

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

Okla. Admin. Code 340:110-3-1

340:110-3-1. Purpose

The declared purpose and policy of the Oklahoma Child Care Facilities Licensing Act [10 O.S. § 401 et seq.] is to ensure maintenance of minimum standards for the care and protection of children away from their own homes, encourage and assist the child care facility toward maximum standards, and to work for the development of sufficient and adequate services for child care.

Okla. Admin. Code 340:110-3-2

340:110-3-2. Definitions

The following definitions apply unless the context clearly indicates otherwise.

“Assistant teacher” means a staff person who works under the on-site supervision of a qualified teacher or director.

“Auxiliary personnel” means cooks, building custodians, or other individuals who provide support services to the facility.

“Auxiliary spaces” means areas that are not used for children’s care or play.

“Certified Childcare Professional (CCP) credential” means a national credential awarded to an individual who has educational and experiential activities that promote skill development in professional ability areas.

“Child care center” means a facility that provides care for children and operates more than 30 hours per week.

“Child Care Restricted Registry,” or “Restricted Registry,” or “Joshua’s List” means a registry for registrants who are prohibited from being licensed, working, or residing in child care facilities as defined in Section 405.3 of Title 10 of Oklahoma Statutes.

“Child Development Associate (CDA) Credential” means a national credential awarded to an individual who has successfully completed a CDA assessment by demonstrating competence in 13 functional areas.

“Child passenger restraint system” means an infant or child passenger restraint system, for example, a car seat, that meets the federal standards for crash-tested restraint systems as set by the United States Department of Transportation.

“Child with disabilities” means a child who has a physical or mental impairment and/or emotional disturbance that

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

results in substantial limitations in areas such as self-care, language, learning, mobility, or self-direction.

“Day camp” means a program that serves only school-age children and operates during regular school vacations for no more than 12 hours per day.

“Department” means the Oklahoma Department of Human Services (OKDHS).

“Drop-in program” means a child care program that provides care for children on an occasional basis where no child attends more than six hours per day for a maximum of 24 hours a week with an allowance for six extra hours per child three times per year.

“Fall zone” means the surface under and around a piece of equipment onto which a child falling from or exiting from the equipment would be expected to land.

“Infant” means a child from birth up to 12 months of age.

“Infection control” means the policies, procedures, and techniques used to control and prevent the spread of infection, for example, hand-washing, sanitizing, personal hygiene, diapering and toileting, appropriate handling and disposal of soiled or contaminated items, sick child exclusion policies, and immunization policies.

“Limited food service” means the preparation or serving of only non-potentially hazardous foods for immediate consumption using single-service articles.

“Master teacher” means a staff person who supports other teaching staff with responsibilities such as program development, weekly lesson plans, use of space and equipment, interactions with parents, and program evaluation.

“Non-registrant” means an individual that is not recorded on the Child Care Restricted Registry.

“Parent” means a child’s father, mother, or other person who has legal custody or guardianship of the child.

“Permanent substitute” means a substitute teacher who has worked more than 40 hours at the child care center.

“Potentially hazardous foods” means any food that contains milk or milk products, eggs, meat, poultry, fish, shellfish, crustacean, or other ingredients in a form capable of supporting rapid and progressive growth of harmful microorganisms.

“Preschool child” means a child age three to five years who has not entered kindergarten.

“Registrant” means an individual that is recorded on the Child Care Restricted Registry.

“School-age child” means a child who is at least five years of age and who is attending or has completed

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

kindergarten.

“Supervision of children” means the function of observing, overseeing, and guiding a child or group of children. This includes awareness of and responsibility for the ongoing activity of each child and being near enough to intervene if needed. It requires physical presence, knowledge of activity requirements and children’s needs, and accountability for their care.

“Teen aide” means a 13- to 15-year-old who works under the direct supervision of a master teacher and is not considered in the staff-child ratio as a staff or as a child.

“Temporary substitute” means a substitute teacher who has worked 40 hours or less at the child care center.

“Toddler” means a child who is 12 months to 24 months of age.

“Tribal country land” means land that is tribally owned, considered trust or restricted land, and some dependent Indian communities over which the tribe has exclusive jurisdiction.

“Unitary materials” means rubber mats or a combination of rubber like materials held in place by a binder, glue, that may be poured in place at the playground site and when cured forms a unitary shock absorbing surface.

“Unsupervised access” means a person being present with children without a staff member being present.

“Volunteer” means a person who provides services to the center without cost or compensation.

Okla. Admin. Code 340:110-3-3

340:110-3-3. Necessity and issuance of license

(a) In accordance with Section 401 of Title 10 of the Oklahoma Statutes, no child care facility may be operated or maintained after June 30, 1964, unless licensed by the Oklahoma Department of Human Services (OKDHS).

(b) Child care facilities that are required to be licensed by OKDHS do not include programs that operate:

(1) 15 hours or less per week;

(2) during typical school hours by a public or private school that offers elementary education from kindergarten through third grade; or

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(3) on tribal country land or federal property

(c) An application for a license is made on forms provided by OKDHS in the manner prescribed.

(d) Pursuant to the Oklahoma Child Care Facilities Licensing Act [10 O.S. § 401 et seq.], persons identified as a registrant on the Child Care Restricted Registry are prohibited from:

(1) licensure as a child care facility;

(2) employment in a child care facility; and/or

(3) residing in a child care facility.

(e) An unlicensed child care center may not advertise as licensed.

(f) Children are not accepted into care until permission is obtained from OKDHS.

(g) No other activity or business unrelated to child care is permitted in the child care center during the time child care is provided. A business located in the same building as the center is required to have its own entrance, bathrooms, and proper fire rated separation.

(h) OKDHS may deny an application or revoke a license if a licensee violates any provisions of the Oklahoma Child Care Facilities Licensing Act. [10 O.S. § 401 et seq.] No application is denied or license revoked unless the license holder is given 30-day notice in writing of the grounds for the proposed revocation or denial. If the revocation or denial is protested within 30 days of receipt of the written notice, a hearing is conducted.

(i) When OKDHS denies or revokes a child care center's license, the responsible entity cannot make application for a new child care facility license within Oklahoma for five years following notification to the responsible entity of the license revocation or denial and during an appeal process.

Okla. Admin. Code 340:110-3-4

340:110-3-4. Requirements [REVOKED]

Okla. Admin. Code 340:110-3-5

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

340:110-3-5. Organization

(a) **Responsible agent.** A child care center is operated by a public or private organization or an individual.

(1) A public child care center is created and exists by an act of the state, county, city, or other political subdivision and operated under the control of a governmental agency.

(2) A not-for-profit center operates under a governing board responsible for developing policies and establishing and maintaining a sound financial structure.

(3) A proprietary child care center's owner is responsible for the policy and financial structure of the child care center.

(b) **Purpose.** A statement defining the purpose or function of the child care center is filed with the Oklahoma Department of Human Services (OKDHS) and includes:

(1) ages of children accepted;

(2) hours of operation; and

(3) type of care and services offered.

(c) Notifications. Requirements pertaining to notifications are contained in this subsection.

green and burgundy

(1) The items posted in a prominent place where staff, parents, and others may view them are the:

(A) center's license, permit, or notice of denial or revocation of license;

(B) name of the person responsible for the center during the director's absence;

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(C) notice of the requirement to report suspected child abuse and neglect;

(D) notice prohibiting smoking anywhere in the facility while children are in care;

(E) emergency procedures;

(F) weekly menu of all food provided by the center; and

(G) evacuation plan.

(2) The items accessible in a place where staff, parents, and others may easily view them are:

(A) the daily program schedule;

(B) record of dates when fire and tornado drills were conducted, per OAC 340:110-3-11(c)(2);

(C) a time schedule for use of outdoor play space if the center is licensed for 24 or more children and has outdoor play space of less than 75 square feet per child, per OAC 340:110-3-11(d)(2); and

(D) a certificate of One Star Plus, Two Star, or Three Star status, if applicable.

(3) Form 07LC093E, Insurance Exception Notification, if applicable per OAC 340:110-3-5.1(c). is posted in clear view of the main entrance to the facility.

(4) A notice of staff-child ratios and group size is posted in every room where children are in care.

(5) In accordance with Section 7103 of Title 10 of the Oklahoma Statutes, any person who has reason to believe a child has been abused or neglected is required to report the matter promptly to the statewide toll-free Child Abuse Hot Line, 1-800-522-3511. It is a misdemeanor for any person to fail to report.

(6) The center is required to notify the OKDHS Oklahoma Child Care Services (OCCS) Licensing Services (Licensing) on the next working day of:

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(A) a temporary, unscheduled, or permanent closing of the center;

(B) a change in the director;

(C) changes in liability insurance coverage;

(D) any damage to the facility that affects the amount of usable square footage or compliance with any requirement;

(E) legal action against a center or staff person that involves or affects a child in care or the operation of the center;

(F) any known criminal charges or child abuse investigations involving staff that are pending or have had a disposition;

(G) an accident involving transportation unless there were no injuries and only minor damage to the vehicles;

(H) any injury to a child requiring emergency medical attention; and

(I) the death of a child that occurred while the child was in care.

(7) The center is required to notify Licensing at least 30 days prior to:

(A) a change in ownership or sponsorship;

(B) a change in name of the center;

(C) any change or alteration to the physical facility that affects the amount of usable square footage or compliance with any requirements;

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(D) the anticipated closing or relocation of the child care center; and

(E) a proposed change in the licensed capacity.

(d) **Public access to records-Compliance Posting.**

(1) Items posted within clear view of the main entrance are:

(A) OKDHS provided "Notice to Parents"; and

(B) Form 04CP004E, Child Welfare Investigative Summary Notification to (OCCS), with confirmed or substantiated findings for 120 days from the completion of the investigation.

(2) The granted waiver notification for individuals who have criminal histories as defined in Section OAC 340:110-3-7.1(c) are posted in a prominent place for as long as they are employed or living in the facility.

(e) **Compliance file.** A compliance file that is accessible to staff, parents, and others contains:

(1) the most recent child care licensing monitoring report provided by the licensing specialist;

(2) the following documents issued by Licensing within the last 120 days:

(A) child care licensing monitoring reports and licensing correspondence;

(B) Form 07LC037E, Notice to Comply;

(C) licensing complaints; and

(D) Form 04CP004E, Child Welfare Investigative Summary Notification to (OCCS), with findings of unconfirmed or unsubstantiated to include findings of services not needed, ruled out, or services recommended; and

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(3) Form 04CP004E with findings of confirmed or substantiated, for one year from the completion of the investigation.

(f) **Effect of change in ownership or location on license.** When a center changes ownership or location:

(1) the license is not transferable and is returned to OKDHS; and

(2) the center is required to meet current licensing requirements.

Okla. Admin. Code 340:110-3-5.1

340:110-3-5.1. Policy and procedure

(a) **Content.** A written statement of the child care center's policy and procedure is available to staff and parents and includes, but is not limited to the:

(1) ages of children accepted;

(2) days and hours of operation including the holidays the program is closed;

(3) location and accessibility of the licensing compliance file;

(4) procedure for:

(A) receiving and releasing a child from the center, including a method of verifying the identity of a caller or person who picks up a child and prompt notification of parents when a child does not arrive as scheduled;

(B) handling illnesses and injuries, including procedures when away from the child care center;

(C) storing and administering children's medicines;

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(D) notifying parents of field trips; and

(E) transportation of children;

(5) mandatory reporting of child abuse; and

(6) discipline policy.

(b) **Personnel policy.** When there are more than four staff persons, the child care center is required to provide written personnel policy to staff that includes:

(1) essential job functions, qualifications, and lines of authority; and

(2) staff performance evaluation and termination procedure.

(c) **Insurance.** A child care facility shall maintain liability insurance in accordance with Section 404.3 of Title 10 of the Oklahoma Statutes.

(1) When liability insurance is maintained, Form 07LC092E, Insurance Verification, that includes a certificate of insurance obtained from the insurance agent is completed annually, maintained at the facility, and made available to licensing.

(2) When liability insurance is not maintained, or the facility reports they are self-insured, Form 07LC093E, Insurance Exception Notification, is posted at the facility.

Okla. Admin. Code 340:110-3-6

340:110-3-6. Records

(a) **Center records.** Oklahoma Department of Human Services (OKDHS) staff have access to all records and reports addressed in this Section.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(b) **Children's records.** Records are obtained at the time of admission for each child in care, including teen aides, regardless of the length of time the child is in care.

(1) Children's records are kept at the center, available to staff during all hours of child care, and are kept current.

(2) Identification and health records are collected and maintained on file at the child care center via forms provided by OKDHS or on other forms that contain:

(A) the child's name, date of birth, name of parent(s), home address, parent(s)' places of employment, and telephone numbers;

(B) the name and telephone number of a responsible person to contact in an emergency if the parent(s) cannot be located promptly;

(C) permission of the parent authorizing the center to transport the child for emergency medical care;

(D) name of the person(s) permitted to pick up the child;

(E) health information. The center is prohibited from obtaining information or health records from the parent solely for the purpose of screening out or denying care to a child with particular types of disabilities;

(F) routine care, including instructions for eating, sleeping, toileting, or diapering;

(G) individual special needs to the extent voluntarily disclosed by the parent, including:

(i) behavior and guidance;

(ii) communication; and

(iii) positioning;

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(H) parental permission, if given, to consult with appropriate health and child development professionals;

(I) individual medical emergency plan;

(J) current immunization record;

(K) name, address, and telephone number of a physician to call in an emergency;

(L) date of acceptance and withdrawal from the child care center; and

(M) medication and transportation permission, if applicable.

(3) The center is required to maintain readily available attendance records including child's arrival time and departure time for a minimum of 120 days.

(c) **Teen aide records.** In addition to the required records for teen aides listed in OAC 340:110-3-6(b), a written agreement signed by the parent or guardian of the teen aide must be maintained on file at the facility. The agreement includes:

(1) the duties and responsibilities of the teen aide;

(2) the name of the master teacher responsible for supervising the teen aide; and

(3) the written consent of the parent or guardian for the child to work as a teen aide.

(d) **Staff records.** Records on all employees including substitutes are completed and maintained at the facility or made available to Licensing. Staff records include:

(1) staff information forms provided by OKDHS that are submitted to Licensing within two weeks of employment and include:

(A) name, birth date, address, telephone number, and Social Security number;

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(B) education;

(C) references, including previous employers if any, and the name, address, telephone number, and dates of employment; and

(D) a statement regarding criminal history;

(2) criminal history investigations with records maintained in a confidential manner and not made a part of the individual's personnel records pursuant to Section 404.1 of Title 10 of the Oklahoma Statutes;

(3) a report of an examination by a licensed physician or mental health professional when there is concern about an employee's ability to perform normal duties because of a possible physical, mental, or emotional problem;

(4) documentation of orientation and training;

(5) attendance records for each staff person and substitute staff that reflect days and hours worked and that are maintained for 120 days;

(6) documentation of request and/or results of a criminal history review;

(7) documentation that the individual is a non-registrant on the Child Care Restricted Registry; and

(8) when applicable, a criminal history investigation from the previous state(s) of residence if the individual has resided in Oklahoma less than three years.

