

Oklahoma Administrative Code Currentness _Title 340. Department of Human Services _Chapter 110. Licensing Services _Subchapter 3. Licensing Standards for Child Care Facilities _Part 14. Requirements for School-Age Programs (Refs & Annos)

Okla. Admin. Code 340:110-3-220

340:110-3-220. 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 in attaining maximum standards, and work for the development of sufficient and adequate services for children.

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340:110-3-221. 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.

“**Child**” means a person under the age of 18 years.

“**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 with disabilities**” means a child who has a physical or mental condition that results in substantial limitations in 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).

“**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.

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“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.

“Lead teacher” means a staff person who is responsible for duties such as program development, implementation, and evaluation.

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

“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.

“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.

“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 kindergarten.

“School-age program” means a program that provides care and supervision for school-age children, for example, before-school and after-school programs, extended-day programs, day camps, summer camps, and summer park programs.

“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 lead teacher and is not considered in the staff-child ratio as a staff or as a child.

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

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340:110-3-222. Necessity and issuance of license

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(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 required to be licensed by OKDHS do not include programs that operate:

(1) 15 hours or less per week; or

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

(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 program may not advertise as licensed.

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

(g) Claims as to standards of care or specialized service are prohibited from being made or placed in advertisements unless the program has staff members who are professionally qualified to offer such specific services.

(h) OKDHS may deny an application or revoke a license if a licensee violates any provisions of the Oklahoma Child Care Facilities Licensing Act. No application is denied or license revoked unless the license holder is given 30 days 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.

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

Okla. Admin. Code 340:110-3-223

Burgundy,
Green,
& Blue

340:110-3-223. Organization

(a) **Responsible agent.** A school-age program is operated by a public or private organization or an individual.

(1) A public school-age program 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 school-age program operates under a governing board responsible for developing policies and establishing and maintaining a sound financial structure.

(3) A proprietary school-age program's owner is responsible for the policy and financial structure of the program.

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

(1) licensed capacity;

(2) ages of children accepted;

(3) hours of operation; and

(4) type of care and services offered.

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

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

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

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

(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) the daily program schedule;

(F) emergency procedures;

(G) weekly menu of all food provided by the program;

(H) evacuation plan;

(I) dates fire and tornado drills were conducted; and

(J) a time schedule for use of outdoor play space if the program is licensed for 24 or more children and has outdoor play space of less than 75 square feet per child.

(2) Form 07LC093E, Insurance Exception Notification, if applicable per OAC 340:110-3-224(c), is posted in clear view of the main entrance to the facility.

(3) 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 OKDHS. It is a misdemeanor for any person to fail to report.

(4) The program is required to notify Licensing Services by the next working day of:

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- (A) a temporary, unscheduled, or permanent closing of the program;
 - (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 program or staff person that involves or affects a child in care or the operation of the program;
 - (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.
- (5) The program is required to notify Licensing at least 30 days prior to:
- (A) a change in ownership or sponsorship;
 - (B) a change in the name of the program;
 - (C) any change or alteration to the physical facility that affects the amount of usable square footage or compliance with any requirements;

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(D) the anticipated closing or relocation of the program; 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 Oklahoma Child Care Services, 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 OAC 340:110-3-226(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 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 Oklahoma Child Care Services, with findings of unconfirmed or unsubstantiated to include findings of services not needed, ruled out, or services recommended; and

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(3) Form 04CP004E, Child Welfare Investigative Summary Notification to Oklahoma Child Care Services, 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 program changes ownership or location:

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

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

Okla. Admin. Code 340:110-3-224

340:110-3-224. Policy and procedure

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

(1) a brief program description;

(2) ages of children accepted;

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

(4) fees;

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

(6) procedure for:

(A) receiving and releasing children from the program including a method of verifying the identity of a caller or person who picks up a child;

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- (B) prompt notification of parents when a child does not arrive as scheduled;
- (C) storing children's personal belongings and money;
- (D) the handling of illnesses and injuries, including procedures when children are away from the program;
- (E) storing and administering children's medicines;
- (F) notifying parents of field trips;
- (G) transportation of children;
- (H) caring for school-age children who arrive late for field trips when that child's group has already left the program;
- (I) mandatory reporting of child abuse;
- (J) meals and snacks including days when children are on field trips; and
- (K) discipline policy.

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

- (1) job responsibilities, 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.

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(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 340:110-3-225

340:110-3-225. Records

(a) **Program records.** Licensing staff have access to all records and reports addressed in this Section.

(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 program, are available to staff during all hours of child care, and are kept current.

(2) Identification and health records are kept on forms provided by Oklahoma Department of Human Services (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 program to transport the child for emergency medical care;

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

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(E) health information;

(F) current immunization record. If a school-age program is located in a school that maintains current immunization records, duplicate records are not required;

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

(H) date of acceptance and withdrawal from the program; and

(I) medication and transportation permission if applicable.

