

**16-5-10-2****7.712 RULES REGULATING SCHOOL-AGE CHILD CARE CENTERS**

All school-age child care centers must comply with the “General Rules for Child Care Facilities” as well as the “Rules Regulating School-Age Child Care Centers” and the “Rules and Regulations Governing the Sanitation of Child Care Centers in the State of Colorado.”

**7.712.1 (None) [Rev. eff. 6/1/12]****7.712.2 DEFINITIONS [Rev. eff. 6/1/07]**

- A. A “school-age child care center” (hereafter referred to as the “center”) is a child care center that provides care for five (5) or more children who are between five (5) and sixteen (16) years of age. The center’s purpose is to provide child care and/or an outdoor recreational experience using a natural environment. The center operates for more than one week during the year. The term includes facilities commonly known as “day camps”, “summer camps”, “summer playground programs”, “before and after school programs”, and “extended day programs”. This includes centers operated with or without compensation for such care, and with or without stated educational purposes.
- B. A “building-based school-age child care program” is a child care program that provides care for five (5) or more children who are between five (5) and sixteen (16) years of age. The center is located in a building that is regularly used for the care of children.
- C. A “day camp” is a school-age child care program which operates at least four (4) hours a day primarily during one season of the year, and during school vacation periods for children between five (5) and eighteen (18) years of age, which accepts registrations for finite, not necessarily contiguous sessions. Programs may operate daily between 6:00 a.m. and 10:00 p.m. Day camp programs may incidentally offer not more than two overnight stays each camp session. The day camp provides a creative recreational and educational opportunity through group oriented programs. The day camp utilizes trained leadership and the resources of the natural surroundings to contribute to each child’s mental, physical, social, and personal growth.

The types of day camps are as follows:

1. A “building based day camp” is a child care program that provides care for five (5) or more children who are between five and eighteen years of age. The day camp is located in a building which, along with the outdoor surroundings, is regularly used by the program.
2. A “mobile day camp” is a child care program that provides programming for five (5) or more children who are at least seven (7) years of age or who have completed the first grade. Children move from one site to another by means of transportation provided by the governing body of the program. The program uses no permanent building on a regular basis. Mobile day camp programs may operate in multiple sites under one license.
3. An “outdoor-based day camp” is a child care program that provides care for five (5) or more children who are at least seven (7) years of age or have completed the first grade. The day camp uses no permanent building on a regular basis and provides programming in a permanent outdoor or park setting.

**7.712.3 POLICIES AND PROCEDURES**

**7.712.31 Statement of Policies and Procedures [Rev. eff. 6/1/07]**

- A. At the time of enrollment, and upon amendments to policies and procedures, the center must give the parent(s)/guardian(s) the center's policies and procedures, and provide the opportunity to ask questions. Written copies must be available either electronically or in hard copy. The center must obtain a signed document stating that the parent(s)/guardian(s) have received the policies and procedures, and by signing the policies and procedures document, the parent(s)/guardian(s) agree to follow, accept the conditions of, and give authorization and approval for the activities described in the policies and procedures. Policies must include the following:
1. The center's purpose and its philosophy on child care;
  2. The ages of children accepted;
  3. Services offered for special needs children in compliance with the Americans with Disabilities Act (see Section 7.701.14, General Rules for Child Care Facilities);
  4. The hours and dates when the center is in operation, specific hours during which special activities are offered, holidays when the center is closed;
  5. The policy regarding severe weather;
  6. The procedure concerning admission and registration of children;
  7. An itemized fee schedule;
  8. The procedure for identifying where children are at all times;
  9. The center's procedure on guidance, positive instruction, supporting positive behavior, discipline and consequences, including how the center will:
    - a. Cultivate positive child, staff and family relationships;
    - b. Create and maintain a socially and emotionally respectful early learning and care environment;
    - c. Implement teaching strategies supporting positive behavior, pro-social peer interaction, and overall social and emotional competence in young children;
    - d. Provide individualized social and emotional intervention supports for children who need them, including methods for understanding child behavior; and developing, adopting and implementing a team-based positive behavior support plan with the intent to reduce challenging behavior and prevent suspensions and expulsions; and
    - e. Access an early childhood mental health consultant or other specialist as needed.
  10. The procedure, including notification of parents and guardians, for handling children's illnesses, accidents, and injuries;
  11. The procedures for handling lost children and other emergencies at all times, including during field trips. An outline of a plan of action in case of natural disaster is found at Section 7.712.83, G;