Okla. Admin. Code 340:110-3-7

340:110-3-7. Staff [REVOKED]

Okla. Admin. Code 340:110-3-7.1

340:110-3-7.1. Requirements for child care center employees

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(a) **General.** All employees are required to be of good character and possess adequate education, training, and experience to provide them with the skills to perform the essential functions of the job with or without reasonable accommodation. Each employee:

(1) provides annual documentation that he or she meets the health and training requirements contained in, Oklahoma Department of Human Services (OKDHS) Publication no. 84-08, Licensing Requirements for Child Care Centers;

(2) demonstrates the ability to perform essential job functions;

(3) recognizes and acts to correct hazards to physical safety, both indoors and outdoors;

(4) works with children without recourse to physical punishment, mistreatment, or child abuse; and

(5) demonstrates good judgment as evidenced by prudent and responsible behavior that reasonably ensures the health and safety of children in care.

(b) **Criminal history investigations.** Requirements for centers pertaining to criminal history investigations are contained in this subsection.

(1) **Owner or director responsibility.** The center's owner or director submits to the licensing records office:

(A) documentation of a search conducted within the last 30 days of the Child Care Restricted Registry;

(B) a completed criminal history investigation conducted within the last 12 months including dispositions on all charges; and

(C) a criminal history review request on a form provided by licensing requesting an Oklahoma State Courts Network (OSCN) search for:

(i) any person making application to establish or operate a child care center;

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(ii) each applicant prior to employment, including all caregivers, substitutes, auxiliary staff, and any other person employed by the child care facility or program;

(iii) adults, including providers' spouses or adult children, who live in the child care facility; and

(iv) persons age 18 years or older prior to their residence in the facility; and

(D) obtains a completed criminal history investigation for persons who have unsupervised access to children, such as lab students, Work Experience Program (WEP) workers, volunteers, contracted staff, or custodians.

(2) **Exceptions.** Criminal history investigations are not required for:

(A) staff who move to a new center operated by the same organization;

(B) contracted staff who provide transportation, lessons, or other services if facility staff are present with children at all times;

(C) parent volunteers who transport children on an irregular basis; and

(D) providers' children who become adults, age 18, during continuous residence at the licensed facility.

(3) **Authorized agencies.** Criminal history investigations are acceptable only when conducted by the:

(A) Oklahoma State Bureau of Investigation (OSBI); and

(B) authorized agency in the previous state(s) of residence if the individual has resided in Oklahoma less than three years.

(4) **Sex Offender Registry.** The OSBI report must include a search of Oklahoma Department of Corrections files maintained by the OSBI pursuant to the Sex Offender Registration Act.

(5) **Verification of records search.**

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(A) **Prior to issuance of initial permit or change of ownership.** The facility must receive criminal history review results from the Oklahoma Child Care Services (OCCS) licensing records office for all employees and/or any persons 18 years of age or older who live in the facility.

(B) **Existing facilities.** The facility must submit a criminal history review request on a form provided by OKDHS to the OCCS licensing records office for all employees prior to employment and prior to any persons 18 years of age or older being allowed to live in the facility. This request for review must be maintained on file at the facility while awaiting the results.

(c) **Restrictions.** Center requirements contained in this subsection restrict certain individuals from employment.

(1) The child care center is restricted from knowingly employing a person who:

(A) has pending charges, unless waived by OCCS, has entered a plea of guilty or nolo contendere, no contest, or been convicted of:

(i) any criminal activity involving violence against a person;

(ii) child abuse or neglect;

(iii) possession, sale, or distribution of illegal drugs;

(iv) sexual misconduct; or

(v) an act of gross irresponsibility or disregard for the safety of others or a pattern of criminal activity; or

(B) is required to register pursuant to the Sex Offender Registration Act or any person required to register under the Mary Ripley Violent Crime Offenders Registration Act.

(2) The child care center is restricted from knowingly employing or allowing a registrant to reside in the facility.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(3) The center director may request a waiver from the restrictions in (c)(1)(A) of this Section.

(A) The waiver request is made in writing to OKDHS and considered by the waiver review committee.

(B) The person for whom the waiver is requested cannot be employed until a decision has been made.

(4) A waiver may not be granted to any person:

(A) convicted of a sex offense pursuant to the Sex Offender Registration Act;

(B) required to register under the Mary Rippy Violent Crime Offenders Registration Act; or

(C) identified as a registrant on the Child Care Restricted Registry.

(5) Any person whose health or behavior could endanger the health, safety, or well-being of children is prohibited from the child care center premises and contact with children in care.

(6) An employee under the effects of alcohol, illegal drugs, or medication that impairs functioning is prohibited from providing child care services.

(d) **Child abuse.** The requirements pertaining to child abuse are contained in this subsection.

(1) Any caregiver who has reason to believe that a child has been abused is required to promptly contact the statewide toll-free Child Abuse Hot Line, 1-800-522-3511.

(2) Staff are required to cooperate fully in the investigation of any allegation.

(e) **Health.** Requirements pertaining to employees' health are contained in this subsection.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(1) **Tuberculosis testing.** The need for tuberculin skin testing of employees is based upon a local identified tuberculosis exposure, the degree of risk of transmission of latent tuberculosis infection, the impact to public health and safety, and the specific recommendations of the Oklahoma State Department of Health.

(2) **Impairment of job performance.** OCCS, Licensing Services may require a report of a physical or psychological examination by a licensed physician or mental health professional if it is reported or observed that an employee has a physical, mental, or emotional condition that impairs the employee's ability to perform assigned job responsibilities.

(f) **Employee qualifications.** Requirements applicable to employee positions are contained in this subsection.

(1) **Director qualifications.** Effective January 1, 2005, all directors of child care centers are required to be at least 21 years of age and have obtained and maintain the Bronze level, in accordance with OKDHS Appendix L-2, Oklahoma Director's Credential.

(2) **Master teacher qualifications.** Effective January 1, 2005, all master teachers are required to:

(A) be at least 18 years of age and have obtained the qualifications at Level III or higher of OKDHS Appendix L-3, Professional Development Ladder; or

(B) in a program where the majority of children are school-age, the master teacher may have 120 clock hours of Tier II or higher school-age training within the last five years, in accordance with OKDHS Appendix L-1, 480 hours of experience in a program where the majority of children are school-age, and every two years a minimum score of 5.0 on the School-Age Environment Rating Scale in a classroom where the master teacher is the lead teacher.

(3) **Teachers.** Teachers hired after July 1, 1995 are required to:

(A) be at least 18 years of age; and

(B) have a high school diploma or General Educational Development (GED); or

(C) have completed the tenth grade and be in the process of obtaining a GED for a period not to exceed 12 months.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(4) **Assistant teachers.** Assistant teachers are at least 16 years of age and required to:

(A) have a high school diploma or GED;

(B) have completed the tenth grade and be in the process of obtaining a GED; or

(C) be currently enrolled in secondary education or the equivalent.

(5) **Permanent substitutes.** Permanent substitutes are required to meet minimum requirements for the position they are filling.

(6) **Temporary substitutes.** Temporary substitutes must be at least 18 years of age.

(7) **Teen aides.** Teen aides must be 13 through 15 years of age.

(g) **Responsibilities.** Responsibilities of employees and volunteers are described in this subsection.

(1) **Director.** The director or teacher who meets director's qualifications, is present in the center at least 50 percent of operating hours or a minimum of 30 hours a week and is responsible for the day-to-day operation of the center.

(A) When four or more teachers are needed to meet minimum staff-child ratios, the director is free from direct care responsibilities at least three hours per day during operating hours to provide program oversight and staff supervision.

(B) The director or teacher who meets director's qualifications, is responsible for:

(i) upon employment, providing three references to Licensing, including at least two from the director's most recent employers when applicable. The other reference(s) may be personal, excluding relatives;

(ii) appointing a staff member to take responsibility for the operation of the child care center in his or her absence and posting that person's name in a conspicuous place;

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(iii) maintaining a child care center that meets the minimum requirements;

(iv) ensuring that a staff member trained to administer first aid including rescue-breathing and choke-saving measures is present at all times;

(v) submitting to OCCS licensing records office criminal history investigations and obtaining dispositions on any charges shown on the report that lack dispositions;

(vi) prior to employing staff, obtaining and documenting three references including at least two from the applicant's most recent employers, when applicable. The other reference(s) may be personal, excluding relatives;

(vii) supervising the conduct of staff, volunteers, substitutes, and others who provide services in the facility; and

(viii) cooperating with licensing staff and other appropriate agencies in maintaining compliance with requirements and in improving the quality of care.

(2) **Master teachers.** At least one full-time master teacher is required for every 60 children for which the center is licensed. The director may be counted as a master teacher if the licensed capacity is 30 or less.

(3) **Teachers.** Teachers have primary responsibility for the direct care of children.

(4) **Assistant teachers.** Assistant teachers work under the on-site supervision of a qualified director or teacher who is readily available at all times.

(A) A director, master teacher, or teacher does not directly supervise more than two assistant teachers.

(B) Assistant teachers are not permitted to have sole responsibility for a group of children for more than three hours per day.

(5) **Auxiliary personnel.** Auxiliary personnel, for example, cooks, building custodians, or other personnel who

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

provide indirect services to children:

(A) demonstrate knowledge and skills necessary to perform their job responsibilities;

(B) meet applicable requirements for staff caring for children as set forth in this Section if they are responsible for children for any part of the day;

(C) are not included in the staff-child ratio while performing auxiliary functions. Minimal cleaning and food service, for example, light cleaning, picking up toys, sweeping the classroom, and reheating and serving food, are not considered auxiliary functions as long as supervision and program are not adversely affected.

(6) **Volunteers.** Volunteers are required to meet all requirements in this paragraph.

(A) Volunteers and student interns are not included in the staff-child ratio unless they are assigned to the center for at least three consecutive months. Volunteers are permitted to serve as temporary or permanent substitutes.

(B) Volunteers counted in the staff-child ratio meet all requirements in this Part.

(C) Volunteers are under the direct supervision of the director or a designated staff member.

(D) Volunteers who have not met all requirements for teachers are not left in charge of children.

(7) **Substitutes.** Substitutes carry out the assigned responsibilities of the position they are filling.

(8) **Teen aides.** Teen aides:

(A) are not counted toward meeting the staff-child ratio and are not included in the licensed capacity;

(B) must be under the on-site supervision of a master teacher who is at least 18 years of age. One master teacher may supervise no more than two teen aides;

(C) are placed only in groups where at least one staff member is 18 years of age. No more than two teen aides

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

may be assigned to a group of children;

(D) must be at least two years older than the children in the group to which they are assigned;

(E) must be visibly identifiable through means such as name tags or T-shirts; and

(F) are never left alone with children.

(h) Professional development. Requirements pertaining to professional development are contained in this subsection.

(1) Orientation. Within one week of employment and prior to having sole responsibility for a group of children, each staff member, including auxiliary staff and permanent substitutes who have been employed 40 hours, receives orientation

(A) Orientation includes a review of:

(i) infection control;

(ii) injury prevention;

(iii) handling common childhood emergencies, including choking;

(iv) sudden infant death syndrome (SIDS);

(v) shaken baby syndrome;

(vi) the center's policy and procedure and staff responsibility for implementation;

(vii) licensing requirements;

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(viii) employees' assigned duties and responsibilities;

(ix) emergency procedures in the event of injury, severe weather, or fire, including evacuation procedures and routes and location and use of fire extinguishers;

(x) the definition, identification, and mandatory reporting of child abuse and neglect;

(xi) the daily schedule;

(xii) the methods used to inform staff of any special health, nutritional, or developmental needs of children assigned to the caregiver;

(xiii) confidentiality of information regarding children and their families;

(xiv) appropriate use of discipline; and

(xv) transportation and car seat safety.

(B) Documentation includes a statement, signed by the employee and director, in each employee's personnel file attesting to the orientation and review.

(C) New staff have a probationary period of at least 30 days during which they are closely supervised.

(2) **Entry-level training.** Prior to or within three months of employment, staff counted to meet staff-child ratios participate in a Tier II entry-level training course that provides at least 20 hours of training, in accordance with OKDHS Appendix L-1. Directors are not required to have this training. Staff who have previously received this training are not required to repeat it unless there is a two year break in service.

(3) **Health and safety training.** Staff are required to comply with the health and safety training requirements contained in this paragraph.

(A) When children are in care on or off the program premises, including during transportation, staff are present who have current documentation of certification in age-appropriate first aid and cardio-pulmonary resuscitation

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(CPR) as approved by OCCS licensing.

(B) The first aid certification includes the emergency management of:

(i) bleeding;

(ii) burns;

(iii) poisoning;

(iv) choking;

(v) injuries, including insect, animal, and human bites;

(vi) shock;

(vii) convulsions or nonconvulsive seizures;

(viii) musculoskeletal injury, such as sprains and fractures;

(ix) dental emergencies;

(x) head injuries;

(xi) allergic reactions;

(xii) eye injuries;

(xiii) loss of consciousness;

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(xiv) electric shock; and

(xv) drowning.

(4) **Ongoing training.** Requirements of staff for ongoing training are contained in this paragraph.

(A) **Director.** The director is required to obtain 20 clock hours per employment year of Tier I or higher training, such as professional conferences or from an accredited college, university, or vocational program, in accordance with OKDHS Appendix L-1.

(i) OKDHS approves training upon request.

(ii) Training is relevant to job responsibilities and includes center administration or management, age-appropriate childhood education, and infection control.

(B) **Staff with children.** Each person who is counted toward meeting the staff-child ratio is required to obtain 12 clock hours per employment year of Tier I training, in accordance with OKDHS Appendix L-1, that is relevant to job responsibilities and includes infection control. Formal training is from a source such as professional conferences or from an accredited college, university, or technical school.

(i) The director assists staff in identifying and selecting training that is varied, appropriate, and builds upon previous training.

(ii) No more than six hours of self-directed readings, use of videos, or informal on-site training is counted toward the required annual training hours.

(iii) Reports of self-directed reading are documented and submitted to the director.

(iv) Training repeated during the employment year is only counted once to meet the training requirement.

(5) **Food service training.** Prior to or within three months of employment, the person primarily responsible for food preparation is required to receive training in:

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(A) nutrition planning;

(B) age-appropriate food selection;

(C) food preparation, service, and storage; and

(D) cleaning and sanitizing equipment and utensils.

(6) **Substitute and volunteer staff training.** Requirements for substitute and volunteer staff are listed in (A) through (C) of this paragraph.

(A) Temporary substitutes are required to be familiar with center policy and procedure before they are left in charge of a group of children.

(B) Permanent substitutes are required to meet the requirements for orientation and ongoing training in (h)(1) and (4) of this Section.

(C) Volunteers counted toward meeting the staff-child ratio are required to meet the requirements for orientation and ongoing training in (h)(1) and (4) of this Section.

(7) **Documentation of training.** Documentation of training for each staff member is required and includes the topic, source of training, date, and hours.

Okla. Admin. Code 340:110-3-8

340:110-3-8. Staff training [REVOKED]

Okla. Admin. Code 340:110-3-9

340:110-3-9. Tuberculosis testing [REVOKED]

Okla. Admin. Code 340:110-3-9.1

340:110-3-9.1. Supervision of children

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(a) **General.** All children are required to be adequately supervised at all times, as defined in OAC 340:110-3-2.

(1) Each child is assigned a staff person responsible for him or her who is aware of the details of the child's habits, interests, and special problems, if any. Staff have access to each child's records at all times.

(2) Children are not allowed in the kitchen except as part of a planned, supervised experience.

(3) When shared play areas are accessible to the public, boundaries are identified to children.

(4) When the child care center provides or arranges for activities off the premises, an adult staff member from the child care center is required to be with each group. Appropriate staff ratios and a written plan of supervision are maintained.

(b) **Infants, toddlers and two-year olds.** Staff required to meet staff-child ratios are present in the room or adjacent bathroom and able to see or hear all infants, toddlers, and two-year-olds at all times, including nap time.