(3) The program is required to maintain readily available attendance records for each child 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 lead 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.** Staff records are completed on forms provided OKDHS and maintained at the facility or made available to Licensing. Staff records include:

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

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

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- (3) a statement regarding criminal history and child abuse investigations;
- (4) criminal history investigations maintained in a confidential manner and not part of the individual's personnel records, pursuant to Section 404.1 of Title 10 of the Oklahoma Statutes;
- (5) 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;
- (6) documentation of orientation and training;
- (7) attendance records for each staff person;
- (8) documentation of request and/or results of a criminal history review;
- (9) documentation that the individual is a non-registrant on the Child Care Restricted Registry; and
- (10) 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 340:110-3-226

340:110-3-226. Requirements for school-age program employees

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

- (1) provide annual documentation that he or she meets the health and training requirements contained in OKDHS Publication no. 97-10, Licensing "Requirements for School-Age Programs and Summer Day Camps,";
- (2) demonstrate the ability to perform assigned job responsibilities;

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(3) recognize and act to correct hazards to physical safety, both indoors and outdoors;

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

(5) demonstrate 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 programs pertaining to criminal history investigations are contained in this subsection.

(1) **Responsibility of owner or director.** The program'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 search for:

(i) any person making application to establish or operate a school-age program;

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

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

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

(2) **Responsibility of owner or director.** Program's owner or director 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.

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

(A) staff who move to a new program 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.

(4) **Authorized agencies.** Criminal history investigations are accepted only when conducted by:

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

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

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

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

(A) **Prior to issuance of initial permit or change of ownership.** The facility must receive criminal history review results from the 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.

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(c) **Prohibitions to employment.** The program is prohibited from knowingly employing a person who:

(1) has entered a plea of guilty or nolo contendere, no contest, or has been convicted of:

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

(B) child abuse or neglect;

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

(D) sexual misconduct; or

(E) gross irresponsibility or disregard for the safety of others;

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

(d) **Registrant Prohibitions.** The program is restricted from knowingly employing or allowing a registrant to reside in the facility.

(e) **Request for a waiver.** The program director may request a waiver from the restrictions.

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

(2) The person for whom the waiver is requested is not employed until a decision has been made.

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

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

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(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.

(f) **Restrictions.**

(1) Any person whose health or behavior would endanger the health, safety, or well-being of children is prohibited from being on the premises or having contact with children in care.

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

(g) **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.

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

(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.** OKDHS OCCS Licensing Services (Licensing) 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.

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

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(1) **Director.** The director of a school-age program is required to be at least 21 years of age and have:

(A) a high school diploma or General Educational Development (GED) and two years of satisfactory full-time experience in a related school-age, educational, or child care setting;

(B) a high school diploma or GED and 12 college credit hours in child development, elementary, or secondary education, or a closely related subject and one year of satisfactory experience in a related school-age, educational, or child care setting;

(C) an associate or bachelor degree with at least 12 college credit hours in child development, elementary or secondary education or a closely related subject; or

(D) a high school diploma or GED and successful completion of a school-age child care training program that meets the criteria approved by the Child Care Advisory Committee.

(2) **Lead teacher.** Lead teachers are required to be at least 19 years of age and have:

(A) a high school diploma or GED and one year of satisfactory full-time experience in a related school-age, educational, or child care setting;

(B) a high school diploma or GED and 12 college credit hours in child development, elementary, or secondary education or a closely related subject;

(C) an associate degree with at least six college credit hours in child development, early childhood, elementary, or secondary education or a closely related subject; or

(D) a high school diploma or GED and successful completion of a school-age training program that meets the criteria approved by the Child Care Advisory Committee.

(3) **Teachers.** Teachers hired after September 1, 1997 are required to:

(A) be at least 18 years of age;

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(B) have a high school diploma or 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.

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

(A) have a high school diploma or GED; or

(B) are currently enrolled in school.

(5) **Substitutes.** Substitutes must be at least 18 years of age. Substitutes who have worked more than 40 hours in the program are required to comply with the minimum requirements for the position they are filling.

(6) **Teen aides.** Teen aides are at least 13 years of age.

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

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

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

(B) The director, or on-site staff person 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;

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

(iii) maintaining a facility 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, or 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) **Lead teachers.** At least one full-time lead teacher is required for every 60 children for which the program is licensed. The director may be counted as a lead teacher.

(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, lead 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 except for special activities.

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

(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 may not be included in the staff-child ratio unless they are assigned to the program 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.

(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 teacher who meets lead teacher qualifications. One lead 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

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may be assigned to a group of children;

(D) must be at least two years older than 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.

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

(l) Orientation. Within one week of employment and prior to having sole responsibility for a group of children, each staff member, including auxiliary staff, receives orientation.

(A) Orientation includes a review of:

(i) infection control;

(ii) injury prevention;

(iii) handling common childhood emergencies, including choking;

(iv) the program's policy and procedure and staff responsibility for implementation;

(v) licensing requirements;

(vi) employees' assigned duties and responsibilities;

(vii) emergency procedures in the event of injury, severe weather, or fire, including use of fire extinguishers;

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

(ix) the daily schedule;

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

(xi) confidentiality of information regarding children and their families.