12. The procedure for transporting children, if applicable, including transportation arrangements and parental permission for excursions and related activities;
13. The written policy and procedure governing field trips, television and video viewing, and special activities, including the staff's responsibility for the supervision of children;
14. The policy on children's safety related to riding in a vehicle, seating, supervision, and emergency procedures on the road;
15. The procedure for releasing children from the center only to persons for whom the center has written authorization;
16. The procedures followed when a child is picked up from the center after the closing hours of the center or not picked up at all, and the procedure to ensure that all children are picked up before the staff leave for the day;
17. The procedure for caring for children who arrive late to the center and their class/group is away from the center on a field trip or excursion;
18. The procedure for administering children's medicines and delegation of medication administration in compliance with Section 12-38-132, C R S., of the "Nurse Practice Act.";
19. The procedure concerning children's personal belongings and money;
20. The policy concerning meals and snacks;
21. The policy regarding visitors;
22. The procedure for filing a complaint about child care (see Section 7.701.5. General Rules for Child Care Facilities);
23. The policy regarding the reporting of child abuse (see Section 7.701.5 General Rules for Child Care Facilities);
24. The policy regarding the child care facilities' responsibility to notify parents or guardians when the program will no longer be able to serve children;
25. The policy regarding the parent's or guardian's responsibility to notify the child care program when parents or guardians withdraw their child(ren) from the program; and
26. What steps are taken prior to the suspension, expulsion or request to parents or guardians to withdraw a child from care due to concerns about the child's behavioral issues. These procedures must be consistent with the center's policy on guidance, positive instruction, discipline and consequences, and include documentation of the steps taken to understand and respond to challenging behavior.

**7.712.32 Communication, Emergency, and Security Procedures [Rev. eff. 4/1/15]**

- A. The center must notify the parents or guardians in writing of significant changes in its services, policies, or procedures so that they can decide whether the center continues to meet the needs of the child.
- B. For security purposes, a sign-in/sign-out sheet or other mechanism for parents and guardians must be maintained daily by the center. It must include, for each child in care, the date, the child's name, the time when the child arrived at and left the center, and the parent or guardian's

- signature or other identifier With parent or guardian's approval, a child may sign in and out instead of the parent or guardian. Staff must verify attendance periodically throughout the day.
- C. Each center is required to have a written mission statement. This statement must be kept on file, updated periodically, and made known to staff and to parents and guardians, and must be available during the licensing inspection.
  - D. During the hours the center is in operation, the center must provide an office and/or monitored telephone number known to the public and available to parents in order to provide immediate access to the center.
  - E. If the center has a permanent site, there must be a telephone at the site.
  - F. Centers must have an established means of communication between staff and the program office when children are being transported or are away from the permanent site on a field trip.
  - G. Emergency telephone numbers must be posted at each permanent site and taken on all field trips and during mobile school-age child care programs. The emergency numbers must include, at a minimum, 911, if available, or rescue unit if 911 isn't available; the clinic or hospital nearest to the activity location; ambulance service; fire, police, and health departments; and Rocky Mountain Poison Control.
  - H. Mobile school-age child care programs must have a way to be contacted while in transit.
  - I. The center must be able to provide emergency transportation to a health care facility at all times either via program vehicle or the emergency medical services system.
  - J. The director of the center or the director's delegated substitute must have a means for determining at all times who is present at the center.
  - K. A written policy regarding visitors to the center must be posted and a record maintained daily by the center that includes at a minimum the visitor's name and address and the purpose of the visit. At least one piece of identification must be inspected for individuals who are strangers to personnel at the center.
  - L. With the exception of children who are allowed to sign themselves in and out, the center must release the child only to the adult(s) for whom written authorization has been given and is maintained in the child's record (see Section 7.712.81). In an emergency, the child may also be released to an adult for whom the child's parent or guardian has given verbal authorization. If the staff member who releases the child does not know the adult, identification must be required to assure that the adult is authorized to pick up the child.
  - M. The center must have a procedure for dealing with individuals not authorized by the parent or guardian of a child who attempts to have the child released to them.
  - N. The center must have a written emergency procedure that explains how it will report communicable illnesses to the local, health department pursuant to regulations of the State Department of Public Health and Environment.
  - O. The center must have a written procedure for closing the center at the end of the day to ensure that all children are picked up.

**7.712.4 PERSONNEL**

**7.712.41 General Requirements for All Personnel [Rev. eff. 6/1/12]**

- A. All personnel of the center must demonstrate an interest in and knowledge of children and concern for their proper care and well-being.
- B. All personnel must be free from illness and conduct that would endanger the health, safety, or well-being of children.
- C. The center must determine if any staff person who works at the center has ever been convicted of a crime as listed at Section 7.701.33, D, 5 or 6, of the General Rules for Child Care Facilities.
- D. A criminal record check request for all in-state staff must be submitted to the Colorado Bureau of Investigation within five (5) days that an individual is employed by the center. The personnel file of in-state member of the center must contain clearance or arrest report from the Colorado Bureau of Investigation resulting from the caregiver's criminal record check. The requirement for a criminal record check is found in Section 7.701.33 of the General Rules for Child Care Facilities. Seasonal staff that indicate that they will not be returning to the program for employment shall be removed from the CBI list for the program.
- E. A request for a review of the State Department's automated system must be made within ten (10) working days of each staff member's first day of employment. The method for making the request is found in 7.701.32 (General Rules for Child Care Facilities).
- F. Each staff member and volunteer must furnish the center with information concerning chronic health problems, any known drug reactions, allergies, medications being taken, and/or other health problems that could affect the staff member's ability to perform the duties of the job assigned.
- G. The duties and responsibilities of each staff position and the lines of authority and responsibility within the center must be in writing. At the time of employment, staff members must be informed of their duties and assigned a supervisor.
- H. Prior to working with children, the staff member must read and be instructed on the policies and procedures of the center, including those relating to hygiene, sanitation, food preparation practices, proper supervision of children, and reporting of child abuse. Staff members must sign a statement indicating that they have read and understand the center's policies and procedures.
- I. Day camp staff shall receive a minimum of fifteen (15) hours of pre-camp training, not including First Aid and CPR. Pre-camp training must include all training activities that staff participate in as a whole. Training should include, but not be limited to, familiarizing staff with the camp mission, site emergency policy and procedures, how to supervise and facilitate activities with campers, and health care policies and procedures. Policies and procedures must be in writing. Staff will be supervised and additional training may be provided if needed. Day camps must have a system in place to provide staff the essential training information for late hires.
- J. The center must have a staff development plan that includes a minimum of fifteen (15) clock hours of training each year for all staff. This requirement does not apply to day camps. This training must relate to one or more of the following general areas: child growth and development, healthy and safe environment, developmentally appropriate practices, guidance, family relationships, cultural and individual diversity, and professionalism. At least three (3) clock hours per year must be in the focus of social emotional development. The fifteen (15) clock hours of training does not include recertification in First Aid and CPR.
- K. All staff must complete a department approved standard precautions training that meets current occupational safety and health administration (OSHA) requirements prior to working with children. This training must be renewed annually and may count towards ongoing training requirements.