(c) **Preschool-age children.** At nap time when preschool-age children are resting quietly, at least one staff person is required to be within sight and hearing of children. Other staff required to meet staff-child ratios remain in the building.

(d) **School-age children.** School-age children are generally required to be within the sight or hearing of staff. Staff may assess whether a small group of five or fewer children, who have a good understanding of the center's rules and policies regarding appropriate behavior, may be permitted to take part in a short-term activity that is not within the sight or hearing of staff. In these instances, staff make personal contact with the children at least every ten minutes. Staff are required to:

(1) be able to provide immediate intervention if needed;

(2) know the whereabouts of each child at all times and the nature of his or her activities; and

(3) provide supervision when children are playing on stationary playground equipment.

(e) **Staff-child ratios.** The number of children in a group is limited to facilitate staff-child interaction and

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

constructive activity among children.

(1) Staff are required to be present with the children to correspond with the chronological age and grouping of the children present. A substitute staff member is present in the absence of regular staff.

(2) The staff-child ratio and maximum group size listed in OKDHS Appendix L-4, Child Care Center Staff Ratio, are met for each group of children, using either a single-age grouping or a mixed-age grouping.

(3) The ratio and maximum group size for the age of the youngest child in the group is used for mixed-age groupings not included in OKDHS Appendix L-4.

(4) A group is determined by the number of children cared for by a caregiver or group of caregivers in a designated area not to exceed the maximum group size, in accordance with OKDHS Appendix L-4.

(A) Groups are required to have assigned staff and be recognizable by both staff and children.

(B) When more than one group of children younger than five years of age uses the same room, the room is divided into designated activity areas for each group, using a temporary wall or physical barrier that is at least three feet in height and appropriate for defining limits and reducing distraction.

(C) When more than one group of children five years of age and older uses the same room, the room is divided into designated activity areas for each group using a variety of means appropriate for defining limits and reducing distraction, including but not limited to, a temporary wall or physical barrier.

(D) Groups with their assigned staff may be combined for special group activities, for example, outdoor play, meals, sleeping, or field trips. Designated area requirements do not apply during these activities.

(f) **Swimming guidelines.** Staff-child ratios listed in (1) through (6) of this subsection apply when children are swimming and not participating in swimming lessons with a certified instructor. Safety guidelines for other water activities are in accordance with OAC 340:110-3-25.4. The staff-child ratio that applies when children are swimming is:

(1) 1:1 for children younger than two years of age;

(2) 1:2 for children two years of age;

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(3) 1:6 for children three years of age;

(4) 1:7 for children four and five years of age;

(5) 1:10 for children six years of age and older; and

(6) the staff-child ratio for the youngest child when children of two or more ages are grouped together.

Okla. Admin. Code 340:110-3-10

340:110-3-10. Parent - staff communication

(a) Parents of enrolled children are permitted reasonable access to all parts of the child care center during hours of operation, unless restricted under provisions of OAC 340:110-3-7.1(c)(3).

(b) The Oklahoma Department of Human Services (OKDHS) publication, "The ABC's of Quality Child Care," OKDHS Publication no. 87-91 is made available to parents upon their child's enrollment.

(c) A verbal or written system is used by staff to share day-to-day happenings, changes in a child's physical or emotional state, or information regarding any known cuts, burns, or injuries that may require evaluation by a physician.

(d) Each center is required to provide at least four of the options listed in (1) through (6) of this subsection.

(1) Parents are welcome in the center at all times, for example, to observe, eat lunch with a child, or volunteer in the classroom.

(2) Conferences are held at least once a year and at other times as needed to discuss children's progress, accomplishments, and difficulties.

(3) A parent resource area is available, with books, pamphlets, or articles on parenting.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(4) Parent meetings are held, with guest speakers or special events, for example, open house, family pot-luck dinners, or children's programs.

(5) Parents are informed of the center's program through a parent's bulletin board, regular newsletter, or parent handbook.

(6) Parents participate in program and policy development through board involvement, planning meetings, or questionnaires.

Okla. Admin. Code 340:110-3-11

340:110-3-11. Physical facilities

(a) Location and construction. The child care center location is required to be in an area which offers minimum hazards to the health, safety, and welfare of the children.

(1) The child care center is in compliance with the building codes applicable at the time the license was issued.

(2) Any child care center which operates on a 24-hour per day basis is required to comply with other construction standards required in state adopted codes, as determined by the State Fire Marshal.

(3) No mobile home, whether mobile or permanently situated, is issued a license as a child care center unless it was licensed as a center prior to February 1, 1981.

(4) Heating and cooling systems are operable and pose no risk to children.

(A) Use of open-faced space heaters, unvented space heaters, or electric portable heaters is prohibited throughout the center.

(i) Electric baseboard heat is permissible if it is wired directly into the electrical system, and no objects are in contact with the heating element.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(ii) Use of gas-fed, unvented heaters mounted in the wall is prohibited, and the knobs are removed when children are in care.

(B) Fires in wood-burning fireplaces are prohibited during hours children are in care.

(C) Heaters, including floor furnaces, are enclosed by guards when children need protection from hot surfaces.

(5) A kitchen is a separate area arranged in a way that discourages unsupervised access by children or unauthorized persons.

(6) Any alteration, addition, or new construction must comply with current requirements.

(A) Paint containing lead in excess of 0.06 percent is not used when surfaces are repaired or when any new surfaces accessible to children are painted.

(B) Construction, remodeling, or alteration of structures which occurs during the center's hours of operation is accomplished in a manner that prevents hazards or unsafe conditions, such as fumes, dust, and safety hazards.

(7) Children are not accepted into care until approval is obtained from:

(A) the health department, if meals are prepared and served;

(B) a representative of the Office of the State Fire Marshal or local fire official who has been authorized by the Office of the State Fire Marshal. The State Fire Marshal can be reached at 1-800-522-8666; and

(C) the Oklahoma Department of Human Services (OKDHS) Division of Child Care Licensing Services.

(8) Ongoing approvals by fire and health are required every two years.

(b) **Toileting and hand-washing facilities:**

(1) are located in the same building where the children's care is provided;

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

- (2) are easily accessible to children and staff;
- (3) contain operable flushing toilets and hand sinks in good repair;
- (4) are maintained in a clean and sanitary condition with adequate ventilation;
- (5) contain toilet paper within easy reach of children;
- (6) have non-absorbent floor surfaces in toilet areas;
- (7) have hand sinks with comfortably warm or tempered running water, with the temperature between 80 and 120 degrees F. If the temperature exceeds 120 degrees, a tempered valve is required;
- (8) contain soap for hand-washing, individual-use towels or mechanical hand dryers, and waste containers within easy access of children;
- (9) have one toilet and one sink for every 15 children if the center opened or expanded after July 2, 1970.
 - (A) Urinals are not counted as meeting the required number of toilets.
 - (B) If potty chairs are used to facilitate toilet training for children, they are emptied and sanitized immediately after each use. Potty chairs are not counted as meeting the required number of toilets;
- (10) are not required to have doors latched only by preschool children. Doors are not required to be self-closing. Every bathroom door is designed to permit opening of the locked door from the outside in an emergency, and the opening device is readily accessible to the staff; and
- (11) in rooms for children under three years of age who are in diapers, in accordance with OAC 340:110-3-25(c), have an operable sink with hot and cold or tempered water with hand-washing soap and individual-use towels, either in the same room or in a bathroom that opens directly into the room.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(c) **Safety and sanitation.** Safety and sanitation requirements are contained in this subsection.

Green
& Burgundy

(1) **Physical environment.** The physical environment of the center includes:

(A) a structurally sound interior and exterior in good repair, for example, walls and ceilings are free from holes and peeling paper and paint;

(B) barriers on porches, elevated walkways, and elevated play areas of more than two feet in height. Barriers are required to have openings of less than 2 and 3/8 inches if accessible to children younger than two years of age, and less than four inches for all other age groups;

(C) railings for stairways of three or more steps both inside and outside;

(D) floors free of broken tile, torn carpet, and holes;

(E) windows and doors free of broken glass or other hazards;

(F) clear glass doors marked at children's eye level;

(G) screens on open windows and doors in food preparation and service areas;

(H) self-closing apparatus on all screen and storm doors;

(I) indoor temperature in activity areas maintained between 65 and 80 degrees F;

(J) lighting levels bright enough to accommodate activities with comfort and to allow the caregiver to see children's facial features at all times;

(K) clean and sanitary areas at all times;

(L) no vermin infestation, free of rodents and insects;

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(M) a supervised room or space in which children who become ill can be separated from other children; and

(N) prohibiting the use of tobacco products in the facility and on the playground during hours of child care.

(2) **Emergency preparedness.** The center has:

(A) an operable direct-line telephone located within the facility with an extension on each floor and in each building for both incoming and outgoing calls;

(B) posted by each telephone the name and address of the child care center and a list of emergency phone numbers to include the fire department, police department, ambulance service, medical resource to be used, and poison control, 1-800-222-1222;

(C) a record of the fire drill and smoke detector test conducted monthly by each shift of staff;

(D) a record of the tornado drill that is conducted quarterly by each shift;

(E) a written plan for reporting, protecting from outside threats, and evacuating in case of fire, flood, tornado, blizzard, power failure, or other natural or man-made disaster that could create structural damage to the facility or pose health hazards; and

(F) a floor plan posted on each floor and in each classroom showing prime and alternate evacuation routes from each area of the building.

(3) **Smoke detectors and fire extinguishers.**

(A) Operable smoke detectors are in each room in which children are in care.

(B) Smoke detectors are tested at least monthly and if battery operated, batteries are replaced at least semi-annually.

(C) Portable fire extinguishers suitable for Class B or Class BC fires are in kitchens and cooking areas, and

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

additional extinguishers suitable for Class A fires are available throughout the center. The local fire authority or State Fire Marshal may be consulted regarding the number, size, and type of extinguisher installed.

(D) All fire extinguishers are inspected, serviced, and tagged annually by a competent authority; and

(4) **Exits.**

(A) No exit is blocked by equipment, furniture, or other objects.

(B) All exit doors are openable from the inside without the use of a key.

(C) Any exit door that is locked can be unlocked, unlatched, and opened with a single motion.

(5) **Hazards. The center:**

(A) is free of hazards;

(B) has medication, cleaning materials, detergents, aerosol cans, pesticides, health and beauty aids, poisons, and other toxic materials stored in their original labeled containers. Smaller containers may be used for these products if they are properly labeled with the product name, and warning information is maintained at the facility;

(C) has medicines, cleaning solvents, and hazardous items stored so that they are inaccessible to children and in a manner that prevents contamination of food;

(D) is free of illegal drugs and paraphernalia;

(E) has any firearms, pellet or BB guns, bows and arrows, darts, or cap pistols equipped with child protective devices. These items are kept under lock and key in areas that are inaccessible to children. Firearms are stored unloaded in a locked cabinet separate from ammunition. Parents are informed of the presence of firearms and how the center meets this requirement;

(F) has compressed gas cylinders secured to prevent them from falling over;

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(G) makes electrical cords inaccessible to infants and toddlers;

(H) does not use temporary wiring or extension cords as permanent wiring. Extension bars are permitted if there is documentation of a circuit-breaker or fuse that is built into the unit;

(I) covers electrical outlets that are not in use with safety devices, unless they are not within reach of children, or are in areas not used by children;

(J) does not have any toxic plant in any area accessible to children;

(K) ensures pesticides or other toxic chemicals are used in strict compliance with label instruction and are applied when children are not present; and

(L) ensures containers or buckets of standing liquid are inaccessible to children unless used as a part of a planned and supervised learning activity.

(6) Animals. If animals are kept on the premises, compliance with the rules in this paragraph is required

(A) Parents are advised of the presence of animals.

(B) Any pet or animal is in good health, does not show evidence of carrying disease, is friendly toward children, and does not present a threat to the health, safety, and well-being of children.

(C) Animals are maintained in a visibly clean manner.

(D) Any animal, including birds, hamsters, dogs, cats, and the like, that has symptoms of disease, such as diarrhea, skin infection, severe loss of appetite, weight loss, lethargy, or any unusual behavior or symptoms, is isolated and examined by a licensed veterinarian.

(E) Local ordinances pertaining to animals on the premises are followed.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(F) Dogs and cats are vaccinated for rabies by a licensed veterinarian and are free of fleas, ticks, and worms.

(G) Proof of current compliance is kept on file at the center when vaccinations are required.

(H) Ferrets, turtles, birds of the parrot family, or any wild or dangerous animals are not allowed at the center.

(I) Animals that are common carriers of rabies, but cannot be vaccinated for that disease, are prohibited.

(J) Newly acquired birds are quarantined and observed for signs of illness for 30 days before they are brought to the center.

(K) All reptiles are inaccessible to children.

(L) Animals are restricted from areas where food is stored, prepared, or served.

(M) Areas of confinement, such as cages and pens, are cleaned of excrement daily.

(N) Animal litter boxes are not located in kitchens or areas accessible to children.

(O) Outdoor play areas are cleaned of excrement daily or more often as needed.

(P) If an animal bites a child and the skin is broken, the child's parent and the county or state health department are immediately notified and the incident is documented in the Injury Log.

(d) Licensed capacity. The total licensed capacity of a child care center is determined by computing the capacities for indoor space, outdoor space and bathroom facilities. The licensed capacity cannot exceed the lowest computed capacity for indoor space, outdoor space, and bathroom facilities. The maximum number of children in care at one time, whether on or off the premises, does not exceed the number of children specified on the license.

(1) Indoor play space. Indoor play space requirements are contained in this paragraph.

(A) Centers opened or expanded after July 2, 1970 have a minimum indoor play space, for routine use by

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

children, of 35 square feet of floor area per child. New construction and existing space not previously licensed for child care after January 1, 2005 is required to have 40 square feet of floor area per infant in rooms occupied only by infants. The areas not counted in determining the capacity of the center are:

(i) bathrooms, kitchens, and hallways;

(ii) offices, teachers' lounges, and work rooms;

(iii) rooms used exclusively for the care of ill children;

(iv) areas used exclusively for eating, napping, or large-muscle play;

(v) storage closets and supply rooms;

(vi) space occupied by furniture not for children's use; and

(vii) basement areas having one-half or more of the clear height below ground level. A warm, dry, properly ventilated basement may be used for short periods of time as an accessory play space if adequate provision is made for fire prevention and protection.

(B) Centers licensed prior to July 2, 1970 are required to provide 30 square feet of floor area per child. If additional play space is added, it is computed at 35 square feet per child.

(C) No room is routinely occupied by more children than can be accommodated at 35 square feet per child.

(D) A large area, such as a gymnasium, may be used in addition to other space. However, it may be counted toward the licensed capacity for preschool and school-age children only if it is divided into well-defined areas that are appropriately equipped.

(2) **Outdoor play space.** The requirements for outdoor play space are contained in (A) through (C) of this paragraph.

(A) When a center is licensed for less than 24 children, there is a minimum outdoor play space of 75 square feet

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

per child for the total licensed capacity.

(B) When a center is licensed for 24 or more children, there is 75 square feet of outdoor play space per child for at least one-third of the total number for which the center is licensed, provided that the minimum amount of outdoor space will accommodate 24 children, which is 1800 square feet. In addition:

(i) a time schedule is planned to ensure that, weather permitting, every child has an opportunity for outdoor play each day;

(ii) a copy of the current schedule is submitted to OKDHS; and

(iii) a copy of the current schedule is accessible so that parents and staff members are aware of the outdoor play periods.