(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) **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 (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;

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(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;

(xiv) electric shock; and

(xv) drowning.

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

(A) **Director.** The director is required to obtain 40 clock hours of training every two years by obtaining 20 clock hours of training annually from an OKDHS approved source, such as professional conferences or an accredited college, university, or vocational program.

(i) OKDHS OCCS approves training upon request.

(ii) Training is relevant to job responsibilities and includes program administration or management,

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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 24 clock hours of training every two years, by obtaining 12 clock hours of training annually that is relevant to job responsibilities and includes infection control.

(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.

(4) **Food service training.** The person primarily responsible for food preparation is required to receive training in:

(A) nutrition planning;

(B) age-appropriate food selection;

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

(D) cleaning and sanitizing equipment and utensils.

(5) **Substitute and volunteer staff training.**

(A) Substitute and volunteer staff are required to be familiar with program policy and procedure before being left in charge of a group of children.

(B) Volunteers who are counted to meet the staff-child ratio meet the requirements for ongoing training in (k)(3) of this Section.

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

Okla. Admin. Code 340:110-3-227

340:110-3-227. Supervision of school-age children

(a) **General.** All children are required to be adequately supervised at all times, as defined in OAC 340:110-3-221.

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

(2) When the program provides or arranges for activities off the premises, an adult staff member from the program is required to be with each group, and appropriate staff ratios are maintained.

(3) When play areas are accessible to the public, boundaries are identified to children. Supervision of enrolled children must be possible, for example, space is reserved for program use only or children wear T-shirts with the program's logo.

(4) Children are generally required to be within the sight or hearing of staff. Staff may assess whether children, who have a good understanding of the program'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:

(A) be able to provide immediate intervention if needed; and

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

(b) **Staff-child ratios.** A 1:20 staff-child ratio is maintained. A staff-child ratio of 1:10 - 12 is recommended by the National School-Age Care Alliance and the National Association of Elementary School Principals.

(c) **Group size.** The number of children in an activity is limited to facilitate staff-child interaction and safe, constructive participation by children.

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(d) **Swimming guidelines.** When children are swimming and are not participating in swimming lessons with a certified instructor, there is at least a 1:10 staff-child ratio.

Okla. Admin. Code 340:110-3-228

340:110-3-228. Parent - staff communication

(a) Parents of enrolled children are permitted reasonable access to all parts of the program during hours of operation, unless restricted under provisions of OAC 340:110-3-226(e).

(b) The OKDHS publication for parents of school-age children is made available to parents upon their child's enrollment.

(c) A verbal or written system is used by staff for sharing 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 program is required to provide at least three of the options listed in (1) through (6) of this subsection.

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

(2) Conferences are held at least once per 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.

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

(5) Parents are informed about the 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.

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Green, Okla. Admin. Code 340:110-3-229
Purple,
Burgundy, 340:110-3-229. Physical facilities
& Blue

(a) **Location and construction.** The program location is required to be in an area that offers minimal hazards to the health, safety, and welfare of the children.

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

(2) Any program that 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) Heating and cooling systems are operable and meet the Fire Safety Requirements in OAC 340:110-3-241.

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

(5) 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 alterations of structures that occurs during a program's hours of operation is accomplished in a manner that prevents hazards or unsafe conditions, for example, fumes, dust, and safety hazards.

(6) Basement areas may be used if dry and properly ventilated, and adequate provision is made for fire prevention and protection.

(7) A program is required to have approval from:

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

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(B) the fire department.

(b) **Auxiliary spaces.** The requirements regarding auxiliary spaces are listed in this subsection.

(1) The areas not counted in determining the capacity of the program are:

(A) bathrooms and kitchens;

(B) offices, teachers' lounges and work rooms, and hallways;

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

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

(E) storage closets and supply rooms; and

(F) space occupied by furniture not for children's use.

(2) Toileting and hand-washing facilities:

(A) are easily accessible to children and staff;

(B) contain operable flushing toilets and hand sinks in good repair;

(C) are maintained in a clean and sanitary condition with adequate ventilation;

(D) contain toilet paper within easy reach of children;

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(E) have non-absorbent floor surfaces in toilet areas;

(F) have hand sinks with hot and cold or tempered running water with the temperature between 100 and 120 degrees F. If the temperature exceeds 120 degrees, a tempered valve is required;

(G) contain soap for hand-washing, individual-use towels or mechanical hand dryers, and waste containers within easy access of children; and

(H) contain:

(i) one toilet and one sink for every 25 children; or

(ii) one toilet and one sink for every 50 children with a minimum of two toilets and sinks and at least one bathroom for males and one for females.

Green
& Burgundy

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

(1) Physical environment. The physical environment of the program 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 with openings of no more than four inches on porches, elevated walkways, and elevated play areas of more than five feet in height;

(C) railings for stairways over five feet in height, 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 that are marked at children's eye level;

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(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 85 degrees F.;

(J) lighting levels bright enough to accommodate activities with comfort;

(K) all areas clean and sanitary at all times;

(L) no vermin infestation, including rodents and insects;

(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 play ground during hours of child care.