- L. Effective DECEMBER 31, 2016 all staff must complete a building and physical premises safety training prior to working with children. The training must include:
  - a. Identification of and protection from hazards that can cause bodily injury such as electrical hazards, bodies of water, and vehicular traffic; and
  - b. Handling and storage of hazardous materials and the appropriate disposal of bio contaminants.
- M. Effective December 31, 2016 each provider or staff member responsible for the collection, review and maintenance of the child immunizations records must complete the Colorado Department of Public Health and Environment (CDPHE) immunization course within thirty (30) calendar days of employment. This training must be renewed annually and may count towards ongoing training requirements.
- N. Effective December 31, 2016 each provider, staff member or regular volunteer must complete a department approved training about child abuse prevention, including common symptoms and signs of child abuse within thirty (30) calendar days of employment. This training must be renewed annually and may count towards ongoing training requirements.

**7.712.42 Required Personnel and Qualifications [Rev. eff. 6/1/12]**

A. Program Director

Each center must have an on-site program director who shall be at least twenty one (21) years of age. The program director must have demonstrated to the hiring authority maturity of judgment, administrative ability, and the skill to appropriately supervise and direct school-age children in an unstructured setting.

- 1. The program director must have verifiable education or training in work with school-age children in such areas as recreation, education, scouting, or 4-H; and the program director must have completed at least one of the following qualifications:
  - a. A four (4) year college degree with a major such as recreation, education with a specialty in art, elementary or early childhood education, or a subject in the human service field; or
  - b. Two years of college training and six (6) months of satisfactory and verifiable full-time or equivalent part-time, paid or volunteer, experience, since attaining the age of eighteen (18), in the care and supervision of four (4) or more children; or
  - c. Three years of satisfactory and verifiable full-time or equivalent part-time, paid or volunteer, experience, since attaining the age of eighteen (18), in the care and supervision of four (4) or more children. The program director must complete six (6) semester hours, nine (9) quarter hours in course work from a regionally accredited college or university, or forty (40) clock hours of training in course work applicable to school-age children within the first nine (9) months of employment.
- 2. The program director is responsible for planning and implementing the program and supervising the staff.

B. Program Leaders

Program leaders must be at least eighteen (18) years of age and demonstrate an ability to work with children. Program leaders must have at least three (3) months of full-time or equivalent part-time satisfactory and verifiable experience with school-age children.

C. Program Aides

1. Program aides shall be at least sixteen (16) years of age. Program aides shall work directly under the supervision of the program director or program leaders and shall never be left alone with children.

2. Program aides can be counted as staff in determining child care staff ratios.

D. Employment of maintenance staff, including kitchen service, grounds, and housekeeping employees less than sixteen (16) years of age, must be in compliance with Colorado labor laws.

E. First Aid and CPR Certified Staff

1. For every thirty (30) or fewer children in attendance, there must be at least one (1) staff member who holds a current Department-approved First Aid and safety certificate that includes CPR for all ages of children. Such individuals must be with the children at all times when the center is in operation. If children are at different locations, there must be a First Aid and CPR qualified staff member at each location. In a day camp, all staff that are eighteen (18) years of age and over are required to have a current First Aid and CPR certificate from a nationally recognized provider. Uncertified staff must work with another certified staff member.

2. All employees caring for children, not required by rule to be certified in First Aid and CPR, must complete a basic First Aid and CPR module within 30 calendar days of employment and the module must be renewed every 2 years.

**7.712.43 Required Staff Supervision [Rev. eff. 6/1/07]**

A. A program director must be present at the center at least 60% of any day the center is in operation. An individual who meets one of the following requirements must be present for the remaining 40% of the day:

1. A program leader who is at least twenty one (21) years of age and has at least three (3) months of full-time or equivalent part time verifiable experience working with children; OR

2. A program leader who is at least eighteen (18) years of age and has at least one (1) year full-time or equivalent part-time verifiable experience working with children; or

3. Two program leaders who are at least nineteen (19) years of age and have at least three (3) months of full-time or equivalent part-time verifiable experience working with children.