Okla. Admin. Code 340:110-3-12

340:110-3-12. Safety and sanitation [REVOKED]

Okla. Admin. Code 340:110-3-13

340:110-3-13. Licensed capacity [REVOKED]

Okla. Admin. Code 340:110-3-14

pale yellow and purple

340:110-3-14. Indoor equipment

(a) **General.** The equipment required in this subsection assists the caregiver in providing for each child's physical, cognitive, emotional, and social development.

(1) A variety of equipment is accessible to all children on a daily basis and can be rotated for children's use.

(2) Equipment is:

(A) complete, sturdy, and in good working condition;

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(B) maintained in a safe and sanitary condition;

(C) lead free, as in crayons and paint;

(D) of appropriate size and type to meet the developmental needs of the age group; and

(E) provided in quantities proportionate to the number of children in each age group and the number of children for which the center is licensed.

(3) Sleeping equipment and bedding complies with the requirements in OAC 340:110-3-25.5.

(4) Indoor climbing equipment over four feet high has impact-absorbing mats in fall zones that extend a minimum of six feet in all directions from the perimeter of the equipment.

(5) Caregivers monitor play equipment for potential hazards, for example, splinters, loose parts, and sharp edges.

(6) Toys or objects with removable parts with a diameter less than 1-1/4 inches, toys with sharp points or edges, toys with strings, plastic bags, Styrofoam? objects, and rubber balloons are not accessible to children younger than three years of age.

(7) Infant walkers are prohibited.

(8) The director constantly reevaluates equipment as enrollment varies. When the number of children in an age group increases, additional equipment is provided in accordance with the ratios and developmental levels of the children in care per OAC 340:110-3-14(b) through (g) requirements.

(b) **Minimum equipment for infants.** When infants are in care, the requirements listed in this subsection are met.

(1) Basic items required are:

(A) one crib, port-a-crib, or playpen with a mattress or playpen pad for each child up to ten months of age.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

Mats or cots may be used for children ten months of age and older;

(B) fitted crib sheets, one per child;

(C) diaper-changing table;

(D) adult-height shelf;

(E) individual, adult-size chair for each caregiver;

(F) separate, individual space for personal belongings;

(G) adequate containers with tight-fitting lids or moisture-proof bags for soiled or wet diapers or clothing;

(H) adequate supply of diapers, facial tissue, disposable wipes, bath towels, and wash cloths;

(I) extra supply of sheets; and

(J) sufficient clothing in various sizes in case of accidents.

(2) Cribs meet the requirements for safety contained in (A) through (C) of this paragraph.

(A) Cribs, including portable cribs that can be folded or collapsed without being disassembled, meet the current Consumer Product Safety Commission (CPSC) full-size and non-full size crib standards per Sections 1219 and 1220 of Title 16 of the Code of Federal Regulations.

(B) Verification of compliance with CPSC standards is maintained for duration of crib use.

(C) Mattresses and playpen pads are firm and fit the crib, port-a-crib, or playpen snugly with no more than one inch between the mattress and crib.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(3) Mattresses and playpen pads are covered with a durable, washable, waterproof, form-fitting material.

(4) Mesh-sided cribs and playpens must meet the conditions in (A) through (E) of this paragraph.

(A) Mesh is less than ^a inch in size, smaller than the buttons on a baby's clothing.

(B) Mesh has no tears, holes, or loose threads that could entangle a child.

(C) Mesh is securely attached to the top rail and floor plate.

(D) The top rail cover has no tears or holes.

(E) If staples are used, they are not missing, loose, or exposed.

(5) Additional equipment is provided per OKDHS Appendix L-5, Child Care Center Minimum Indoor Equipment Requirements.

(c) **Minimum equipment for toddlers.** When toddlers are in care, the requirements listed in this subsection are met.

(1) Basic items required are:

(A) one crib or playpen with a mattress, mat, or cot per child;

(B) table space with a chair for each child;

(C) baskets or low open shelves for toy storage;

(D) separate individual space for personal belongings;

(E) adult-height shelf;

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(F) diaper-changing table;

(G) adequate containers with tight-fitting lids or moisture-proof bags for soiled or wet diapers or clothing;

(H) sheet and cover, one of each per child;

(I) adequate supply of diapers, facial tissue, disposable wipes, bath towels, and wash cloths;

(J) extra supply of sheets and covers; and

(K) sufficient clothing in various sizes in case of accidents.

(2) Cribs meet the requirements for safety per OAC 340:110-3-14(b)(2).

(3) Mattresses and playpen pads are covered with a durable, washable, waterproof, form-fitting material.

(4) Additional equipment is provided per OKDHS Appendix L-5.

(d) **Minimum equipment for children 2 years of age.** When children 2 years of age are in care the requirements listed in this subsection are met.

(1) Basic items required are:

(A) one cot, bed, or mat per child;

(B) table space with a chair for each child;

(C) separate, individual space for personal belongings;

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(D) baskets or low open shelves for toy storage;

(E) adequate containers with tight-fitting lids or moisture-proof bags for soiled or wet diapers or clothing;

(F) sheet and cover, one per child;

(G) extra supply of sheets and covers;

(H) adequate supply of diapers, facial tissue, disposable wipes, bath towels, and wash cloths;

(I) sufficient clothing in various sizes in case of accidents and

(J) a place to go, for example, a barrel, tented area, playhouse, or designated quiet area.

(2) Additional equipment is provided per OKDHS Appendix L-5.

(e) **Minimum equipment for children 3 years of age.** When children 3 years of age are in care the equipment requirements listed in this subsection are met.

(1) Basic items required are:

(A) one cot, bed, or mat per child;

(B) separate individual space for personal belongings;

(C) table space with a chair for each child;

(D) two linear feet of low open shelves per child in each room for play equipment;

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(E) sheet and cover, one per child;

(F) extra supply of sheets and covers;

(G) adequate supply of facial tissue, bath towels, wash cloths, and soap;

(H) sufficient clothing in various sizes in case of accidents; and

(I) a place to go, for example, a barrel, tented area, playhouse, beanbag chair, or designated quiet area.

(2) Additional equipment is provided in accordance with OKDHS Appendix L-5.

(f) **Minimum equipment for children 4 and 5 years of age.** When children 4 and 5 years of age are in care the requirements listed in this subsection are met.

(1) Basic items required are:

(A) one cot, bed, or mat per child;

(B) separate, individual space for personal belongings;

(C) table space with a chair, stool, or bench that allows 18 inches for each child;

(D) two linear-feet of low open shelves per child in each room for play equipment;

(E) sheet and cover, one per child;

(F) extra supply of sheets and covers;

(G) adequate supply of facial tissue, bath towels, wash cloths, and soap;

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(H) sufficient clothing in various sizes in case of accidents; and

(I) a place to go, for example, a barrel, tented area, playhouse, bean-bag chair, or designated quiet area.

(2) Additional equipment is provided per OKDHS Appendix L-5.

(g) **Minimum equipment for school-age children.** When school-age children are in care the requirements listed in this subsection are met.

(1) Basic items required are:

(A) one cot, bed, or mat with a sheet and cover for children with scheduled nap times or an ill child;

(B) adequate table and chair space available at any given time;

(C) assigned, individual space for personal belongings;

(D) two linear-feet of shelf space per child that may be at various heights if accessible to children;

(E) safe storage for ongoing projects and small items;

(F) adequate supply of facial tissue, bath towels, wash cloths, soap, and feminine hygiene products; and

(G) sufficient clothing in various sizes in case of accidents.

(2) Additional equipment is provided per OKDHS Appendix L-5.

Okla. Admin. Code 340:110-3-15

340:110-3-15. Minimum equipment and supplies [REVOKED]

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

Okla. Admin. Code 340:110-3-16

340:110-3-16. Minimum equipment and supplies for each group of four infants [REVOKED]

Okla. Admin. Code 340:110-3-17

340:110-3-17. Minimum equipment and supplies for each group of six toddlers [REVOKED]

Okla. Admin. Code 340:110-3-18

340:110-3-18. Minimum equipment and supplies for each group of eight 2-year-old's [REVOKED]

Okla. Admin. Code 340:110-3-19

340:110-3-19. Minimum equipment and supplies for each group of 12 three-year-old's [REVOKED]

Okla. Admin. Code 340:110-3-20

340:110-3-20. Minimum equipment and supplies for each group of 15 four- and five-year old's [REVOKED]

Okla. Admin. Code 340:110-3-21

340:110-3-21. Minimum equipment and supplies for each group of 20 children age six and older [REVOKED]

Okla. Admin. Code 340:110-3-22

340:110-3-22. Outdoor safety and play equipment

(a) **Play space.** Play space requirements are contained in this subsection.

(1) Play space is situated to:

(A) permit children to reach it safely;

(B) provide a shaded area during scheduled outdoor play times; and

(C) allow supervision of areas where children cannot be easily seen.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(2) Space is enclosed by a building or fence at least four feet high with at least one exit which is away from the building. School-age children may play in an unfenced area as part of a scheduled supervised activity if the area is properly protected from traffic and other hazards.

(3) The fence:

(A) begins at ground level;

(B) is at least 48 inches high; and

(C) is maintained in a stable, secure, upright and good condition and poses no risk to children.

(4) Gates are kept closed while children are outside. Outside play areas that are fenced provide a gate to use in the event of an emergency that does not require children to re-enter the building.

(5) Play space is maintained:

(A) in a safe and clean condition;

(B) free of hazards; and

(C) free from weeds, tall grass, untrimmed shrubbery, standing water, and litter, to prevent vermin and insect infestation.

(b) **Surfaces.** Requirements pertaining to surfaces in play areas in this subsection are met. If the center shares playground space that does not comply with playground safety requirements in (1) through (5) of this subsection, the center submits a plan to Licensing for approval for children at least four years of age. The plan includes a description of playground space to be used and methods to ensure that children do not play in the area that does not meet the requirements.

(1) Outdoor play areas have more than one type of surface.

(2) If used, climbers, swings, slides, or revolving equipment have impact-absorbing surfaces under them and

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

throughout the fall zones.

(A) Impact-absorbing materials include loose materials or unitary materials. All impact absorbing materials purchased or replaced after August 1, 2003, meet the criteria in (i) through (iii) of this subparagraph.

(i) Materials meet the standard requirement for the Consumer Product Safety Commission.

(ii) All unitary materials must be appropriate for the height and type of equipment.

(iii) Documentation of prescribed cushioning properties is maintained and accessible to OKDHS. Sand and pea gravel that meet the requirements in (i) of this subparagraph do not require documentation.

(B) Grass is acceptable as impact-absorbing material only if the highest accessible part of the equipment is four feet or less.

(3) Fall zones extend a minimum of six feet in all directions from the perimeter of the equipment. Fall zones for adjacent equipment may overlap for existing equipment that is permanently anchored. However, when equipment is moved or added, or change of ownership occurs, the fall zones for adjacent equipment do not overlap and the requirements in (A) through (C) of this paragraph are met.

(A) The fall zone for single-axis swings that move forward and backward extend to the front and rear of the swing a distance of two times the length of the swing's chain.

(B) The fall zone for swings secured by a bar or strap which are used by children younger than age three extend to the front and rear of the swing a distance of six feet from the midpoint.

(C) The fall zone for multi-axis swings or tire swings, extends a distance of six feet plus the length of the chain in every direction. A 30-inch clearance between a fully extended tire swing seat and the support structure is required.

(D) Fall zones on the sides of equipment may not be necessary if the potential for falls in that direction is minimal, for example, the sides of a swinging structure.

(4) Surfaces made of loose materials are maintained at a depth of at least six inches by replacing, leveling, or

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

raking.

(5) Turf and matting are maintained by repairing rips, tears, and loose seams.

Green &
Pale Yellow

(c) Playground safety. The requirements regarding playground safety are in this subsection.

(1) Children play outdoors daily when weather conditions do not pose a significant health risk.

(2) Before physical activity, children are well-hydrated and encouraged to drink water during the activity.

(3) Equipment is of sturdy, safe construction, easy to clean, free of hazards, and kept in good repair.

(A) Equipment does not have angles or openings greater than three and one-half inches or less than nine inches that could entrap any part of a child's body or head.

(B) Equipment does not have pinch, crush, or shear points, for example, exposed or open gears on rotating devices or underneath equipment such as axle assemblies on rotating devices.

(C) Equipment does not have protrusion hazards.

(D) Equipment is installed, maintained, and used in accordance with the manufacturer's instructions.

(E) Unless portable by design, equipment is securely anchored, and anchors pose no hazard to children.

(F) Swing seats are constructed of durable, lightweight, relatively pliable material, for example, nylon webbing, rubber, or plastic.

(4) Play space and equipment are arranged to prevent hazards from conflicting activities.

(5) There is a minimum of 25 percent of the required outdoor play space that is an open, continuous, uninterrupted, and unobstructed area.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(6) Fall zones are free of all obstacles with the exception of support structures for swings.

(d) **Outdoor play equipment.** Outdoor play equipment requirements to which the center shall comply are contained in this subsection.

(1) Equipment provided is age-appropriate and varied to meet the developmental needs of the children present.

(2) The center has a minimum of one item from five of the equipment categories in this paragraph; and two items from (H) through (K) may be counted, provided they are dedicated for outdoor use. Equipment categories are:

(A) climbing apparatus sized to the age of children in care;

(B) swinging apparatus;

(C) crawl-through apparatus;

(D) wheeled or riding toys;

(E) balance apparatus;

(F) balls, bean bags, and Frisbees;

(G) sand and water play with accessories;

(H) music equipment;

(I) dramatic play and dress up;

(J) blocks or loose parts; and

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(K) outdoor arts and crafts.

(3) Trampolines of any kind are prohibited.

Okla. Admin. Code 340:110-3-23

340:110-3-23. Program [REVOKED]

Okla. Admin. Code 340:110-3-24

340:110-3-24. Suggested full-day program [REVOKED]

Okla. Admin. Code 340:110-3-25

340:110-3-25. Care of infants, toddlers, and two-year-olds

(a) **Environment.** Infants, toddlers, and two-year-olds shall be in an environment which protects them from physical harm and stimulates physical, cognitive, emotional, and social development. A written record of the infant and toddler's feeding, diapering, and naps is available daily for parents to see.

(b) **Feeding.** Infants and toddlers are fed in accordance with their needs. Infants and toddlers are fed the infant formula or breast milk and diet prescribed by the child's physician or authorized by the child's parent. Parents may be requested to provide infant formula and baby food.

(1) When a child has a special dietary need, parents may be requested to supplement the center's food service.

(2) When infants and toddlers show evidence of wanting to feed themselves, they are allowed to do so.

(3) The child's hands are washed with soap and water, disposable diaper wipe, or a damp paper towel with a drop of liquid soap before and after self-feeding.

(4) Infants shall be held while being bottle-fed unless they are able to hold their bottles securely without assistance.

(5) Bottles are not propped at any time.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(6) Children are not given bottles in cribs or moving swings due to increased risk of choking, ear infections, and tooth decay.

(7) Infants and toddlers who are not held for feeding have a designated place for eating.

(8) Children younger than two years of age shall not be fed candies, gum, marshmallows, raw carrots, celery, raw peas, whole grapes, nuts, seeds, popcorn, or chips as these foods may cause choking. If served, peanut butter must be spread thinly. All other foods shall be cut up into small pieces no larger than ¼ inch cubes for infants and no larger than ½ inch cubes for toddlers.

(9) Staff members wash their hands thoroughly with soap and water before feeding children, including bottle-feeding.

(10) Bottles and baby food provided by parents are labeled with the child's name. Previously opened baby food jars are not accepted from parents.