(2) **Emergency preparedness.** The program:

(A) has 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. A pager may be used for access to incoming calls;

(B) has posted by each telephone the name and address of the program and a list of emergency phone numbers to include the fire department, police department, ambulance service, medical resource to be used, and poison control, 1-800-522-1222;

(C) has a record posted of the fire drill and smoke detector test that are conducted monthly; and

(D) has a documented tornado drill that is conducted each spring.

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(3) Hazards. The program:

(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 they are inaccessible to children and in a manner which prevents contamination of food;

(D) has firearms, pellet or BB guns, bows and arrows, darts, cap guns, and fireworks stored so that they are inaccessible to children. Firearms are stored unloaded in a locked cabinet separate from ammunition;

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

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

(4) 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, and cats, that has evidence of disease, for example, diarrhea, skin infection, severe loss of appetite, weight loss, lethargy, or any unusual behavior or symptoms, is isolated and examined by a licensed veterinarian.

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

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

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

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

(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 being brought to the program.

(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 documented in the Injury Log.

(d) Licensed capacity. The total licensed capacity of a program is determined by separately 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 listed in this paragraph.

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(A) A minimum indoor play space that is routinely used by children is required to have 35 square feet of floor area per child. This does not include auxiliary spaces listed or single-use rooms, for example, isolation rooms, dining rooms, sleep rooms, and rooms used for large muscle play.

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

(C) A large area, such as a gymnasium, may be counted toward the licensed capacity for 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 listed in (A) through (C) of this paragraph.

(A) When a program is licensed for less than 24 children, there is a minimum outdoor play space of 75 square feet per child for the total licensed capacity.

(B) When a program 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 program is licensed, provided that the minimum amount of outdoor space will accommodate 24 children, which is 1800 square feet.

(C) If licensed for 24 or more children and there is outdoor play space of less than 75 square feet per child:

(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 posted so that parents and staff members are aware of the outdoor play periods.

Okla. Admin. Code 340:110-3-230

340:110-3-230. Equipment

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

(1) A variety of equipment is accessible to all children on a daily basis.

(2) Equipment is:

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

(B) maintained in a safe and sanitary condition;

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

(D) of appropriate size and type to meet the developmental needs of that 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 program is licensed.

(3) 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.

(4) Caregivers monitor play equipment for potential hazards, for example, toys with strings, loose parts, and sharp edges.

(5) 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 required ratios and developmental levels of the children in care, as listed in OAC 340:110-3-230(b).

(b) **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:

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- (A) one cot, bed, or mat with a sheet and blanket for each sleeping or ill child;
 - (B) adequate table and chair space available at any given time;
 - (C) assigned individual space for personal belongings;
 - (D) adequate shelf space to ensure that play equipment is organized and easily accessible to children;
 - (E) audio equipment, record player, or c.d. or tape player for each school-age group, with records, c.d.'s, or tapes;
 - (F) safe storage for ongoing projects and small items;
 - (G) adequate supply of facial tissue, wash cloths, towels, and feminine hygiene products; and
 - (H) sufficient clothing in various sizes in case of accidents.
- (2) Equipment is provided in accordance with OKDHS Appendix L-5, Child Care Center Minimum Indoor Equipment Requirements.

Okla. Admin. Code 340:110-3-231

340:110-3-231. Outdoor safety and play equipment

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

(1) Play space is situated to:

(A) permit children to reach it safely;

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(B) provide a shaded area; and

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

(2) Partial fencing may be required when needed to protect children from traffic and other hazards. Fencing is not required on all sides if the area is properly protected from traffic and other hazards.

(3) When required, the fence is:

(A) at least 48 inches high; and

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

(4) 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.** If the program shares playground space that does not comply with the playground safety requirements in (1) through (6) of this subsection, a plan may be submitted to Oklahoma Department of Human Services (OKDHS) Division of Child Care Licensing for approval. 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, and revolving equipment have impact-absorbing surfaces under them and throughout the fall zones.

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(A) Impact-absorbing materials include loose materials, such as shredded hardwood, bark, pea gravel, shredded rubber, and washed concrete sand, or compact materials, such as outdoor rubber mats and synthetic turf.

(B) Grass is permitted 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. When equipment is moved or added, fall zones for adjacent equipment may not overlap, and the requirements in (A) through (C) in this paragraph are met.

(A) The fall zones 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 zones for multi-axis swings or tire swings, extend a distance of six feet plus the length of the chain in every direction.

(C) The fall zones on the sides of equipment are not required 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 raking.

(5) Surfaces of impact-absorbing materials, such as rubber mats, gym mats, and synthetic turf, are designed to cushion falls of up to five feet. Documentation of the cushioning properties of the material are presented to OKDHS.

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

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

(1) 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 that could entrap any part of a child's body or head.

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

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

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

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

(3) A minimum of 25 percent of the required outdoor play space must be open, unobstructed area.