B. If the program director cannot be present 60% of any day the center is in operation, an individual who meets program director qualifications must substitute for the director.

C. There must be at least one (1) program leader providing supervision with each group of THIRTY (30) or fewer children cared for by the center. At all times, staff must be actively supervising children.

D. There must be one (1) staff member for each fifteen (15) children in attendance.

- E. At any time when nine (9) or more children are present at the center, there must be at least one (1) program leader actively supervising children and another responsible person at least sixteen (16) years of age on the premises. When 8 or fewer children are present, there must be at least 1 program leader on duty and a second staff member on call and immediately available in an emergency.
- F. At all times, school-age child care personnel must be actively supervising the children.
- G. In a mobile day camp program or an outdoor-based day camp program, the staff ratio given at Section 7.712.43, C and D, must be maintained, but there must be at least two (2) program leaders at all times with the children.

**7.712.44 Volunteers [Rev. eff. 11/1/98]**

- A. If volunteers are used by the center, there must be a clearly established policy in regard to their function, orientation, and supervision.
- B. If volunteers are counted in the staff to child ratio, references must be obtained for them consistent with Section 7.712.41, D.
- C. Volunteers must have qualifications suitable to the tasks assigned.
- D. Volunteers must be:
  - 1. Directly supervised by a program director or program leader; and
  - 2. Given instruction as to the center's policies and procedures.

**7.712.5 CHILD CARE SERVICES**

**7.712.51 Admission Procedure [Rev. eff. 6/1/07]**

- A. The center can accept children only of the ages for which it has been licensed. At no time can the number of children in attendance exceed the number for which the center has been licensed.
- B. Admission procedures must be completed prior to the child's attendance at the center and must include:
  - 1. Completion of the registration information for inclusion in the child's record, as required in Section 7.712.81; and
  - 2. Providing the parent(s) or guardian(s) with a copy of the center's policies and procedures.

**7.712.52 Health Care [Rev. eff. 6/1/07]**

- A. Statements of Health Status
  - 1. At the time of admission, health information must be provided for every child entering the center, including any known drug reactions and allergies, medications being taken, and any special diets required. The name, address, and phone number of the child's physician and dentist must be provided.
  - 2. At the time of admission, information regarding all immunizations a child has had, including month and year each immunization was administered, must be provided to the center, or a plan must be developed with the parent or guardian for submitting the

information within thirty (30) days of enrollment. Immunizations must be recorded on the Certificate of Immunization or alternate approved immunization form supplied and approved by the Colorado Department of Public Health and Environment (CDPHE) and kept on file at the center.

If the center is located at an elementary school and all the children attend that school, the immunization records may be maintained at the school office but must be accessible to licensing specialists.

B. Emergency Procedures

1. Written authorization for emergency medical care must be in the child's file as required in Section 7.712.81.
2. If a child requires medical attention away from the program site, the child's parent(s) or guardian(s) must be notified, and necessary medical care sought from a licensed physician or medical facility.
3. Children too ill to remain in the group must be comfortably cared for and supervised until they can be taken home or suitably cared for elsewhere. For building-based programs, a cot or mat, plus a sheet and blanket must be provided.
4. A responsible staff member must be present or within hearing distance of any ill child.
5. First aid supplies must be available at the program site and in all vehicles operated by the center.

C. Medication

1. Prescription and non-prescription (over-the-counter) medications for eyes or ears, all oral medications, topical medications, inhaled medications, and certain emergency injections can be administered only with the written order of a person with prescriptive authority and with written parental consent. Centers may administer medications for chronic health conditions or emergency situations.
2. The written order by the prescribing practitioner must include:
  - a. Child's name;
  - b. Licensed prescribing practitioner name, telephone number, and signature;
  - c. Date authorized;
  - d. Name of medication and dosage;
  - e. Time of day medication is to be given;
  - f. Route of medication;
  - g. Length of time the medication is to be given;
  - h. Reason for medication (unless this information needs to remain confidential);
  - i. Side effects or reactions to watch for; and

- j. Special instructions.
3. Medications must be kept in the original labeled bottle or container. Prescription medications must contain the original pharmacy label that lists:
- a. Child's name;
  - b. Prescribing practitioner's name;
  - c. Pharmacy name and telephone number;
  - d. Date prescription was filled;
  - e. Expiration date of the medication;
  - f. Name of the medication;
  - g. Dosage;
  - h. How often to give the medication; and
  - i. Length of time the medication is to be given.