Green
& Pink

(11) Bottles of formula or breast milk shall be refrigerated until immediately before feeding and immediately after feeding. At the end of the day, bottles and opened baby food jars are either sent home with parents or the contents are discarded.

(12) Baby food is served from a separate dish and spoon for each child. Baby foods that have come into contact with the feeding spoon are discarded and not served again.

(13) Bottles of formula or breast milk are not warmed in a microwave oven. If microwave ovens are used to warm food:

(A) staff are trained to assess safe temperatures; and

(B) a warning to check food temperature before feeding children is posted on all microwave ovens.

(c) **Diaper changing.** Rooms in which children under three years of age are in diapers have an operable sink with hot and cold running water, hand-washing soap, and individual-use towels either in the same room or in a bathroom that opens directly into the room.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(1) The requirement in this subsection does not include:

(A) rooms in which children, who are at least two years of age, are in disposable or cloth training pants if adequate provisions are made for supervision and sanitation; and

(B) centers licensed for 15 or fewer children in buildings originally designed as a family residence if:

(i) there is a centrally located bathroom sink with a changing table nearby; and

(ii) children in diapers play throughout the house rather than in an assigned room.

(2) The diaper-changing table shall be:

(A) adjacent to or near the sink with a clean, moisture-proof surface;

(B) sturdy and maintained in good repair;

(C) a minimum of 28 inches above the floor; and

(D) kept free of all objects except those used for diaper changing.

(3) Staff are instructed in the proper procedure for diaper changing in a child care setting.

(4) The procedure for diaper changing is posted in the diaper-changing area.

(5) If cloth diapers and training pants are used, they shall be able to contain urine and stool and minimize fecal contamination of the environment. Cloth diapers and training pants are not rinsed when soiled. Fecal content may be disposed of in a toilet, but soiled diapers or training pants are not rinsed in the toilet.

(6) Diapers are checked hourly and whenever the child indicates discomfort or exhibits behavior that suggests a

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

soiled or wet diaper.

(7) Diapers are changed promptly when wet or soiled.

(8) A child's diaper or soiled underwear is changed in the diaper-changing area. Diapering is not done on surfaces used for other purposes.

(9) Clean cloth diapers or clean disposable diapers are used.

(10) Children are not left unattended on the diaper-changing table.

(11) Disposable towelettes are used to thoroughly cleanse the child and are discarded after one use.

(12) The surface is sanitized after each diaper change. Any sanitizing agent other than bleach must be approved by local or state health official and must be used according to manufacturer's instruction. If moisture-proof, disposable surface products are used, they are discarded immediately after each diaper change, and the surface is sanitized.

(13) Staff members are required to wash and scrub their hands thoroughly for at least ten seconds with soap and warm, running water after each diaper change.

(14) If used, disposable gloves are discarded before a clean diaper is applied.

(d) **Toilet learning.** The plan and progress in toilet learning are discussed with the parents.

(1) Toilet learning is relaxed and pressure free.

(2) A child is encouraged through regular use of a toilet or potty chair for short periods of time not to exceed ten minutes.

(3) Staff are required to respond promptly when a child requests toileting assistance.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(4) Staff do not show disapproval or punish children for accidents.

(5) A child's clothing is changed immediately following a toileting accident. Soiled clothing is placed in a sealed, labeled, moisture-proof bag and sent home.

(6) Potty chair receptacles are emptied, rinsed, and sanitized after each use.

(7) Staff are required to wash their hands with soap and water after each toileting and assist children with hand washing, using soap and water.

(e) Program. Each child is assigned a primary staff person. Staff are required to be present at all times in each room or adjacent bathroom when it is occupied by children.

(1) Children are:

(A) removed from their cribs often when not sleeping;

(B) not left for more than 30 minutes while awake in playpens, swings, high chairs, or stationary activity centers; and

(C) provided opportunities to play freely on a clean, safe floor.

(2) Staff provide frequent stimulation in a variety of ways including talking to, playing with, and holding and rocking children.

(3) Language development is encouraged by staff members through individual interaction with each child, for example, singing, talking, reacting to the child's sounds, naming objects, describing events, reading stories, and playing musical games.

(4) Infants and toddlers spend time outdoors daily when weather permits.

(5) For awake infants who cannot move about the room, the staff shall hold, rock and/or carry the child frequently to change the place and position of the child and the selection of toys available.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(6) Caregivers communicate and interact with children at the child's eye level as they feed, change, and cuddle them.

(7) Toys that children have placed in their mouths or that are otherwise contaminated shall be cleaned and sanitized before being reused.

(8) Additional requirements regarding equipment and rest time for infants, toddlers, and two-year-olds are found in OAC 340:110-3-14(a) through (d) and 340:110-3-25.5.

Okla. Admin. Code 340:110-3-25.1

340:110-3-25.1. Care of preschool children

(a) **Program.** Staff shall plan and provide experiences that meet children's needs and stimulate learning in all developmental areas, including physical, social, emotional, and cognitive, regardless of gender.

(1) The center has current weekly lesson plans appropriate for the developmental needs of each group of children.

(2) Each child is viewed by staff as a unique person with an individual pattern of growth and development.

(3) The center has a variety of learning areas, for example, areas for dramatic play, blocks, books, art, and science.

(4) Children are provided opportunities to work individually or in small, informal groups most of the day and permitted to choose staff-directed or self-selected activities or not to participate.

(5) If preschool children are involved in potentially dangerous activities, all requirements contained in OAC 340:110-3-25.2(c)(5) are met.

(6) Television and videos, if used, are age-appropriate and used with discretion and selectivity.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(b) **Schedule.** To ensure a flexible program, a variety of activities are chosen that includes time for indoor and outdoor play, rest periods, and meals. A daily schedule is posted and followed with reasonable regularity.

(c) **Interactions between staff and children.** Staff:

(1) actively seek meaningful conversations with children and talk about events of importance;

(2) are available and responsive to children, for example, encouraging them to share experiences, ideas, and feelings, and listening to them with attention and respect; and

(3) describe problem situations to encourage children to evaluate a problem rather than imposing an adult solution.

Okla. Admin. Code 340:110-3-25.2

340:110-3-25.2. Care of school-age children

(a) **Characteristics and needs.** School-age children bring special characteristics and needs to a child care program, and staff obtain the skills and training to respond appropriately.

(b) **Interactions between staff and children.** Because staff interactions with older children differ significantly from those with preschoolers, staff:

(1) actively seek meaningful conversations with children and talk about events of importance;

(2) are available and responsive to children, for example, encouraging them to share experiences, ideas, and feelings, and listening to them with attention and respect;

(3) describe problem situations to encourage children to evaluate a problem rather than imposing an adult solution;

(4) have developmentally appropriate expectations of school-agers' social behavior; and

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(5) facilitate rather than instruct, for example, offer suggestions, provide positive reinforcement, encourage and recognize efforts and accomplishments.

Blue,
Gray, &
Pale Yellow

(c) **Activities and program.** Requirements pertaining to school-age children's activities and program are listed in this subsection.

(1) **Program.** The program is designed to provide a balance of activities that includes:

(A) opportunities for alternating periods of indoor and outdoor play, weather permitting;

(B) alternating periods of quiet and active play;

(C) a balance of large muscle and small muscle activities;

(D) more than one option for an activity, including individual, small group, or large group, for children most of the day; and

(E) a variety of developmentally and age-appropriate activities and materials.

(2) **Lesson plans.** The center has current weekly lesson plans appropriate for the developmental needs of each group of children.

(3) **Media use.** Television, videos, video games and computer software, if used, are age-appropriate and used with discretion and selectivity.

(4) **Schedule.** The daily schedule is posted.

(5) **Special activities.** If the center engages in potentially dangerous activities, for example, water activities, archery, gymnastics, or karate, the requirements listed in this paragraph are met.

(A) **Written plan.** A written plan, which is provided to parents and kept on file at the center, includes at a minimum:

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(i) qualifications of the supervisor of the activity;

(ii) qualifications of any other staff members necessary for proper supervision;

(iii) number of staff members needed to supervise the activity;

(iv) conditions under which a child may participate in the activity, for example, the age and skill of the child;

(v) any special equipment necessary, for example, life jackets, including the supply and condition; and

(vi) safety practices that must be followed.

(B) Parental permission. Written permission from the parent shall be on file with the center.

(C) Staff requirements. Staff requirements include a staff member or other designated individual responsible for the activity who:

(i) has documentation of appropriate experience, training, or certification in the program specialty;

(ii) has verification of experience or certification available at the center's office; and

(iii) is present at the site of the activity when it is being carried out by a contracted instructor.

Okla. Admin. Code 340:110-3-25.3

340:110-3-25.3. Care of children with disabilities

(a) **Program.** When children with known disabilities are in care, the program requirements listed in this subsection

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)
are met.

(1) **Staff-child ratios.** Additional staffing may be required to ensure the proper supervision and care of all children at the center.

(2) **Activities.** Reasonable accommodations are made to enable a child with disabilities to participate in program activities.

(3) **Placement of children with disabilities.** When placing a child with disabilities in an age group, all areas of the child's development are considered.

(4) **Behavior and guidance.** Guidance of children with disabilities is appropriate to the child's developmental age and type of disability rather than chronological age.

(b) **Staff instruction.** Each teacher who cares for a child with a known disability participates in individualized instruction for that child including review of all information provided by the parent.

Okla. Admin. Code 340:110-3-25.4

340:110-3-25.4. Water activities

(a) **Parental permission.** Written signed permission from parents for all children participating in swimming activities must be on file at the center.

(b) **Supervision.** Any activity which involves water is supervised constantly. This includes supervision of children in dressing areas.

(1) Staff-child ratios for swimming are met, in accordance with OAC 340:110-3-9.1(f).

(2) Staff are in or at the water and prepared to enter it at any time.

(3) When children are using a pool with a depth of 18 inches or less of water, a staff member who has successfully completed training in first aid and cardiopulmonary resuscitation (CPR) appropriate to the ages of the children is present.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(4) When children are using a pool with a depth of more than 18 inches of water, a certified life guard is present.

(c) **Life guard.** If the life guard is a staff member of the center, he or she:

(1) has satisfactorily completed a certified course of instruction in life guarding by or equivalent to that offered by the American Red Cross or YMCA and which includes CPR appropriate to the age of the children;

(2) is not counted in staff-child ratios; and

(3) is responsible for no more than 35 children.

(d) **Safety.** Staff ensures children's safety during water activities. Staff review all swimming and safety rules each time children participate in water activities.

(1) Before children are permitted in water over their shoulders, their swimming skills are tested by a staff member.

(2) There is a system, known to children and staff, for checking to ensure that each child is safe when in the water.

(3) Lifesaving equipment is available at the pool side in accordance with the Oklahoma State Department of Health's Public Bathing Place Regulations, OAC 310:320-3-1.

(e) **Swimming pools.** Swimming pools used by the child care center are considered public bathing places and include permanent wading pools, inground pools, and above-ground pools.

(1) Swimming pools are in compliance with the water quality, occupancy, and fencing standards in Chapter 315, Public Bathing Place Standards and Chapter 320, Public Bathing Place Regulations.

(2) Diving is permitted only when the pool meets design criteria for a diving pool.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(f) **Restrictions.** The center ensures compliance with the requirements in this subsection.

(1) Ponds, pools, hot tubs, stock tanks, or other potential water hazards are inaccessible to children.

(2) Swimming, wading, and boating are not allowed at a lake, pond, or other similar body of water. School-age children may go fishing or boating, if swimming staff-child ratios are met. When boating, appropriately-sized and approved life jackets are worn by children.

(3) Use of saunas, spas, or hot tubs by children is prohibited.

(4) Portable wading pools are prohibited.

Okla. Admin. Code 340:110-3-25.5

340:110-3-25.5. Rest time

(a) **Sleeping space and equipment.** There is an individually assigned sleeping space with bedding for each sleeping child, in accordance with OAC 340:110-3-14.

(1) All sleeping equipment is maintained in good repair, free of holes and tears, in a safe and sanitary condition, and sanitized at least once per week. Cribs, cots, and mats are cleaned and disinfected and sheets are washed before they are used by another child.

(2) Sleeping equipment is of sufficient size to accommodate comfortably the size and weight of the child.

(3) An individual sheet, which covers the entire sleeping surface, and cover for children over 12 months of age are provided. All bedding is in good condition and stored in a sanitary manner.

(4) The cribs, playpens, cots, beds, or mats are spaced to allow easy access by staff and safe evacuation of children.

(5) Each individual mat is at least two inches thick and covered with durable, washable, form-fitting, waterproof material. Inflatable mats are not permitted.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(6) Sheets and covers are changed when soiled. Crib sheets are changed at least daily and other bedding at least weekly.

(7) Use of stacked cribs is prohibited.

(8) Infant, toddler, and preschool children are not permitted to sleep on the floor.

(b) **Supervision.** The requirements for supervision of children during rest time in this subsection are met.

(1) Requirements pertaining to number and location of staff during nap time contained in OAC 340:110-3-9.1(b) and (c) are met.

(2) The light level allows for all children to be observed at all times, in accordance with OAC 340:110-3-11(c)(1)(J).

(c) **Rest arrangements for infants, toddlers, and two-year-olds.** Infant rest schedules correspond as closely as possible to the child's individual needs and the schedule established by the parent.

(1) To reduce the risk of Sudden Infant Death Syndrome (SIDS), infants younger than 12 months of age are placed on their back for sleeping unless there is a medical reason the infant should not sleep in this position, as documented by a doctor. This documentation is maintained at the facility.

(2) Infants who are able to turn themselves over are placed initially on their back for sleeping but allowed to sleep in a position they prefer.

(3) Individually assigned cribs, port-a-cribs, or playpens with waterproof mattresses or pads are provided for each infant and toddler. Cribs comply with the safety requirements of OAC 340:110-3-14(b)(2). Children age ten months and older may sleep on low cots or mats when able to stay on them.

(4) Waterbeds, sofas, soft mattresses, pillows, beanbag chairs, and other soft surfaces are prohibited as infant sleeping surfaces.

(5) Pillows, quilts, comforters, sheepskins, stuffed toys, bumper pads, and other soft products are not permitted in infant cribs or playpens. Sheets fit the mattress snugly.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(6) Cribs, port-a-cribs, and playpens are placed so that children occupying them do not have access to cords or ropes, such as venetian blind cords.

(7) Only one child occupies a crib, cot, or mat at any time except during an evacuation.

(8) Staff do not cover children's heads with bedding.

(9) Crib railings are fully raised and secured when the child is in the crib.

(10) No restraining devices of any type are used in cribs.

(11) Children are not forced to remain on cots once they have rested.

(d) **Rest arrangements for preschool children.** The center complies with the requirements pertaining to rest for preschool children contained in this subsection.

(1) There is an individually assigned cot, bed, or mat with bedding for each preschool child who remains more than five consecutive hours in the child care center.

(2) Children who do not sleep have quiet activities available and are not required to remain on their cots or mats for an entire nap period.

(e) **Rest periods for school-age children.** School-age children are not required to take naps.

(1) On days when school is not in session, quiet activities may be provided instead of rest time.

(2) For children choosing to rest, a cot, bed, or mat with sheet and a cover is provided.

Okla. Admin. Code 340:110-3-25.6

340:110-3-25.6. Night-time care

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(a) **Requirements.** When children spend the night, the center complies with the requirements contained in this Section.

(b) **Maximum time.** Under no circumstance is a child in care for over 24 consecutive hours.

(c) **Supervision of sleeping or resting children.** All staff members required to meet staff-child ratios are awake at all times.

