in a safe condition.

B. Major cleaning is prohibited in rooms occupied by children.

C. Volatile substances such as gasoline, kerosene, fuel oil, and oil-based paints, firearms, explosives, and other hazardous items must not be stored in any area of the building used for child care. Plastic bags and sharp tools and instruments must be stored in areas inaccessible to children.

D. Combustibles such as cleaning rags, mops, and cleaning compounds must be stored in well-ventilated areas, separated from flammable materials, and stored in areas inaccessible to children.

E. All heating units, gas or electric, must be installed and maintained with safety devices to prevent fire, explosions, and other hazards. No open-flame gas or oil stoves, unscreened fireplaces, hot plates, or unvented heaters can be used for heating purposes. All heating elements, including hot water pipes, must be insulated or installed in such a way that children cannot come in contact with them.

F. Nothing flammable or combustible can be stored within 3 feet of a furnace or hot water heater.

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

G. In rooms used by children, all electrical outlets that are accessible to children must have protective covers, or safety outlets must be installed.

H. Except in part-day preschools, permanently located battery-powered lights must be provided in locations readily accessible to staff in the event of electric power failure. Batteries must be checked regularly.

I. Closets, attics, basements, cellars, furnace rooms, and exit routes must be kept free from accumulation of extraneous materials such as discarded furniture, furnishings, newspapers, and magazines.

J. Children under 2 years of age must be excluded from the kitchen. When children age 2 and over prepare food at the center, they may use only equipment and appliances that do not present a safety hazard. Staff-child ratios must be maintained.

K. First aid supplies must be maintained and made accessible to staff throughout the center and stored in areas inaccessible to children.

L. All outdoor areas available to children's activities must be maintained in a safe condition by removal of debris, dilapidated structures, broken or worn play equipment. The center must identify hazardous, high-risk areas. These areas must be made inaccessible to children.

M. Playground surfaces must be checked on a daily basis for the presence of dangerous or other foreign materials. Playground equipment must be checked for safety on a monthly basis.

N. Window blind cords must be secured out of children's reach to prevent strangulation.

7.702.92 Fire Safety

A. Every building and structure must have sufficient exits to permit the prompt escape of occupants in case of fire or other emergency. Additional safeguards must be provided for life safety in case any single safeguard is ineffective due to some human or mechanical failure.

B. Every building or structure must be constructed, arranged, equipped, maintained, and operated as to avoid undue danger to the lives and safety of its occupants from fire, smoke, fumes, or resulting panic during the period of time reasonably necessary for escape from the building or structure in case of fire or other emergency.

C. In every building or structure, exits must be arranged and maintained so as to provide free and unobstructed egress from all parts of the building or structure at all times when it is occupied. No lock or fastening to prevent

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care) free escape from the inside of any building can be installed. Only panic hardware or single-action hardware is permitted on a door or on a pair of doors. All door hardware must be within the reach of children.

D. No child of less than first grade school level can be cared for in areas above or below the main floor of exit unless allowed by the Uniform Building Code and approved by the local fire department.

E. Exit from each room must be directly to the exterior of the building or to a common hallway leading to the exterior.

F. Each center must have at least 2 approved, alternate means of egress from each floor of the building or to a common hallway leading to the exterior. They must be at different locations.

G. All stairways, interior and exterior, that are used by children must be provided with handrails within reach of the children.

H. If the center has a security lock on outside exit doors, the center must obtain written permission from the local fire department; and there must be a written sign attached to the door instructing center staff that the security lock is not to be utilized when children are present at the center.

I. Every exit must be clearly visible, or the route to reach it must be conspicuously indicated. Each path of escape must be clearly marked.

J. Every building and structure must have an automatic or department-approved manually operated fire alarm system to warn occupants of the existence of fire or to facilitate the orderly conduct of fire exit drills.

7.702.93 Emergency Drills

A. Each staff member of the center must be trained in fire safety.

B. Fire exit drills must be held often enough that all occupants are familiar with the drill procedure and their conduct during a drill is a matter of established routine. Fire drills must be consistent with local fire department procedures. A record of fire drills held over the past 12 months, including date and time of drill, number of adults and children participating, and the amount of time taken to evacuate, must be maintained by the center.

C. Drills must be held at unexpected times and under varying conditions to simulate the conditions of an actual fire.

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

D. Drills must emphasize orderly evacuation under proper discipline rather than speed. No running or horseplay should be permitted.

E. Drills must include suitable procedures for ensuring that all persons in the building, or all persons subject to the drill, actually participate.