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

4. In the case medication needs to be given on an ongoing, long-term basis, the authorization and consent forms must be reauthorized on an annual basis. Any changes in the original medication authorization require a new written order by the prescribing practitioner and a change in the prescription label. Verbal orders taken from the licensed prescriber may be accepted only by a licensed registered nurse.
5. All child care staff designated by the center director to give medications must complete the 4-hour Department-approved medication administration training and have current First Aid and universal precautions training.
6. Medications must be kept in an area inaccessible to children. Controlled medications must be counted and safely secured, and specific policies regarding their handling require special attention in the center's policies. Access to these medications must be limited.
7. Children are not allowed to bring medications to child care unless accompanied by a responsible adult. If a medication is out of date or left over, parents are responsible for picking up the medication. If parents do not respond, the center is responsible for the disposal of medications according to center policy and procedures. Disposal of medications must be documented.
8. A written medication log must be kept for each child. This log is part of the child's records. The log must contain the following:
- a. Child's name;
  - b. Name of the medication, dosage, and route;
  - c. Time medication is to be given;

- d. Special instructions;
  - e. Name and initials of the individuals giving the medication; and
  - f. Notation if the medication was not given and the reason.
9. Topical preparations such as petroleum jelly, diaper rash ointments, sunscreen, bug sprays, and other ointments may be administered to children with written parental authorization. These preparations may not be applied to open wounds or broken skin unless there is a written order by the prescribing practitioner.
  10. The center must have a written policy on the storage and access of inhalers and epinephrine for all children in care. This policy must be reviewed by the child care health consultant.
  11. The center may, with written parental consent and authorization of the prescribing health care provider, permit children who have asthma to carry their own inhalers or children who are at risk of anaphylaxis to carry their own epinephrine, and use them as directed. The center must have a specific written policy on the storage and access of inhalers and epinephrine for children who are permitted to carry or self-administer these medications. The policy must include a contract with the parent(s)/guardian(s), and child acknowledgement, assigning levels of responsibility of each individual. Orders for the medication from the health care provider, along with confirmation from the health care provider that the student has been instructed and is capable of self-administration of the prescribed medications, must be maintained in the child's file along with the written contract.
  12. All staff must be aware of which children have asthma, and which of those may use their own inhalers as needed. All staff must be aware of which children are at risk of anaphylaxis, and which of those may administer their own epinephrine as needed.

D. Sun Protection

1. The center must supervise that sunscreen is applied to children prior to outside play or outside activities unless parents provide written notice that they have applied the sunscreen themselves. A doctor's permission is not needed to use sunscreen at the center.
2. When supplied for an individual child, the sunscreen must be labeled with the child's first and last name.
3. If sunscreen is provided by the center, parents must be notified in advance, in writing, of the type of sunscreen the center will use.
4. Children may apply sunscreen to themselves under the direct supervision of a staff member.

E. Control of Communicable Illness

1. When children show signs of severe or communicable illness, they must be separated from other children, the parent(s) or guardian(s) notified, and a doctor or medical facility consulted as needed regarding treatment.

2. Staff members with a communicable illness must not be permitted to work or have contact with children or other staff members if the illness could be readily transmitted during normal working activities.
3. When children have been diagnosed with a communicable illness such as hepatitis, measles, mumps, meningitis, diphtheria, rubella, salmonella, tuberculosis, giardia or shigella, the center must immediately notify the local or state department of health, all staff members, and all parents and guardians of children in care. Children's confidentiality must be maintained.

**7.712.53 Personal Hygiene**

A. Hand Washing/Clothing

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

B. Diapering

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

1. Be a minimum of thirty six (36) by eighteen (18) inches in size and large enough to accommodate the size of the child;
2. Have a place inaccessible to children for storing all diaper change supplies and disinfecting solutions and products; and
3. Have a sufficient supply of diapers at all times.

**7.712.54 Food and Nutrition**

A. Drinking water must be freely available to children at all times.

B. Nutritious snacks must be served at suitable intervals.

C. Children who are at the center for more than four (4) hours, day or evening, or come directly to the center from a morning kindergarten class must receive a meal.

1. If the center provides a meal, it must meet one third of the child's daily nutritional needs.
2. The center staff must check lunches brought from children's homes to determine if they meet one third of the child's daily nutritional needs.
3. If the child fails to bring a meal, or if the meal meets less than one-third of the child's daily nutritional needs, the center must supply an adequate meal.

D. All food prepared by the center must be from sources approved by the health authority. All food must be stored, prepared, and served in such a manner as to be clean, wholesome, free from spoilage, and safe for human consumption. Home canned foods cannot be served.

**7.712.55 Discipline**

A. Discipline must be appropriate and constructive or educational in nature and may include such measures as diversion, separation of the child from problem situations talking with the child about the situation, or praise for appropriate behavior

- B. Children must not be subjected to physical or emotional harm or humiliation
- C. The director must not use, or permit a staff person or child to use, corporal or other harsh punishment, including but not limited to pinching, shaking, spanking punching, biting, kicking, rough handling, hair pulling, or any humiliating or frightening method of discipline.
- D. Discipline must not be associated with food, rest, or toileting No child should be punished for toileting accidents. Food must not be denied to or forced upon a child as a disciplinary measure.
- E. Separation, when used as discipline, must be brief and appropriate for the child's age and circumstances. The child must be in a safe, lighted, well-ventilated area and be within hearing and vision of a staff member. The child must not be isolated in a locked room, bathroom, closet, or pantry.
- F. Verbal abuse and derogatory remarks about the child are not permitted.
- G. Authority to discipline must not be delegated to other children, and the center must not sanction one child punishing another child.