(4) Fall zones are free of all obstacles, with the exception of support structures for swings. A 30-inch clearance between a fully extended tire swing and the support structure is required.

Okla. Admin. Code 340:110-3-232

Pale Yellow
& Blue

340:110-3-232. Care of school-age children

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

(b) **Interactions between staff and children.** Because staff interactions with older children differ significantly from interactions 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;

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

(4) have developmentally appropriate expectations of school-agers' social behavior; and facilitate rather than instruct, for example, offer suggestions, provide positive reinforcement, encourage, and recognize efforts and accomplishments.

(c) Activities and program. Requirements pertaining to 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) Schedule. The daily schedule is posted.

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

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

(A) qualifications of the supervisor of the activity;

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(B) qualifications of any other staff members necessary for proper supervision of the activity;

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

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

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

(F) safety practices to be followed.

(2) **Parental permission.** Written permission from the parent is required to be on file with the program.

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

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

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

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

Okla. Admin. Code 340:110-3-233

340:110-3-233. Care of children with disabilities

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

(1) **Special needs.** When a child with disabilities is enrolled, the director requests information from the parent regarding the child's special needs. The program 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

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disabilities.

(2) **Staff-child ratios.** If needed to ensure proper supervision and care of all children at the program, additional staff may be required depending on the number of children with disabilities present and the degree and type of their disabilities.

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

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

(b) **Records.** To the extent voluntarily disclosed by the parent, information relevant to the needs of the child is maintained and updated, and includes:

(1) routine care, including instructions for eating, sleeping, toileting or diapering, communication, and positioning;

(2) individual special needs, including behavior and guidance;

(3) adaptive devices or special equipment;

(4) medication, treatment, or therapy;

(5) individual medical emergency plan;

(6) names of staff who have received instructions for the specialized care of that child; and

(7) parental permission, if given, to consult with appropriate health and child developmental professionals.

(c) **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.

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340:110-3-234. Water activities

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

(b) **Supervision.** Any activity that involves water is supervised at all times. This includes supervision of children in dressing areas.

(1) Staff-child ratios for swimming are met, in accordance with OAC 110-3-227(d).

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

(c) **Lifeguard.** A certified lifeguard is present. If the lifeguard is a staff member of the program, 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 ages of the children;

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

(3) is responsible for not more than 35 children.

(d) **Swimming prohibited.** Swimming is prohibited when the appropriate number of qualified staff members are not present.

(e) **Safety.** Staff ensure 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

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water.

(3) Lifesaving equipment is available at the pool side in accordance with the Oklahoma State Department of Health's publication, "Design Standards and Operational Criteria for Public Bathing Places," OSDH Engineering Bulletin.

(f) **Swimming pools.** Swimming pools used by the program are considered public bathing places and include permanent wading pools, inground pools, and above-ground pools.

(1) Swimming pools are in compliance with quality, occupancy, and fencing standards as described in "Design Standards and Operational Criteria for Public Bathing Places," OSDH Engineering Bulletin.

(2) Diving is not permitted unless the pool meets design criteria for a diving pool.

(g) **Restrictions.** The program 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 and wading are not allowed at a lake, pond, or other similar body of water. Children may participate in shore-line activities, such as fishing and boating, if the requirements contained in OAC 340:110-3-232(d) are met.

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

Okla. Admin. Code 340:110-3-235

340:110-3-235. Night-time care

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

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

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(c) **Supervision of sleeping or resting children.** All staff members are required to be 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.** Each child has an individual, assigned sleeping space, such as a cot or bed. Mats may not be used for overnight care. Each cot or bed:

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

(2) has a bottom sheet that is properly secured;

(3) has additional covers available;

(4) is maintained in good repair, free of holes and tears, in a safe and sanitary condition, and is sanitized at least once a week;

(5) is of sufficient size to accommodate comfortably the size and weight of the child;

(6) has bedding that is in good condition and stored in a sanitary manner;

(7) has sheets and covers changed at least weekly and when soiled; and

(8) is spaced to allow easy access by staff and safe evacuation of children.

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

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

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

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

(4) Programs 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 program 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.

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

Green
& Blue

Okla. Admin. Code 340:110-3-236

340:110-3-236. Behavior and guidance

(a) **Appropriate discipline.** Discipline is 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;

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- (5) redirect the child by stating alternatives when behavior is unacceptable;
- (6) encourage the child to control his or her own behavior, cooperate with others, and solve problems by talking things out;
- (7) give guidance in activities in an orderly fashion including a choice of interesting planned activities;
- (8) maintain perspective about school-agers' misbehavior, recognizing that every infraction does not warrant staff attention or intervention; and
- (9) use natural and logical consequences as applicable and "time-out" periods only as necessary.

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, spitting, 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 sarcastic remarks about the child or the child's family, 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;

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(8) permitting a child to discipline other children;

(9) punishing an entire group due to the actions of a few children; or

(10) seeking or accepting parental permission to use any punishment or act prohibited by the requirements contained in this subsection.