(1) A staff person remains with each group.

(2) Other staff required to meet staff-child ratios remain in the building.

(d) **Sleeping space and equipment.** Requirements for sleeping space and equipment contained in OAC 340:110-3-25.5 are met. Mats are not used for overnight care. Each cot or bed has:

(1) a waterproof pad or mattress, pillow, pillow case, and two sheets;

(2) the bottom sheet properly secured; and

(3) additional covers available.

(e) **Safety.** The center complies with the safety requirements in this subsection.

(1) Emergency lighting devices are installed throughout centers that provide night care.

(2) The center maintains lighting levels bright enough to accommodate activities with comfort and allow the caregiver to see resting children's facial features.

(3) Sleeping accommodations are restricted to ground floor areas.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(4) Child care centers that operate on a 24-hour per day basis may be required to meet other construction requirements in state-adopted codes as determined by the state or local fire marshal.

(f) **Personal hygiene.** The center provides for children's hygiene needs in accordance with the requirements in this subsection.

(1) Arrangements are made for personal hygiene, including bathing and tooth-brushing. Toothbrushes are stored in a sanitary manner.

(2) Privacy is ensured for children while they are washing and when they are changing clothes.

Green
& Blue

Okla. Admin. Code 340:110-3-26

340:110-3-26. Behavior and guidance

(a) **Appropriate discipline.** Discipline is required to be constructive and educational and appropriate to the child's age and circumstances.

(b) **Staff requirements.** Staff members:

(1) recognize and encourage acceptable behavior;

(2) teach by example and use fair and consistent rules in a relaxed atmosphere with discipline that is relevant to the child's behavior;

(3) supervise with an attitude of understanding and firmness;

(4) give clear directions and provide guidance appropriate to the child's level of understanding;

(5) redirect children by stating alternatives when behavior is unacceptable;

(6) speak so that children understand that they and their feelings are acceptable but unacceptable action or behavior is not;

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

- (7) encourage children to control their own behavior, cooperate with others, and solve problems by talking things out;
- (8) give guidance in activities in an orderly fashion including a choice of interesting planned activities;
- (9) help children feel successful at a task and give options for other tasks if the one chosen proves too difficult;
- (10) prepare children for the next activity a few minutes ahead and allow them to wind down from one activity before beginning another;
- (11) use “time-out” periods only as necessary to enable the child to gain control of himself or herself. Time-out periods do not exceed five minutes. One minute of time-out for each year of a child’s age is recommended. The child is allowed to rejoin the group as soon as the child regains control;
- (12) use safe, natural, and logical consequences to address inappropriate behavior; (13) maintain perspective about school-agers’ misbehavior, recognizing that every infraction does not warrant staff attention or intervention; and
- (14) when necessary, intervene as quickly as possible to ensure the safety of all children.

Green
& Blue

(c) Restrictions. Staff are prohibited from:

(1) subjecting a child to punishment of a physical nature, for example, shaking, striking, spanking, swatting, thumping, pinching, popping, shoving, spating, biting, hair pulling, yanking, slamming, excessive exercise, or any cruel treatment that may cause pain;

(2) putting anything in or on a child’s mouth as punishment;

(3) restraining a child by any means other than holding and then for only as long as is necessary for the child to regain control;

(4) subjecting a child to punishment of a psychological nature, for example, humiliation by derogatory or

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

sarcastic remarks about the child or the child's family's race, gender, religion, or cultural background;

(5) using harsh or profane language or actual or implied threats of physical punishment;

(6) punishing or threatening a child in association with food, rest, or toilet training;

(7) isolating a child without supervision or placing him or her in a dark area;

(8) permitting a child to discipline other children;

(9) punishing an entire group due to the actions of a few children;

(10) seeking or accepting parental permission to use any punishment or act prohibited by the requirements contained in this subsection; and

(11) participating in personal activities that interfere with the adequate supervision of children, such as visitors and phone calls.

Okla. Admin. Code 340:110-3-27

340:110-3-27. Health

a) Cleanliness. Requirements pertaining to cleanliness are listed in this subsection.

(1) Caregivers attend promptly to children's personal hygiene needs.

(2) Caregivers thoroughly wash their hands with soap and warm, running water:

(A) before handling food;

(B) before feeding children or eating;

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(C) after diapering or toileting;

(D) after touching or cleaning up body fluids, including wiping noses;

(E) after handling or feeding pets;

(F) after playing outdoors or in sand or water; and

(G) before medication is dispensed.

(3) Staff ensure that children wash their hands with soap and warm, running water;

(A) before eating;

(B) after toileting;

(C) after handling pets;

(D) after playing outdoors or in sand or water; and

(E) after wiping their noses.

(4) When a child older than three years of age in diapers is cared for in a room without a diaper-changing area, arrangements are made for sanitary diaper changing, hand-washing, and privacy.

(5) A child's wet or soiled clothing is changed immediately, and placed in a labeled, sealed, moisture-proof bag to be sent home. A supply of clean clothing is available.

(6) Toys and items that are in contact with children's mouths are washed and sanitized after each child's use or

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

as needed; and if contaminated by other body fluids, toys, and equipment are set aside to be washed and sanitized.

(7) Each toilet article, for example, wash cloth, towel, comb, or toothbrush, is individually assigned and stored and is not used jointly by or on children.

(b) **Health records.** Upon admission of a child, parents are required to submit the child's immunization record, a listing of special health needs, and the name of the child's physician.

(c) **Immunizations.** Children have or are in the process of obtaining all required immunizations at the medically appropriate time. If a child is accepted for whom an exemption is claimed, documentation of the exemption is kept on file at the center.

(d) **Disease control.** At the time of enrollment, parents are informed of the center's policy regarding ill children.

(1) Each child is carefully observed by staff members for symptoms of illness or infestation.

(2) Any child showing symptoms of illness or infestation is separated from the group and parents are notified as needed.

(3) The local or state health department is notified upon discovery of any case of hepatitis, meningitis, Shigellosis, Giardiasis, measles, rubella, whooping cough, tuberculosis, E coli 0157:H7, Salmonellosis, or any Haemophilus influenza invasive disease in any person associated with the center. If a center has concerns about the health of a child, the local or state health department may be contacted.

(4) Cots, cribs, bedding, and play equipment are cleaned and sanitized after use by an ill child.

(5) Disposable, nonporous gloves are used to clean up blood, vomit, or body fluids that may contain blood. Disposable gloves are discarded in a closed container immediately after use, and staff wash their hands.

(6) A commercial sanitizer or a bleach solution of one tablespoon of bleach to one gallon of warm water, made fresh daily, is used to sanitize surfaces whenever needed.

(7) For diaper-changing surfaces, the solution used is:

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

- (A) one-fourth cup of bleach to one gallon of water;
 - (B) two tablespoons of bleach to one-half gallon of water;
 - (C) one tablespoon bleach to one quart of water; or
 - (D) two teaspoons of bleach to one pint of water.
- (8) Parents are notified as soon as possible of children's exposure to a contagious illness or infestation.
 - (9) Staff with symptoms of a communicable disease or illness are not permitted in the center.
 - (10) A child's temperature is not taken orally or rectally.

(e) Medication. The requirements pertaining to administering medication are contained in this subsection.

- (1) The parent signs an authorization for center staff to administer each medication. Directions are recorded for the proper amount (dosage), including time and days medication is to be administered.
- (2) If a child has a chronic medical problem, the parent may sign a medication authorization for up to a nine-month period for prescribed medication to be administered by staff as needed. The child's parents are notified whenever medication is administered.
- (3) Prescription medication is not administered unless the medication is a part of a prescribed therapeutic treatment.
- (4) Medication is provided by the parent in the original container and labeled with the child's full name.
- (5) Staff administers medication according to the label or written doctor's directions and only to the child for whom it is intended.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(6) To avoid duplication, each dosage administered is recorded on individual medication logs by designated staff. Medication logs are readily available to parents.

(7) All medications are inaccessible to children and stored in a manner which prevents contamination of food.

(8) Medication is either returned to the parent or disposed of properly when it is out-of-date or the child has withdrawn from the center.

(f) **Injuries.** The center:

(1) contacts poison control with any suspected child poisonings;

(2) notifies parents as soon as possible of any known cuts, burns, animal bites, or injuries that may need evaluation by a physician; and

(3) maintains a log or report of all injuries that occur at the program.

(g) **Emergency procedures.** A written emergency procedure for severe injury or acute illness is prominently displayed at the child care center. The emergency procedure includes:

(1) administration of first aid and location of the first aid kit;

(2) name and telephone number of the emergency service, physician and/or clinic;

(3) notification of parent; and

(4) notification of Division of Child Care Licensing Services regarding the death of a child while in care or any injury to a child that requires emergency medical attention, in accordance with OAC 340:110-3-5(c)(5)(G) and (H).

(h) **First aid kits.** Readily available first aid kits are maintained in the center and are taken on each field trip.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(1) Each kit is a closed container for storing first aid supplies which is accessible to staff at all times but inaccessible to children.

(2) First aid kits are restocked as needed.

(3) At a minimum, the first aid kit contains:

(A) disposable nonporous gloves;

(B) blunt-tipped scissors;

(C) tweezers;

(D) a thermometer;

(E) bandage tape;

(F) sterile gauze pads;

(G) rolled flexible or stretch gauze;

(H) non-medicated adhesive strips; and

(I) current standard first aid text or equivalent first aid guide.

(4) First aid kits taken on field trips also include:

(A) liquid soap and water or individually packaged towelettes;

(B) pen or pencil and note pad;

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(C) cold pack;

(D) coins for use in a pay phone;

(E) the poison control center telephone number, 1-800-222-1222; and

(F) plastic bags for disposal of items contaminated with blood and/or body fluids.

Okla. Admin. Code 340:110-3-28

340:110-3-28. Food and nutrition

(a) **Meals.** Children remaining in the center over a four-hour period are served a balanced meal that provides at least one-third of their total daily nutritional requirements.

(1) Food is provided for all children in care. For infants in care or for a child who has a special dietary need, including health or religious restrictions, parents may be requested to supplement the center's food service.

(2) School-age children may provide their own meals if the requirements contained in this paragraph are met.

(A) All sack lunches containing perishable foods are refrigerated at 41 degrees F or below, and a thermometer is in the refrigerator or ice chest. If an ice chest is used to refrigerate perishable food or milk:

(i) the food or milk is served within four hours and is not re-served or re-refrigerated;

(ii) packaged food is not stored in contact with water or undrained ice;

(iii) self-wrapped sandwiches are not stored in direct contact with ice; and

(iv) ice used for refrigeration is not used for any other purpose.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(B) Additional food is provided to children who bring a lunch that fails to meet at least one-third of their total daily nutritional requirements.

(C) A meal is provided to a child who fails to bring one.

(D) Milk is provided for all children.

(3) Second servings are available for children.

(4) Children are encouraged, but not forced, to eat.

(b) **Food service plan.** The center's food service plan and sample menu reflecting the required food service are filed with the Oklahoma Department of Human Services (OKDHS).

(1) When all-day care is provided, a breakfast or morning snack, a noon meal, and an afternoon snack are served to children.

(2) When evening care is provided, an evening meal and evening snack are served.

(3) When children remain all night, an evening meal, evening snack, and breakfast are served.

(c) **Menu posting.** Current weekly menus of food provided by the center are posted at all times.

(1) A duplicate menu is posted in the kitchen for the cook's use.

(2) Menus are closely followed, although reasonable substitutions are permissible if posted.

(d) **Food storage and preparation.**

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(1) Food storage and preparation comply with food service and sanitation requirements in OAC 340:110-3-31.

(2) Only commercially pre-packaged non-potentially hazardous food items may be brought from individual homes for consumption by a group of children.

(e) **Water.** Safe drinking water is freely available to children at all times. Children are encouraged to drink water throughout the day.

Okla. Admin. Code 340:110-3-29

340:110-3-29. Transportation

(a) **Center responsibility.** When transportation, including field trips, is provided by paid staff or volunteers, all requirements regarding transportation are met.

(1) The vehicle and operator of a vehicle used to transport children are in compliance with all applicable state laws.

(2) Written permission from parents or guardian for transportation of their child is on file at the center.

(3) Parents receive prior notification of each field trip. Written parental permission is only required for participation in swimming and other potentially dangerous activities, in accordance with OAC 340:110-3-25.2(c)(5).

(4) Supervision of the children begins at the designated pick-up time.

(5) The driver is responsible for leaving the child only with the person or school designated by the parent. Written instructions and approval from the parent for such a plan is required.

(6) Effective June 2007, programs providing transportation for children younger than six years of age must have one staff person with current documentation of training in an Oklahoma Department of Human Services (OKDHS) approved child passenger safety course.

(A) Information from the training is shared with all other staff who transport children.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(B) After May 2007, any staff used to meet this requirement has 60 days to obtain this training.

(b) **Driver qualifications.** All drivers, including volunteers, must:

(1) be at least 21 years old;

(2) have an operator's license of the type appropriate for the vehicle that is valid in the driver's state of residence;

(3) have no conviction within the last three years of driving under the influence of alcohol or drugs or other impaired driving offense; and

(4) if driving a vehicle designed to transport ten or more passengers, complete training specific to the safe operation of that type of vehicle within three months of providing transportation to children.

(c) **Staff-child ratios.**

(1) When transporting children younger than four years of age, proper staff-child ratios are maintained without counting the driver. Centers with only one staff person, or who transport one or two children, may provide transportation locally without a second staff person.

(2) For children four years old and older, the driver may be counted toward meeting the staff-child ratio.

(d) **Safety procedures.**

(1) A schedule showing accurate route and itinerary is planned and kept at the center to show approximately where the vehicle is at all times. If the vehicle is equipped with a mobile communication system, route information is not required.

(2) The driver is provided with:

(A) a copy of the scheduled route;

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(B) the name, address, and telephone number of the child care center;

(C) names of children being transported; and

(D) a method to contact the children's parents in case of an emergency.

(3) Safe conduct to and from all vehicles and safe off-street loading space is provided to protect children from:

(A) backing vehicles;

(B) being between vehicles; and

(C) all traffic hazards.

(4) Attendance is checked each time children board and exit the vehicle.

(5) Children are not permitted to ride more than 60 minutes one way. Exceptions for a special field trip may be allowed, but these exceptions are infrequent, and allowance is made for rest and stretch stops during the trip.

(6) Children remain seated while the vehicle is in motion, and no part of a child's body extends from windows.

(7) Vehicles containing children are never left unattended.

(8) Use of tobacco products is prohibited while children are transported.

(e) **Passenger restraints.** Children transported are properly secured in a child passenger restraint system (car seat) or individual seat belt. Buses with a capacity of ten or more passengers that meet state and federal requirements for school buses are exempt from this requirement.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(1) Children are transported in compliance with applicable state law, per Section 11-1112 of Title 47 of the Oklahoma Statutes.

(2) The car seat is:

(A) federally approved;

(B) installed according to the manufacturer's instructions;

(C) appropriate to the height, weight, and physical condition of the child, according to the manufacturer's instructions; and

(D) properly maintained.

(3) Each seat belt:

(A) is properly anchored to the vehicle; and

(B) fits snugly across the child's hips or securely anchors the car seat.

(4) All adult passengers, except those in a full-size school bus, and the driver are properly secured by individual seat belts unless the driver or passenger has written verification from a doctor licensed in Oklahoma that the person is unable to use a seat belt for medical reasons.