**7.712.56      Transportation [Rev. eff. 6/1/07]**

- A. Transportation Provided by the Center
  - 1. The center is responsible for any children it transports and must abide by applicable State and Federal motor vehicle laws.
  - 2. The center must obtain written permission from parents or guardians for any transportation of their child during child care hours.
  - 3. The number of staff members who accompany children when being transported in the vehicle must meet the child care staff ratio found at Section 7.712.43. The driver of the center vehicle is considered a staff member.
  - 4. Children must not be permitted to ride in the front seat of a vehicle unless they are secured in a seat belt that conforms to all applicable Federal Motor Vehicle Safety Standards. Children must remain seated while the vehicle is in motion.
  - 5. Children must be loaded and unloaded out of the path of moving vehicles.
  - 6. Children must not be permitted to stand or sit on the floor of a moving vehicle, and their arms, legs, and heads must remain inside the vehicle at all times.
  - 7. Transportation arrangements for school-age children must be by agreement between the center and the children's parents, i.e., whether the children can walk, ride a bicycle or travel in a car. The center must monitor the children to be sure they arrive at the center when expected and follow up on their whereabouts if they are late. Written permission from parents or guardians for their children to attend community functions after school hours must include agreements regarding transportation.
  - 8. Prior to a field trip or other excursion, the center must obtain information on liability insurance from parents and staff who transport children in their own cars and verify that all drivers have valid driver's licenses.
- B. Requirements for Vehicles

1. Any vehicle used for transporting children to and from the center or during program activities must meet the following requirements:
  - a. The vehicle must be enclosed and have door locks;
  - b. The seats of the vehicle must be constructed and installed according to the vehicle manufacturer's specifications;
  - c. The vehicle must be kept in satisfactory condition to assure the safety of occupants. Vehicle tires, brakes, and lights must meet safety standards set by the Colorado Department of Revenue, Motor Vehicle Division; and
  - d. Seating must be comfortable, with a seat of at least ten (10) inches wide for each child.
2. In passenger vehicles, which include automobiles, station wagons and vans with a manufacturer's established capacity of sixteen (16) or fewer passengers and less than 10,000 pounds, the following is required:
  - a. Each child must be restrained in an individual seat belt;
  - b. Two or more children must never be restrained in one seat belt;
  - c. Lap belts must be secured low and tight across the upper thighs and under the belly; and
  - d. Children must be instructed and required to keep the seat belt properly fastened and adjusted.
3. In vehicles with a manufacturer's established capacity of sixteen (16) or more passengers, seat belts for passengers are not required, but shall be used if provided.

C. Requirements for Drivers of Vehicles

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

**7.712.6 PROGRAM ACTIVITIES**

**7.712.61 Activity Schedules [Rev. eff. 6/1/07]**

- A. The center must provide parents or guardians with a list of activities it offers.

- B. Parents or guardians must be given the opportunity to indicate to the staff of the center if they do not want their child to participate in an activity.
- C. Parents or guardians must be notified in advance of all activities that will occur away from the center.
- D. Television viewing, including videos, should not be permitted without the approval of a child's parents, who must be advised of the center's policy regarding television and video viewing.
- E. A mobile day camp program must establish a daily itinerary and make available a copy to each child's parent or guardian. A copy must also be on file at the program's headquarters. The itinerary should be followed as closely as possible. In case of an emergency or change in the itinerary, the headquarters of the mobile day camp must be notified immediately. Parents must be instructed to contact the main headquarters to determine the exact location of their child.

**7.712.62 Equipment and Materials [Rev. eff. 6/1/07]**

- A. In a building based school-age child care center, a rest time and rest equipment must be provided for school-age children who require a rest time.
- B. Children at the center must have access to age-appropriate materials and equipment from at least the following categories:
  - 1. Activity supplies;
  - 2. Manipulatives and games;
  - 3. Recreation equipment;
  - 4. Library items; and
  - 5. Science equipment and materials.
- C. Children must wear helmets when riding scooters, bicycling, skateboarding, or rollerblading.

**7.712.63 Field Trips [Rev. eff. 11/1/98]**

- A. The program may include field trips, where children and staff leave the center to visit some site in the community. On a field trip or during a mobile school-age child care program:
  - 1. Staff-child ratios must be maintained at all times;
  - 2. Children must be actively supervised at all times;
  - 3. An accurate itinerary must remain at the headquarters/office of the center; and
  - 4. The staff must have with them on a field trip the following information about each child: name, address, and phone number of the child's physician or other appropriate health care professional and the written authorization from parent(s) or guardian(s) for emergency medical care.
- B. A list of all children and staff on a field trip must be kept at the headquarters of the center.