Okla. Admin. Code 340:110-3-237

340:110-3-237. Health

(a) **Cleanliness.** Requirements pertaining to cleanliness are listed in this subsection.

(1) Caregivers thoroughly wash their hands with soap and warm, running water:

(A) before handling food;

(B) before feeding children or eating;

(C) after touching or cleaning up body fluids; and

(D) after handling or feeding pets.

(2) Children are encouraged to wash their hands with soap and water before eating and after toileting, handling pets, playing outdoors, or playing in sand or water.

(3) A child's wet or soiled clothing is changed immediately and discreetly, privacy is provided, and a supply of clean clothing is available.

(4) Each toilet article, for example, wash cloth, towel, comb, and toothbrush, is individually assigned and stored and is not used jointly by or on children.

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(5) When a child with special needs is in diapers, arrangements are made for sanitary diaper changing, hand-washing, and privacy.

(b) **Health records.** Upon admission of a child, parents are required to submit:

(1) the child's immunization record; and

(2) current information regarding any special health needs of the child, with 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. When a child is accepted for whom an exemption is claimed, documentation of the exemption is kept on file at the program.

(d) **Disease control.** At the time of enrollment, parents are informed of the program's policy regarding children who are ill.

(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 the child's parent or physician is 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, or any Haemophilus influenzae invasive disease in any person associated with the program. If a program has concerns about the health of a child, the local or state health department may be contacted.

(4) Cots, 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 disinfectant or a bleach solution of one tablespoon of bleach to one gallon of water, made

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fresh daily, is used to disinfect surfaces when needed.

(7) Parents are notified as soon as possible of children's exposure to a contagious illness or infestation.

(8) Staff with symptoms of a communicable disease or illness are not permitted in the program.

(e) Medication. The requirements pertaining to administering medication are contained in this subsection.

(1) The parent signs an authorization for program staff to administer each medication. Directions are recorded for the proper amount or 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 when symptoms occur. Parents are notified when medication is administered.

(3) Prescription medication is not administered unless the medication is 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 directions and only to the child for whom it is intended.

(6) To avoid duplication, each dosage administered is recorded by designated staff, and the records are readily available to parents.

(7) All medications are inaccessible to children and stored in a manner that 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 program.

(f) Injuries. The program:

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- (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 program. 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, or clinic;
- (3) notification of the parent; and
- (4) notification of Licensing Services regarding the death of a child or any injury to a child that requires emergency medical attention that occurred while the child was in care, in accordance with OAC 340:110-3-223(c)(3)(G) and (H).

(h) **First aid kits.** Readily available first aid kits are maintained at the program and taken on each field trip.

- (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;

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(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 packages towelettes;

(B) pen or pencil and note pad;

(C) cold pack;

(D) coins for use in a pay phone; and

(E) the poison control center's telephone number, 1-800-222-1222.

Okla. Admin. Code 340:110-3-238

340:110-3-238. Food and nutrition

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(a) **Food service plan.** The program's food service plan and a sample menu, reflecting the required food service, are filed with the Oklahoma Department of Human Services (OKDHS). Meals and snacks may be provided by the program or parents.

(1) When children are at the program for over a four-hour period, a noon meal is served to children.

(2) When the program provides care before 7:00 A.M., breakfast or a snack is available to children.

(3) When the program provides evening care, an evening meal and evening snack are available to children.

(b) **Meals and snacks.** The program ensures that meals and snacks are available to all children in care.

(1) If the program provides food and a child has a special dietary need, including health or religious restrictions, parents may be requested to supplement the program's food service.

(2) If the program provides food, second servings are available for children.

(3) If children provide their own meals or snacks, the program:

(A) provides refrigeration at 41 degrees F. or below for all sack lunches containing perishable foods;

(B) equips each refrigerator or ice chest with a thermometer; and

(C) provides a meal that meets one-third of the child's daily nutritional requirements or a snack for children who have not brought one.

(c) **Ice chest.** If an ice chest is used to refrigerate perishable foods or milk:

(1) the food or milk is served within four hours and is not re-served or re-refrigerated;

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(2) packaged food is not stored in contact with water or undrained ice;

(3) self-wrapped sandwiches are not stored in direct contact with ice; and

(4) ice used for refrigeration is not used for any other purpose.

(d) Menu posting. If food is provided by the program, current weekly menus 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.

(e) Food storage and preparation. Food storage and preparation comply with food service and sanitation requirements contained in OAC 340:110-3-241.

(1) Programs providing limited food service, including planned educational and learning experiences, are not required to meet these requirements.

(2) Only non-potentially hazardous food items may be brought from individual homes for consumption by a group of children.

(f) Water. Safe drinking water is freely available to children at all times.

Okla. Admin. Code 340:110-3-239

340:110-3-239. Transportation

(a) **Program responsibility.** When transportation, including field trips, is provided by paid staff or volunteers, all requirements regarding transportation for school-age programs (programs) are met.

(1) The vehicle and operator or a vehicle used to transport children are in compliance with all applicable state

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laws.