(5) Children 12 years of age and younger are prohibited from sitting in the front seat of an airbag equipped passenger vehicle unless an airbag cut off switch is installed and activated or the vehicle has airbags equipped with weight sensitive devices. If a child 12 years of age or younger must be placed in front of an air bag because all other positions are taken, it must be a child whose age and weight requires a forward facing harness seat.

(f) **Vehicle requirements.** Any vehicle used to transport children complies with the requirements listed in this subsection.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

- (1) The vehicle's maximum seating capacity is not exceeded. Maximum seating capacity of the vehicle is based on the manufacturer's designated seating capacity for children or on a minimum of 13 inches of seating space per child.
- (2) All passengers are able to sit comfortably in a stationary padded seat with a back that is properly anchored to the vehicle.
- (3) Vehicles used to transport children are maintained in a clean, safe, operating condition, free of hazardous objects or other nonessential items that could injure children.
- (4) Children are not transported in vehicles or parts of vehicles that were not designed for the purpose of transporting people, such as truck beds, campers, and trailers.
- (5) When transporting children, vehicles, with the exception of public transportation, are visibly marked with the name and telephone number of the facility or sponsoring organization.
- (6) Each vehicle operated by a center for transportation of children has door locks. The driver is responsible for keeping the doors locked when the vehicle is moving.
- (7) The transporting vehicle is covered by medical and liability insurance as required by Oklahoma laws.
- (8) A vehicle used to transport children has an operable heater that is capable of maintaining a temperature of 65 degrees Fahrenheit in the vehicle, and a ventilation system.
- (9) A first aid kit described in OAC 340:110-3-27(h) is available in the vehicle at all times.
- (10) Written documentation is kept of regular maintenance of all facility vehicles to include quarterly inspection of tire wear and pressure, brakes, lights, and functioning seat belts.

Okla. Admin. Code 340:110-3-30

340:110-3-30. Night time care [REVOKED]

Okla. Admin. Code 340:110-3-31

340:110-3-31. Food service and sanitation requirements

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

a) **General.** Food service and sanitation requirements are listed in this subsection.

(1) Food is protected at all times from any contamination including cross-contamination between raw and cooked foods, toxic substances, or contamination by insects or rodents while being stored, prepared, displayed, dispensed, packaged, or transported.

(2) Equipment and utensils used for food storage, preparation, and serving are of approved construction and maintained in a sanitary condition.

b) **Food supplies.** The requirements regarding food supplies are listed in this subsection.

(1) **Food sources.** Food is from sources approved or considered satisfactory by the health authority, is in sound condition, free from spoilage, contamination, filth, adulteration, and misbranding, and is safe for human consumption.

(2) **Home-canned and hermetically sealed food.** Individually home-canned food or use of food in hermetically sealed containers that was not prepared in a food processing establishment is prohibited.

(3) **Milk products.** Requirements pertaining to milk products are listed in (A) through (E) of this paragraph.

(A) Only Grade A pasteurized fluid milk and fluid milk products for drinking are permitted.

(B) Pasteurized dry milk or evaporated milk may be used for cooking purposes only.

(C) Milk and milk products are stored at 41 degrees F. or below.

(D) Milk is stored in the original carton.

(E) Milk may be transferred from the original container to approved pitchers for serving. Milk removed from the original container may not be returned to the original container or stored for later use.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(4) **Meat, poultry, and fish.** Meat, poultry, and fish are obtained from approved sources and have been inspected by appropriate governmental authorities.

(5) **Ice.** Ice used for any purpose is made from water that comes from an approved source and was manufactured, stored, transported, and handled in a sanitary manner.

(c) **Potentially hazardous foods.** Requirements pertaining to potentially hazardous foods are listed in this subsection.

(1) **Cooking.** Potentially hazardous foods requiring cooking are cooked so that all parts of the food are heated to a temperature of at least 145 degrees F. for 15 seconds. The requirements in (A) through (C) of this paragraph are also met.

(A) **Ground beef.** Ground beef is cooked thoroughly to at least 155 degrees F. until the juice is clear and the meat is no longer pink.

(B) **Poultry, stuffed meats, and stuffings.** Poultry, poultry stuffings, stuffed meats and stuffings that contain meat are cooked so that all parts of the food are heated to at least 165 degrees F. with no interruption of the cooking process.

(C) **Pork.** Pork and any food containing pork are cooked so that all parts of the food are heated to at least 150 degrees F.

(2) **Egg products.** Only clean, whole-shell eggs without cracks, which meet applicable grade standards and are held at 41 degrees F. during storage, are permitted.

(A) Raw, unpasteurized eggs are not used in uncooked food, such as ice cream and egg nog.

(B) Raw eggs which have been shelled are not held in excess of four hours.

(3) **Reheating foods.** Before being served, potentially hazardous foods that have been cooked and then refrigerated are reheated rapidly throughout to 165 degrees F. or higher before being served.

(d) **Food protection.** Foods are covered and protected from contamination while being stored, prepared, displayed, or transported.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(1) Medicines and other hazardous items are stored in a manner which prevents contamination of food.

(2) Refrigeration units and insulated facilities are required to ensure maintenance of all food at 41 degrees F. or below except during preparation and service.

(3) A thermometer is located in a conspicuous place in each refrigerator and freezer.

(4) All perishable foods, including fruits and vegetables, are stored at temperatures that protect against spoilage.

(5) A metal-stem thermometer is available to check food temperatures.

(6) All potentially hazardous foods are maintained at safe temperatures of 41 degrees F. or below or 145 degrees F. or above, except during necessary periods of preparation and service.

(7) Use of food from damaged or unlabeled cans is prohibited.

(8) Frozen food is kept at 0 degrees F. or below, except when being thawed at refrigerator temperature of 41 degrees F. or under cool, potable running water, 70 degrees F. or below.

(9) Containers of food are stored off the floor on clean surfaces in a manner which protects them from splash and other contamination.

(e) **Food preparation.** Food is prepared with a minimum of manual contact on food-contact surfaces and with clean, sanitized utensils.

(1) Whenever there is a change in processing between raw beef, pork, poultry, or seafood, or a change in processing from raw to ready-to-eat foods, each new operation begins with clean, sanitized food-contact surfaces and utensils.

(2) Raw fruits and vegetables are thoroughly washed with potable water before being cooked or served.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(f) **Use of food.** Individual or family-style portions of food once served are not served again. Wrapped food that remains properly stored and has not been unwrapped may be served again.

(g) **Transporting food.** The requirements for storage, display, and general protection against contamination contained in this Section apply to all food that is transported from one location to another for service.

(1) During transportation, potentially hazardous food is kept at 41 degrees F. or below or 140 degrees F. or above.

(2) During transportation, all food is in covered containers or completely wrapped or packaged to protect it from contamination.

(h) **Catering services.** When catering services are used:

(1) meals are obtained from a food service establishment approved by the health department; and

(2) procedures and equipment for transporting meals are approved by the health department.

(i) **Personnel.** Personnel shall comply with the requirements contained in this subsection.

(1) **Health.** Individuals are prohibited from working in any capacity in any area of food service if infected with or a carrier of any disease in a communicable form or while afflicted with boils, infected wounds, sores, an acute respiratory infection, or diarrhea.

(2) **Hygiene.** All employees wear clean outer garments, maintain a high degree of personal cleanliness, and conform to hygienic practices while on duty.

(A) Employees are required to thoroughly wash their hands and the exposed portions of their arms with soap and warm water before starting work, during work as often as necessary to keep them clean, after handling raw food products, and after eating, drinking, using the toilet, or returning from other areas of the center.

(B) Employees who prepare or serve ready-to-eat food wear commercial grade single-use gloves.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(C) Employees are required to keep their fingernails clean and trimmed.

(j) **Food equipment, utensils, and storage items.** All equipment and utensils are designed and constructed of safe, non-toxic materials and are smooth, non-absorbent, easily cleanable, durable, and in good repair.

(1) All equipment is installed to facilitate cleaning of the equipment and adjacent areas.

(2) Adequate food service utensils are provided to ensure complete food service for one meal for the licensed capacity of the center.

(3) Tableware is washed, rinsed, and sanitized after each use.

(4) To prevent cross-contamination, kitchenware, utensils, and food-contact surfaces of equipment are washed, rinsed, and sanitized after each use.

(5) Cooking devices are cleaned as often as necessary and are free of encrusted grease deposits and other soils.

(6) Non-food contact surfaces of all equipment, including tables, counters, and shelves, are cleaned as often as necessary to keep them free of accumulations of dust, dirt, food particles, and other debris.

(k) **Cleaning and sanitizing equipment and utensils.** Equipment, utensils, and service items are maintained in a sanitary condition by use of one of the methods listed in this subsection.

(1) **Dishwashing machines.** Commercial or domestic dishwashing machines are permitted if heat or chemical sanitizing cycles are properly installed and if operated in a manner that allows completion of a sanitizing cycle without opening the machine. Adequacy of the sanitizing cycle is determined by the generally accepted test methods.

(2) **Manual cleaning.** Requirements for manual cleaning are in this paragraph.

(A) If a three-compartment sink or automatic dishwasher is not available, a one or two-compartment, domestic-type sink may be used when additional vessels are provided to ensure the rinsing and sanitizing of all equipment, utensils and tableware.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(B) Equipment, utensils, and tableware are washed, rinsed, and sanitized in the sequence listed in this subparagraph.

(i) Sinks are cleaned prior to use.

(ii) In the first compartment, items are thoroughly washed with an approved detergent in a solution that is kept clean.

(iii) In the second compartment, equipment items are rinsed with clean water until they are free of detergent and abrasives.

(iv) In the third compartment, items are sanitized.

(C) Food-contact surfaces of all equipment and utensils are sanitized by immersion in a clean solution containing any chemical sanitizing agent, such as bleach, which has been demonstrated to the satisfaction of the health authority to be effective and non-toxic under use conditions.

(D) All items are air-dried in a self-draining position before being stored.

(3) **Use of single-service articles.** Facilities which do not have adequate and effective facilities for cleaning and sanitizing utensils use single-service articles for both preparation and service.

(A) Single-service articles are stored in closed cartons or containers which protect them from contamination.

(B) Single-service articles are used only once.

1) **Storage area.** Storage areas meet the requirements contained in this subsection.

(1) Adequate space is provided for the storage of sanitized equipment, utensils, and service items.

(2) Items are stored above the floor in a clean, dry location to protect food-contact surfaces from splash, dust,

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

and other contamination.

(3) Only poisonous and toxic materials that are required to maintain sanitary conditions and for sanitation purposes are used or stored in the food preparation area.

(4) Poisonous and toxic materials are identified and used only in a manner and under conditions that do not contaminate food or constitute a hazard.

(m) Food service hand-washing facilities. Hand-washing facilities equipped with hot and cold running water with a mixed-valve faucet are provided in the food preparation area in any facility licensed after June 1, 1987. When a center operates in housing which was originally designed as a family residence and was licensed prior to the effective date of these requirements, hand-washing facilities in a bathroom on the same floor as the kitchen are deemed convenient and adequate.

(1) Cleansing soap or detergent and approved sanitary towels or other approved hand-drying devices are provided.

(2) Facilities are kept clean and in good repair.

(3) Food preparation and dishwashing sinks are not used for hand-washing purposes.

(n) Food preparation and service areas. Food preparation and service areas meet the requirements listed in this subsection.

(1) **Floors.** The floor surface in all rooms or areas in which food is stored or prepared is of smooth, non-absorbent materials.

(A) Unsealed concrete and carpet are not permitted.

(B) Floors are constructed so that they are easily cleaned and are kept in good repair.

(2) **Walls and ceilings.** Walls and ceilings, in areas in which food is prepared or utensils or hands are washed, are kept in good repair, easily cleaned, and have washable surfaces up to the highest level reached by splash or spray.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(3) **Lighting.** The requirements addressing lighting are contained in this paragraph.

(A) All areas in which food is prepared or stored, as well as hand-washing areas, toilet rooms, and garbage and rubbish storage areas, are well-lighted.

(B) All lighting fixtures are shielded.

(4) **Ventilation.** Rooms are properly ventilated.

(A) All rooms have sufficient ventilation to keep them free from heat, steam, vapors, obnoxious odors, smoke, and fumes.

(B) Ventilation systems comply with applicable state and local fire prevention requirements and, when ventilated to the outside air, discharge in such a manner as to not create a nuisance.

(5) **Housekeeping.** All areas where food is prepared and served are kept clean, neat, and free from litter and rubbish.

(A) Cleaning operations are conducted in a manner that minimizes contamination of food and food-contact surfaces.

(B) Soiled linens, coats, and aprons are kept in containers until removed for laundering.

(C) Live birds or animals are not allowed in any area used for food service operations.

(o) **Construction and maintenance of physical facilities.** Construction and maintenance requirements are listed in this subsection.

(1) **Building.** Buildings used to house child care facilities are structurally sound.

(A) Exterior and interior walls are maintained in sound condition, free of holes and peeling paper and paint.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(B) Windows and doors are in good repair, free of broken glass or hazards.

(C) Window and door screens, where required, effectively minimize the entry of insects.

(D) Floors are cleanable and in good repair.

(E) All uncovered floors, including concrete and wood floors, are sealed.

(2) **Premises.** The premises are maintained in accordance with the requirements listed in this paragraph.

(A) The premises are free of harborage for insects, rodents, and other vermin.

(B) Safe, effective measures are taken to minimize the presence of, and to protect against, the entry of vermin.

(C) The premises are otherwise maintained free of hazards to children.

(3) **Water supply.** The water supply is adequate, of a safe, sanitary quality, and from an approved source.

(A) When water is not from a public water supply, for example, well water, it meets local and state testing requirements.

(B) All areas where food is prepared or equipment, utensils, or containers are washed have hot and cold water under pressure.

(4) **Sewage disposal.** All sewage, including mop water, is disposed of in a public sewage system or, in its absence, in a manner approved by the health authority.

(5) **Plumbing.** Plumbing is sized, installed, and maintained in a safe manner and in accordance with the Oklahoma Plumbing License Act.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(A) Plumbing constructed after June 1, 1987 is installed in compliance with the currently adopted State Plumbing code or applicable local ordinances.

(B) Any cross-connection between the potable water supply and any nonpotable or questionable water supply, or any source of pollution through which the potable water supply might become contaminated is prohibited.

(6) **Electrical.** The electrical distribution system is sized, installed, and maintained in a safe manner and in accordance with the Oklahoma Electrical Licensing Act. Portions of the electrical system constructed, repaired, or replaced after June 1, 1987 are installed in compliance with the current National Electrical Code.

(7) **Garbage and rubbish disposal.** Prior to disposal, all garbage and rubbish containing food wastes or diapers are kept in leak-proof, non-absorbent containers and covered with tight-fitting lids when filled, stored, or not in continuous use.

(A) The containers are adequate for the storage of all food waste and rubbish accumulating on the premises.

(B) Each container is thoroughly cleaned each time it is emptied.

(C) Garbage disposal units, if used, are of suitable construction and installed in compliance with state and local standards.

(D) All garbage and rubbish are disposed of frequently and in a manner that prevents a nuisance.

(E) All hazardous material is disposed of properly.

Okla. Admin. Code 340:110-3-32

340:110-3-32. Building, equipment, utilities and grounds [REVOKED]

Okla. Admin. Code 340:110-3-33

340:110-3-33. Fire safety

Minimum construction requirements. Current local codes are enforced for all new construction including additions or major alterations of existing licensed centers and conversion of buildings not previously licensed as child care centers. In the absence of such ordinances, the state-adopted building code applies.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(1) Plans for construction of a new building, addition to, or major alteration of existing buildings are submitted to the local fire or code authority for approval prior to start of construction. If no local authority exists, plans are submitted to the State Fire Marshal.