**7.712.64 - 7.712.66 None**

**7.712.7 BUILDING AND FACILITIES**

**7.712.71 Facility Requirements [Rev. eff. 6/1/07]**

- A. The mobile day camp program and the outdoor-based day camp program may use as a gathering place a public park or playground if the program primarily includes field trips away from the gathering place. Such programs must have a contingency plan for facilities to use during increment weather. The plan must be available to parents on a daily basis.
- B. If a room or rooms inside a building are used for indoor care, the following ratio must be maintained: open indoor play space of at least thirty (30) square feet of floor space per child, including space for readily movable furniture and equipment. Indoor space is exclusive of kitchen, toilet rooms, office, staff rooms, hallways and stairways, closets, laundry rooms, furnace rooms, and space occupied by permanent built-in cabinets and permanent storage shelves.
- C. When a building is being used during the summer months by a center specifically as a gathering place at the beginning and end of the day, the thirty (30) square feet requirement need not apply. The total amount of time during which the number of children present may exceed the 30 square feet requirement must not exceed 3 hours. This time must be divided evenly between the morning and the evening.
- D. The building based school-age child care center must provide access to an outdoor play area. The outdoor play area may be a city park or public school ground. The play area must meet the following requirements:
  - 1. The center must provide a total outside play area of at least seventy five (75) square feet per child for a minimum of one-third of the licensed capacity of the center or a minimum of 1500 square feet, whichever is greater;
  - 2. Access to a shaded area, sheltered area, or inside building area must be provided at all times to guard children against the hazards of excessive sun and heat; and
  - 3. The outdoor play area must be maintained in a safe condition by removing debris, dilapidated structures, and worn and broken play equipment. The center must identify hazardous, high-risk areas. These areas must be monitored to reduce the possibility of injury and accidents.
- E. A safe, comfortable place for relaxing and for sick children must be available at all times for children in care.

**7.712.72 Toilet Facilities**

- A. Boys and girls must have separate, clearly identified toilet facilities, with toilets separated by partitions to provide privacy.
- B. There must be a minimum of one (1) toilet per thirty (30) or fewer children for which the center is licensed. Hand-washing facilities must be available at the ratio of one (1) sink per thirty (30) or fewer children.

**7.712.73 Food Preparation Area**

Areas used for food preparation, dish and utensil washing, and storage must be in compliance with the requirements of the Colorado Department of Public Health and Environment or its local unit.

**7.712.74 Fire and Other Safety Requirements [Rev. eff. 4/1/15]**

A. General Requirements

1. Buildings must be kept in good repair and maintained in a safe condition.
2. Major cleaning is prohibited in rooms occupied by children.
3. Volatile substances such as gasoline, kerosene, fuel oil, and oil-based paints, firearms, explosives, and other hazardous items must be stored away from the area used for child care and be inaccessible to children.
4. Combustibles such as cleaning rags, mops, and cleaning compounds, must be stored in well-ventilated areas separated from flammable materials and stored in areas inaccessible to children.
5. Closets, attic, basement, cellar, furnace room, and exit routes must be kept free from accumulation of extraneous materials.
6. All heating units, gas or electric, must be installed and maintained with safety devices to prevent fire, explosions, and other hazards. No open-flame gas or oil stoves, unscreened fireplaces, hot plates, or unvented heaters can be used for heating purposes. All heating elements, including hot water pipes, must be insulated or installed in such a way that children cannot come in contact with them. Nothing flammable or combustible can be stored within three (3) feet of a hot water heater or furnace.
7. Indoor and outdoor equipment, materials, and furnishings must be sturdy, safe and free of hazards.
8. Equipment, materials, and furnishings, including durable furniture such as tables and chairs, must be stored in a manner that is safe for children.
9. Extension cords cannot be used in place of permanent wiring.
10. Corridors, halls, stairs, and porches must be adequately lighted. Operable battery-powered lights must be provided in locations readily accessible to staff in the event of electric power failure.

B. Fire Safety

1. Every building and structure must be constructed, arranged, equipped, maintained, and operated so as to avoid undue danger to the lives and safety of its occupants from fire, smoke, fumes, or resulting panic during the period of time reasonably necessary for escape from the building or structure in case of fire or other emergency.
2. Every building and structure must have at least two (2) exits that permit the prompt escape of occupants in case of fire; or other emergency.
3. Every exit must be clearly visible, or the route to reach it must be conspicuously indicated. Each path of escape must be clearly marked.
4. In every building or structure, exits must be arranged and maintained so as to provide free and unobstructed egress from all parts of the building or structure at all times when it is occupied. No lock or fastening to prevent free escape from the inside of any building can be installed. Only panic hardware or single-action hardware is permitted on a door or on a pair of doors. All door hardware must be within the reach of children.

5. If the building in which the center operates has a security lock on outside exit doors, the center must obtain written permission from the local fire department; and there must be a written sign attached to the door instructing staff that the security lock is not to be utilized when children are present and the center is in operation.
6. Every building and structure must have an automatic or Department-approved manually operated fire alarm system to warn occupants of the existence of fire or to facilitate the orderly conduct of fire exit drills.