(2) Written permission from parents or guardian for transportation of their child is on file at the program.

(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 340:110-3-234.

(4) Supervision of the children begins at the designated pick-up time.

(5) The driver is responsible for leaving the child only at the designated drop-off point or with the person designated by the parent. Written instructions and approval from the parent for such a plan is required and maintained on file by the program.

(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.

(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 that is valid in the driver's state of residence and of the type appropriate for the vehicle;

(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.

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(c) **Staff-child ratios.** The driver is counted toward meeting the 1:20 staff-child ratio when transporting children.

(d) Safety procedures.

(1) A schedule showing accurate route and itinerary is planned and kept at the program to show approximately where the vehicle is at all times. When the vehicle is equipped with a mobile communication system, route information is not required.

(2) The driver is provided with:

(A) the name, address, and telephone number of the program;

(B) the names of the children being transported; and

(C) 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 when children board and exit the vehicle.

(5) Children are not permitted to ride more than 60 minutes one way except for field trips.

(6) Children remain seated while the vehicle is in motion, and no part of a child's body extends from windows.

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(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, in compliance with applicable state law, per Section 11-1112 of Title 47 of the Oklahoma Statutes. Buses with a capacity of ten or more passengers that meet state and federal requirements for school buses are exempt from this requirement.

(1) 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.

(2) 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.

(3) Children age 12 years 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 if 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.

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(f) **Vehicle requirements.** Any vehicle used to transport children complies with the requirements listed in this subsection.

(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, or trailers.

(5) When transporting children, vehicles, with the exception of public transportation, are visibly marked with the name and telephone number of the program or sponsoring organization.

(6) Each vehicle operated by a program 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 law.

(8) The vehicle used to transport children has an operable heater, capable of maintaining a temperature of 65 degrees Fahrenheit in the vehicle, and a ventilation system.

(9) A first aid kit, in accordance with OAC 340:110-3-237(h), is available in the vehicle at all times.

(10) Written documentation is kept of regular maintenance of all program vehicles to include quarterly inspection of tire wear and pressure, brakes, lights, and functioning seat belts.

Okla. Admin. Code 340:110-3-240

340:110-3-240. Food service and sanitation requirements

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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 contained in this subsection.

(1) **Food sources.** Food is from sources approved or considered satisfactory by the health authority and is in sound condition, free from spoilage, contamination, filth, adulteration, misbranding, and 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 included 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.

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(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 to ensure that it is 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 140 degrees F., and the requirements in (A) through (C) of this paragraph are 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 used.

(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, and transported.

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(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 will 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 140 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 10 degrees F. or below except when being thawed at refrigerator temperature of 41 degrees F. or under cool, potable running water of 70 degrees F. or below.

(9) Containers of food are stored off the floor on clean surfaces in a manner that 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) When 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.

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(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 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 program.

(B) Employees are required to keep their fingernails clean and trimmed.

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(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 program.

(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 acceptable 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 listed 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.

(B) Equipment, utensils, and tableware are washed, rinsed, and sanitized in the sequence listed in this subparagraph.

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(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, that 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 they are stored.

(3) **Use of single-service articles.** Facilities that 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 that protect them from contamination.

(B) Single-service articles are used only once.

(l) **Storage area.** Storage areas meet the requirements listed 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, 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.

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(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 program operates in housing that was originally designed as a family residence and was licensed prior to September 1, 1997, 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 be used for hand-washing purposes.

(n) **Food preparation and service area.** Food preparation and service area meet 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 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, are easily cleaned, and have washable surfaces up to the highest level reached by splash or spray.

(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

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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 a manner that does 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 manner that minimizes contamination of food and food-contact surfaces.

(B) Soiled linens, cots, 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 and free of holes and peeling paper and paint.

(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.

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(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 and 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 where 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.

(A) Plumbing constructed after June 1, 1987 is installed in compliance with the Building Officials and Code Administrators 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.

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(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 340:110-3-241

340:110-3-241. Fire safety

(a) **Minimum construction requirements.** Current local codes are enforced for all new construction including additions or major alterations of existing licensed facilities and conversion of buildings not previously licensed as child care facilities. In the absence of such ordinances, the state-adopted building code applies.

(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 September 1, 1997 are required to comply with the construction and fire safety codes applicable at the issuance of their license.

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(b) **Fire safety codes.** Requirements pertaining to fire safety contained in (1) through (10) of this subsection are examples of some of the regulations contained in the Life Safety Code, the state adopted building code.

(1) **Mobile homes prohibited.** 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.

(2) **Exits.** No exit is blocked by equipment, furniture, or other objects.

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

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

(3) **Doors.** Doors are in compliance with the requirements in this paragraph.

(A) All outside exit doors swing in the direction of exit travel if the building is occupied by more than 50 children.

(B) Panic hardware is provided for doors subject to use by an occupancy load of 100 or more persons per building.

(C) Every closet door latch is such that children can open the door from inside the closet.

(D) 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.