F. Fire alarm equipment must be used regularly in the conduct of fire exit drills.

G. If appropriate to the location of the center, tornado drills must be held often enough that all occupants are familiar with the drill procedure and their conduct during a drill is a matter of established routine. A record of tornado drills held over the past 12 months must be maintained by the center.

7.702.100 RECORDS AND REPORTS

7.702.101 Children's Records

The center must maintain and update annually a record on each child that includes:

A. The child's full name, birth date, current address, and date of enrollment.

B. Names and home and employment addresses and telephone numbers of parents or guardians.

C. Any special instructions as to how the parents or guardians can be reached during the hours the child is at the center.

D. Names, addresses, and telephone numbers of persons authorized to take the child from the center.

E. Names, addresses, and telephone numbers of persons who can assume responsibility for the child in the event of an emergency if parents or guardians cannot be reached immediately.

F. Name, address, and telephone number of the child's physician, dentist, and hospital of choice.

G. Health information, including medical report, chronic medical problems, and immunization history.

H. A dated written authorization for emergency medical care signed and updated annually by the parent or

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care) guardian. The authorization must be notarized if required by the local hospital, clinic, or emergency health care facility.

I. Written authorization from a parent or guardian for the child to participate in field trips or excursions, whether walking or riding.

J. Injury and illness record.

K. Reports of serious injuries and accidents occurring during care that result in the hospitalization or death of a child.

L. Significant observations of the child's development.

M. A record of parent conferences, including dates of conferences and names of center staff and parents or guardians involved.

7.702.102 Staff Records

A. The center office must maintain a record for each staff member that includes the following:

1. Name, address, telephone number, and birth date of the individual.
2. Verification of education, work experience, employment, training, and completion of first aid and CPR courses.
3. Immunization record and health examination reports.
4. Date of employment.
5. Names, addresses, and telephone numbers of persons to be notified in the event of an emergency.
6. Information received from the State Department's automated system and the Colorado Bureau of Investigation (may be retained in a confidential file).

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

B. Each staff member's personnel file must contain all required information within 30 working days of the first day of employment.

7.702.103 Administrative Records and Reports

A. The following records must be on file at the center:

1. Records of enrollment, daily attendance for each child, and daily record of the time the child arrives at and departs from the center.
2. Current health department inspection report issued within the past 24 months.
3. Current fire department inspection report issued within the past 24 months.
4. A list of current staff members, substitutes, and staffing patterns.

5. Copies of menus.

6. A record of visitors to the center.

B. Each center must immediately report in writing to the Colorado Department of Human Services any accident or illness occurring at the center that resulted in medical treatment by a physician or other health care professional, hospitalization, or death. This report must be made within 48 hours after the accident or illness occurred.

C. A report about a fatality must include:

1. The child's name, birth date, address, and telephone number.
2. The names of the child's parents or guardians and their address and telephone number if different from that of the child.
3. Date of the fatality.

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

4. Brief description of the incident or illness leading to the fatality.

5. Names and addresses of witnesses or persons who were with the child at the time of death.

6. Name and address of police department or authority to whom the report was made.

D. The center must submit to the department within 48 hours a written report about any child who has been lost from the center and for whom the local authorities have been contacted. Such report must indicate:

1. The name, birth date, address, and telephone number of the child.

2. The names of the parents or guardians and their address and telephone number if different from those of the child.

3. The date when the child was lost.

4. The location, time, and circumstances when the child was last seen.

5. Actions taken to locate the child.

6. The name of the staff person supervising the child.

E. The center must report to the Colorado Department of Public Health and Environment or its local unit any communicable illness, including but not limited to measles, mumps, diphtheria, rubella, tuberculosis, shigella, hepatitis, meningitis, salmonella, or giardia, contracted by a staff member or a child at the center.

7.702.104 Confidentiality and Retention [Rev. eff. 11/1/98]

A. The confidentiality of all personnel and children's records must be maintained. See Section 7.701.7 in the General Rules for Child Care Facilities.

B. Personnel and children's records must be available, upon request, to authorized personnel of the department.

Colorado Administrative Code _Title 2500. Department of Human Services_2509. Social Services Rules (Volume 7; At-Risk Adults, Child Welfare, Child Care Facilities)_12 CCR 2509-8. Rule Manual Volume 7 Child Care Facility Licensing_7.702. Rules Regulating Child Care Centers (Less Than 24-Hour Care)

C. If records for organizations having more than one center are kept in a central file, duplicate identifying and emergency information for both staff and children must also be kept on file at the center attended by the child and where the staff member is assigned.

D. The records of children and personnel must be maintained by the center for at least 3 years.