## **7.712.8 RECORDS AND REPORTS**

### **7.712.81 Children's Records [Rev. eff. 6/1/07]**

- A. The center must maintain and update annually a record on each child that includes:
1. The child's full name, age, current address, and date of enrollment;
  2. Names and home and employment addresses and telephone numbers, which may include cell phone numbers, pagers, fax and e-mail of parents or guardians if available;
  3. Any special instructions as to how the parents or guardians can be reached during the hours the child is at the center;
  4. Names and telephone numbers of persons other than parents or guardians who are authorized to take the child from the center;
  5. Names, addresses, and telephone numbers of persons who can assume responsibility for the child in the event of an emergency if parents or guardians cannot be reached immediately;
  6. Name, address, and telephone number of the child's physician, dentist, and hospital of choice;
  7. Health information including medical history, chronic medical problems, and immunization history;
  8. A dated written authorization for emergency medical care signed and submitted annually by the parent or guardian. The authorization must be notarized if required by the local health care facility;
  9. Written authorization from a parent or guardian for the child to participate in field trips and to participate in program activities, listing any possible exclusion;
  10. Written authorization from a parent or guardian for the center to transport the child to and from school, whether by walking or driving; and
  11. Reports of serious injuries and accidents occurring during care that result in medical attention, admission to the hospital, or death of a child.

### **7.712.82 Staff Records [Rev. eff. 6/1/07]**

- A. The center office must maintain a record for each staff member, paid or volunteer, which includes the following:
1. Name, address, and birth date of the individual;

2. The date that the staff member was employed by the center;
  3. Name, address, and daytime telephone number, which may include cell phone numbers, pager numbers, fax numbers and e-mail of the person(s) to be notified in the event of an emergency;
  4. Verification of the staff member's training, education, and experience;
  5. Copies of any first aid and CPR certification or other certification confirming the qualifications for the responsibilities assumed at the center, which may include copies of driver's licenses, college transcripts, and diplomas;
  6. Copies of written references or notes of phone references, as required by Section 7.712.41, D;
  7. Verification that a criminal record check with the Colorado Bureau of Investigation is in process, or a copy of the results of the staff member's criminal record check; and
  8. Verification that a review of the State Department's automated system for reporting child abuse and neglect has occurred or is in process.
- B. Each staff member's personnel file must contain all required information within thirty (30) working days of the first day of employment.

**7.712.83 Administrative Records and Reports**

- A. The following records must be on file at the center:
1. Records of enrollment, daily attendance for each child, and daily record of time child arrives at and departs from the center;
  2. Current health department inspection report issued within the past twenty four (24) months;
  3. Current fire department inspection report issued within the past twenty four (24) months;
  4. A list of current staff members, substitutes, and staffing patterns.
- B. Each center must immediately report in writing to the Department any accident or illness occurring at the center that resulted in medical treatment by a physician or other health care professional, hospitalization, or death. This report must be made within twenty-four (24) hours after the accident or illness occurred.
- C. A report about a fatality must include:
1. The child's name, birth date, address, and telephone number;
  2. The names of the child's parents or guardians and their address and telephone number if different from those of the child;
  3. Date of the fatality;
  4. Brief description of the incident or illness leading to the fatality;

5. Names and addresses of witnesses or persons who were with the child at the time of death; and
  6. Name and address of police department or authority to whom the report was made.
- D. The center must report to the Colorado Department of Public Health and Environment or its local unit any communicable illness, including but not limited to measles, mumps, diphtheria, rubella, tuberculosis, shigella, hepatitis, meningitis, salmonella, and giardia, contracted by a staff member or a child in care at the center.
- E. A medical log must be maintained at the center in which is recorded the name of the child and date of instances of at least the following:
1. Administration of first aid;
  2. Illness of the child while attending the center;
  3. Accident requiring the child to receive medical attention; and
  4. The administration of any medication to a child.
- F. The center must submit to the department within twenty-four (24) hours a written report about any child who has been lost from the center and for whom the local authorities have been contacted. Such report must indicate:
1. The name, birth date, address, and telephone number of the child;
  2. The names of the parents or guardians and their address and telephone number if different from those of the child;
  3. The date when the child was lost;
  4. The location, time, and circumstances when the child was last seen;
  5. Actions taken to locate the child; and
  6. The name of the staff person supervising the child.
- G. Each center must have a written plan for action in case of natural disaster, including, but not limited to, floods, tornadoes, and severe weather; a lost or missing child; and injuries and illnesses. This plan must be on file at the center. The staff must have received training regarding the implementation of the plan prior to assuming supervisory responsibility for children. Written verification of the training must be in the staff member's personnel file.
1. The plan of action must include at least:
    - a. Prompt notification of parents or guardians;
    - b. Notification of the headquarters of the center;
    - c. When local authorities are notified;
    - d. Emergency transportation; and
    - e. Specific procedures for responding to the crisis.

2. In the case of a mobile school-age child care program or a field trip, the plan must accompany staff members.

**7.712.84 Confidentiality and Retention**

- A. The center must maintain complete records of children and personnel as required at Sections 7.712.81, 7.712.82, and 7.712.83.
- B. The confidentiality of all personnel and children's records must be maintained (see Section 7.701.7, General Rules for Child Care Facilities).
- C. Personnel and children's records must be available, upon request, to authorized personnel of the department.
- D. If records for organizations having more than one center are kept in a central file, duplicate identifying and emergency information for children must also be kept on file at the center attended by the child.
- E. The records of children and personnel must be maintained by the school-age child care center for at least 3 years.