(4) **Alarm systems and extinguishment.** Requirements for alarm systems and fire extinguishers are listed in this paragraph.

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

(B) Smoke detectors are installed no more than 30 feet apart on the ceiling or on the wall 4 to 12 inches below the ceiling.

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(C) Smoke detectors are tested at least monthly, and batteries are replaced at least yearly.

(D) A manually-operated fire alarm system is on each floor of a building with more than 50 children.

(E) Portable fire extinguisher suitable for Class B or Class BC fires are in kitchens and cooking areas, and additional extinguishers suitable for Class A fires are throughout the program.

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

(G) Disposable extinguishers are not acceptable unless equipped with a pressure gauge.

(5) **Hazardous areas.** Separation requirements are met in new construction or in a building not previously licensed for child care.

(A) Programs are not required to provide this separation for the kitchen if:

(i) no frying is done and a notice is posted stating that frying is not permitted; or

(ii) there is a UL-approved automatic fire extinguishing system.

(B) Central heating units and gas-fed hot water heaters are enclosed in separate suitable rooms or closets with exterior air provided for combustion. These enclosures are not used for storage or as habitable space.

(C) All electric and gas-fed water heaters are equipped with a temperature pressure valve.

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

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

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

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

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

(G) Window air-conditioning units are equipped with appropriate covers.

(H) A range hood and automatic fire extinguishing system is installed in commercial cooking equipment if any type of frying is done. The range hood and automatic fire extinguishing system comply with NFPA #96 standard.

(6) **Electrical.** Electrical wiring complies with the requirements contained in this paragraph.

(A) Use of temporary wiring or extension cords as permanent wiring is prohibited. Extension bars are permitted if there is documentation of a circuit-breaker or fuse that is built into the unit.

(B) Appliance cords are not spliced, knotted, stapled, run over nails or piping, run through concealed spaces, or run from one room to another.

(C) Electrical outlets, when not in use, are covered with safety devices unless they are not within the reach of children, in areas not used by children, or in programs only caring for school-age children.

(7) **Evacuation.** Evacuation requirements are listed in this paragraph.

(A) A floor plan of the building is exhibited on each floor of the building showing prime and alternate evacuation routes from each area of the building.

(B) Staff immediately and safely evacuate all children.

(8) **Training.** Employees receive training regarding use of fire extinguishers and evacuation.

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(A) Each employee is familiar with locations and use of portable fire extinguishers and manually-operated fire alarm systems.

(B) Each staff member is familiar with evacuation procedures and routes.

(9) **Housekeeping.** Accumulations of papers or trash are removed from the building as soon as possible.

(10) **Outside.** The outside areas of the program are properly maintained.

(A) Outside play areas are free of trash, tall grass, and standing water.

(B) Burning trash on the premises is prohibited while children are in care.

Okla. Admin. Code 340:110-3-242

340:110-3-242. 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 per day.

(b) **Requirements.** Day camps are required to meet the rules contained in OAC 340:110-3-220 through 340:110-3-242, except as otherwise provided in this Section.

(c) **Professional development.** Day camp employees are required to meet the requirements in OAC 340:110-3-226(j) regarding professional development. Prior to working with children, all staff must complete the orientation and health and safety training in accordance with OAC 340:110-226(j)(1) and (2).

(d) **Supervision of children.** Day camps are required to meet the rules contained in OAC 340:110-3-227 pertaining to supervision of children, except as otherwise provided in (1) and (2) of this subsection.

(1) In a day camp, children must be within sight and hearing of staff at all times. When bathrooms or locations where medication is dispensed are located in areas away from children, the program must submit a plan to

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OKDHS for approval describing how the program staff will monitor the whereabouts of children when children are out of sight and hearing of staff when staff are going to those areas.

(2) A staff-child ratio of 1:15 is maintained.

(e) Physical facility. Day camps are required to meet the requirements of OAC 340:110-3-229 regarding the physical facility, except as otherwise provided in (1) through (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 F. 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 340:110-3-229(b).

(2) Sinks are not required if adequate running water, soap, and paper towels are available for hand-washing. If another method of hand-washing is used, it must be approved by the health department.

(3) Commercial portable toilets that meet all state guidelines for environmental inspections may be used in place of flushable toilets.

(f) Equipment. The program must provide age-appropriate materials and equipment in amounts to avoid excessive competition between the children and to avoid long waits for use of the materials and equipment. The materials and equipment must be from at least five of these categories:

(1) large motor development;

(2) arts and crafts;

(3) manipulative toys;

(4) dramatic play;

(5) blocks with accessories;

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(6) books or child-oriented magazines;

(7) science;

(8) music and rhythm;

(9) carpentry; and

(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 in OAC 340:110-3-229(d)(2) and 340:110-3-231.

(1) If outdoor space is not available at the camp, a city park or other public play area that meets the requirements in OAC 340:110-3-229(d)(2) and 340:110-3-231 may be used. A plan for the use of outdoor play space located away from the camp site must be submitted OKDHS 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 OKDHS for approval.