(2) Licensed facilities in operation on the effective date of this Part are required to comply with the construction and fire safety codes applicable at the issuance of their license.

Okla. Admin. Code 340:110-3-33.1

340:110-3-33.1. Requirements for drop-in centers

(a) **Drop-in centers.** A drop-in center is a child care center that provides care for children on an occasional basis where no child is in attendance for more than six hours a day for a maximum of 24 hours a week with an allowance for six extra hours per child three times a year.

(b) **Requirements.** Drop-in centers are required to meet the rules contained in OAC 340:110-3-1 through 340:110-3-33.1.

(c) **Notifications.** In addition to the requirements contained in OAC 340:110-3-5(c)(1), a notice provided by the Oklahoma Department of Human Services (OKDHS) stating the maximum number of hours a child may be in care at the facility is prominently posted. This statement is also included in all drop-in center literature and advertising.

(d) **Attendance records.** In addition to the requirements pertaining to daily attendance records in OAC 340:110-3-6(b)(3), a record of each child's time of arrival and departure, with weekly documentation of total hours of attendance, is required.

(e) **Toilets and sinks.** Drop-in centers operating after July 1, 1995, are exempt from the requirements in OAC 340:110-3-11(b)(10). One toilet and one sink are required for every 25 children.

(f) **Outdoor play space.** Drop-in centers are exempt from the requirements pertaining to outdoor play space contained in OAC 340:110-3-11(d)(2). If outdoor play space is not provided, the drop-in center is also exempt from the requirements contained in OAC 340:110-3-22.

(g) **Indoor equipment.** Drop-in centers comply with the requirements contained in this subsection.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(1) Drop-in centers are exempt from the requirements contained in OAC 340:110-3-14(b) through (g) with the exception of crib safety features and requirements for mattresses and playpen pads. Drop-in centers are required to have equipment from each category in OKDHS Appendix L-5, Child Care Center Minimum Indoor Equipment Requirements, for each age group served. A sufficient amount of equipment and materials is available to avoid excessive competition among children or long waits for equipment.

(2) If outdoor play space is not available, large muscle equipment is provided according to the number of children in care, as listed in (A) through (D) of this paragraph. No more than two of the same item are allowed.

(A) 1-12 children, 3 items.

(B) 13-24 children, 6 items.

(C) 25-36 children, 9 items.

(D) 37-48 children, 12 items.

(h) **Program.** Lesson plans and daily schedules as required in OAC 340:110-3-25.1(a)(1) through (6) reflect the flexibility of the program.

(i) **Food and nutrition.** Drop-in centers that provide limited food service only are exempt from the requirements in OAC 340:110-3-28. All drop-in centers must:

(1) serve a snack or meal to each child who is in care for four or more consecutive hours;

(2) allow children in care to bring food from home if food is not provided;

(3) refrigerate perishable foods at 41 degrees F. or below and keep a thermometer in the refrigerator or ice chest; and

(4) post a daily menu if food is provided.

(j) **Food service and sanitation.** If limited food service only is provided, the food service and sanitation

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

requirements in OAC 340:110-3-31(a) through (n) are not required.

Okla. Admin. Code 340:110-3-33.2

340:110-3-33.2. Requirements for child care centers for sick children

(a) **Centers for sick children.** A center providing care for sick children is a child care center that serves children with illnesses or symptoms that:

(1) prevent them from comfortable participation in program activities in a child care center caring for well children; and

(2) require more care than child care staff in a regular child care center can provide without compromising the health and safety of other children in care.

(b) **Requirements.** Centers for sick children are required to meet the rules contained in OAC 340:110-3-1 through OAC 340:110-3-33, except as otherwise provided in this Section.

(c) **Definitions.** The definitions for words and terms used in this Section are contained in this subsection.

(1) **Health professional.** A health professional is a registered nurse, pediatric nurse practitioner, physician's assistant or physician with at least one year of pediatric or public health experience.

(2) **Level I center.** A Level I center:

(A) is a component of a regular child care center that is licensed to care for no more than eight sick children and serves only children who are mildly ill; and

(B) does not serve children with illnesses or symptoms that meet the criteria for exclusion in a Level I center as defined in OAC 340:110, Appendix DD.

(3) **Level II center.** A Level II center:

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(A) is licensed to care for nine or more sick children;

(B) is licensed to provide child care only for sick children; or

(C) is a component of a regular child care center and serves both mildly and moderately ill children.

(4) **Mildly ill.** Mildly ill means children with mild symptoms of an episodic minor childhood illness who do not present a risk of serious infection to other children. Mildly ill children show interest and involvement in program activities and are able to participate.

(5) **Moderately ill.** Moderately ill means children with symptoms of an episodic illness which prevents them from being cared for in a child care center serving only well or mildly ill children due to the risk for contagion and the need for increased care. Moderately ill children display more severe symptoms than mildly ill children.

(d) **Inclusion and exclusion criteria.** A center licensed to care for sick children may serve any child who exhibits symptoms or illnesses for which they are excluded from a center caring for well children unless prohibited by the exclusion criteria specified in OAC 340:110, Appendix DD.

(e) **Admission criteria.** The guidelines for admission in a center for sick children are described in (1) - (2) of this subsection. A provider is not obligated to admit a child if the provider does not have adequate information about the child's condition or diagnosis to determine whether he or she can be safely included in the program.

(1) **Level I.** A written physical assessment of the child is conducted by the director or designated caregiver to determine the appropriateness of the child's attendance that day or the need for a medical evaluation prior to admission. The assessment includes:

(A) any pertinent information from the parent or authorized adult relevant to the child's condition and symptoms; and

(B) an evaluation of the child's general appearance including physical appearance, demeanor, mood and activity level.

(2) **Level II.** A written medical evaluation that includes a diagnosis from a licensed physician indicating a child is eligible for admission is required before a child can be admitted to a Level II center.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(f) **Policy and procedure.** The center has written policies and procedures that are approved in writing by a licensed physician or by a pediatric nurse practitioner.

(1) In addition to the requirements in OAC 340:110-3-5.1(a) (1)-(8), the center policy must also include:

(A) the criteria for admission in the center;

(B) intake and admission procedures;

(C) plans for the daily care of children including methods used to monitor the condition of children;

(D) plans for staff training and communication with parents and health care providers; and

(E) procedures for injury prevention and infection control.

(2) A health professional provides on-going consultation to the program in its overall operation and the management of illness for individual children.

(g) **Staff qualifications.** In addition to the requirements for child care center employees contained in OAC 340:110-3-7.1(a)-(h), employees caring for sick children are required to have completed:

(1) at least one year of satisfactory full-time experience in a child care setting; or

(2) a minimum of 20 documented clock hours of training in child development, early childhood education or a closely related subject.

(h) Staff training. The training requirements for staff caring for sick children are contained in (1) - (4) of this subsection.

(1) Staff caring for sick children must have current documentation of completed training in community first aid and CPR, including infant and child, conducted by an individual certified as an instructor through the American Red Cross, First Care or American Heart Association, or by a health professional trained as an instructor in CPR and first aid training.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(2) Prior to working with sick children, employees must complete the DHS approved training for the care of sick children which is conducted by a health professional. The training includes:

(A) policy and procedures relating to the care of sick children;

(B) recognizing signs and symptoms of illness;

(C) administration of medication;

(D) when and how to call for medical help;

(E) taking children's temperatures;

(F) infection control procedures including handwashing, handling contaminated items, use of disinfectants and food handling;

(G) communicating with parents concerning a child's illness; and

(H) any other care that may be required for admissible illnesses and conditions.

(3) Staff caring for sick children must obtain two hours of training annually related to the care of sick children and the prevention and control of communicable disease.

(4) All training required for staff who care for sick children will count toward the 12 hours of annual training required for all child care center staff listed in OAC 340:110-3-7.1(j)(3).

(i) **Staff-child ratios.** A program providing care for sick children is exempt from the requirements pertaining to staff-child ratios in OAC 340:110-3-9.1(e)(1)-(4). However, the program is required to meet the minimum staff-child ratios described in (1) - (4) of this subsection.

(1) When all children in a group are under 2 years old, the staff-child ratio is 1:3 with a maximum group size of

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

6.

(2) When the children in a group are 2 through 5 years old, the staff-child ratio is 1:4 with a maximum group size of 8.

(3) When all children in a group are 6 years old and up, the staff-child ratio is 1:6 with a maximum group size of 12.

(4) When children of mixed ages are cared for in the same group, the staff-child ratio and group size for the youngest child apply.

(j) Indoor space. In addition to the requirements pertaining to indoor space in OAC 340:110-3-11(a)-(d)(1), a center providing care for sick children meets the additional requirements regarding indoor space listed in (1)-(7) of this subsection.

(1) Toilets are in a bathroom that is adjacent to or opens directly into each room used to care for sick children.

(2) Sinks for hand-washing are located in each room used for the care of sick children, or in a bathroom that opens directly into the room.

(3) The use of potty chairs is prohibited.

(4) Rest equipment is available and accessible for use by children throughout the day and is placed three feet apart when in use.

(5) Mats may not be used as rest equipment.

(6) The use of carpet is prohibited; however, rugs may be used if they are washed daily.

(7) In a Level I facility:

(A) rooms used for the care of sick children are separated from other components of the center by floor to ceiling walls; and

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(B) rooms, fixtures, furniture, equipment and supplies used by sick children are not used by staff or children from any other component of the child care center when sick children are in care.

(k) Outdoor space. A center for sick children is exempt from the requirements pertaining to outdoor play space in OAC 340:110-3-11(d)(2), and in OAC 340:110-3-22(a)-(d). However, if outdoor play space is provided:

(1) all requirements in OAC 340:110-3-11(d)(2), and OAC 340:110-3-22 (a)-(d) are met; and

(2) if the same area is shared by well and sick children, it is used at separate times.

(l) Health. In addition to the requirements in OAC 340:110-3-27(a)-(h), a center for sick children:

(1) requires staff to monitor and record the condition of each child throughout the day. The monitoring includes:

(A) temperature;

(B) amount of fluid and food intake;

(C) output including urine, vomit and stools, as appropriate;

(D) medication administered; and

(E) sleeping patterns and general behavior.

(2) notifies parents immediately of any significant change in a child's condition; and

(3) takes additional precautions to prevent the spread of disease, including:

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(A) cleaning and disinfecting floors, toys, equipment and furniture daily or more often if necessary, or before being used by another group of children;

(B) posting the proper procedure for hand washing at each sink;

(C) providing liquid soap from mounted dispensers for hand washing;

(D) using paper towels from a dispenser with waste containers provided for disposal;

(E) providing toys that are non-porous and easily washable; and

(F) prohibiting staff and children who begin their day in the area serving sick children to transfer to any other part of the child care facility during that day.

(m) Food and nutrition. In addition to the requirements contained in OAC 340:110-3-28(a)-(e), a center caring for sick children:

(1) modifies menus to meet the individual physical condition of each child in care;

(2) prohibits staff involved with food preparation or service from changing diapers or assisting children with toileting;

(3) uses only single-use and disposable eating and drinking utensils. Infant bottles and toddler drinking cups may be used if they are sent home daily;

(4) prohibits the use of drinking fountains; and

(5) requires staff to frequently offer drinking water and other fluids to each child.

(n) Additional requirements for Level II centers. In addition to the requirements listed in (a)-(m) of this Section, a Level II center must meet the requirements outlined in (1)-(6) of this subsection.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(1) A physical assessment of each child is conducted by a health professional as the child is admitted to the program.

(2) A health professional or licensed practical nurse (LPN) with immediate, direct access to a health professional must remain onsite at all times when sick children are in care.

(3) The LPN may not make the determination whether to admit a child into the program. The LPN may provide care and collect clinical information, and must report to the health professional.

(4) Children are cared for in separate rooms unless grouped with other children diagnosed with the same illness.

(5) Separate outside ventilation is required when care is provided for children diagnosed with:

(A) measles;

(B) diphtheria, until 5 days of the appropriate antibiotic therapy, which is to be given a total of 14 days;

(C) rubella;

(D) tuberculosis; or

(E) chicken pox.

(6) In a Level II center that is a component of a center caring for well children:

(A) rooms are separated from other components of the center by floor to ceiling walls;

(B) rooms, furniture, equipment and supplies used by sick children are not used by children or staff from other components of the center; and

(C) a separate entrance is required for sick children.

Okla. Admin. Code 340:110-3-33.3

340:110-3-33.3. Requirements for day camps

(a) **Day camps.** Day camps are programs that serve only school-age children and operate during regular school vacations for no more than 12 hours a day.

(b) **Requirements.** Day camps are required to meet the rules contained in OAC 340:110-3-1 through 340:110-3-33, except as otherwise provided in this Section.

(c) **Professional development.** Day camp employees are required to meet the rules contained in OAC 340:110-3-7.1(h) regarding professional development. However, prior to working with children, all staff must complete the orientation and health and safety training described in OAC 340:110-3-7.1(h)(1)-(2).

(d) **Supervision of children.** Day camps are required to meet the rules contained in OAC 340:110-3-9.1 pertaining to supervision of children, except as otherwise provided in (1) - (2) of this subsection.

(1) In a day camp, children must be within sight and hearing of staff at all times. However, when bathrooms or locations where medication is dispensed are located in areas away from children, the center must submit for approval a plan to the Department describing how they will monitor the whereabouts of children when they are out of sight and hearing of staff when going to those areas.

(2) A staff-child ratio of 1:15 is maintained.

(e) **Physical Facility.** Day camps are required to meet the rules contained in OAC 340:110-3-11 regarding the physical facility, except as otherwise provided in (1) - (3) of this subsection.

(1) If the facility utilizes the out-of-doors as its major program component for six or more hours each day, there is either a minimum of ten square feet of indoor space per child available for children's use that is maintained between 65 and 85 degrees Fahrenheit or a covered permanent structure. If only a covered permanent structure is available, an alternate site must be designated for use during inclement weather. This does not include auxiliary spaces listed in OAC 340:110-3-11(b).

(2) Sinks are not required if adequate running water, soap, and paper towels are available for hand-washing. If

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

another method of hand-washing is used, it must be approved by the health department.

(3) Commercial portable toilets meeting all state guidelines for environmental inspections may be used in place of flushable toilets.

(f) Equipment. Day camps are exempt from the equipment requirements contained in OAC 340:110-3-14(b). The program must provide age-appropriate materials and equipment in amounts to avoid excessive competition between the children and to avoid long waits for the use of materials and equipment. The materials and equipment must be from at least five of the categories listed in (1) - (10) of this subsection.

(1) Large motor development

(2) Arts and crafts.

(3) Manipulative toys.

(4) Dramatic play.

(5) Blocks with accessories.

(6) Books or child-oriented magazines.

(7) Science.

(8) Music and rhythm.

(9) Carpentry.

(10) Sand and water play.

(g) Outdoor play space. Day camps with an outdoor play space are required to meet the rules pertaining to outdoor space found in OAC 340:110-3-11(d)(2) and 340:110-3-22.

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 1. Requirements for Child Care Centers (Refs & Annos)

(1) If outdoor space is not available at the camp, a city park or other public play area meeting the above requirements may be used. A plan for the use of outdoor play space located away from the camp site must be submitted to the Department for approval.

(2) If the outdoor space is not fenced and hazards such as water or traffic are present, a plan to ensure the safety of children must be submitted to the Department for approval.

Okla. Admin. Code 340:110-3-34

340:110-3-34. Guidelines for use in the study of day care centers [REVOKED]