

Title of Proposed Rule: Changes to the Rules Regulating School-Age Child Care Centers which are Specific to Day Camps

Rule-making#: 07-1-11-2

Program: Office of Children, Youth, and Family Services/ Division of Child Care

Rule Author: Dana Andrews

Phone: 303-866-5946

STATEMENT OF BASIS AND PURPOSE

Summary of the basis and purpose for the rule or rule change. (State what the rule says or does, explain why the rule or rule change is necessary and what the program hopes to accomplish through this rule.)

These rule changes address the differences in the School-Age Child Care Center rules concerning day camp programs which primarily operate only one season of the year and are not open for year around child care for school-age children.

An emergency rule-making (which waives the initial APA noticing requirements) is necessary:

to comply with state/federal law and/or
to preserve of the public health, safety and welfare

Explain:

Authority for Rule:

State Board Authority: 26-1-107, C.R.S. (2006) - State Board to promulgate rules; 26-1-109, C.R.S. (2006) - State Board rules to coordinate with federal programs; 26-1-111, C.R.S. (2006)- State Board to promulgate rules for public assistance and welfare activities.

Program Authority: (give federal and/or state cite and a summary of the language authorizing the rule-making)

26-6-106, C.R.S. (2006) – standards for facilities and agencies

Does the rule incorporate material by reference?

Yes No

Does this rule repeat language found in statute?

Yes No

If yes, please explain.

Initial Review 03/09/2007 Final Adoption 04/06/2007
Proposed Effective Date 06/01/2007 EMERGENCY Adoption n/a

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STATEMENT OF BASIS AND PURPOSE (continued)

State Board Administration will send this rule-making package to CCI, OSPB and the JBC. The program has sent this rule-packet to which stakeholders?

Day Camp Taskforce

Attachments:

Regulatory Analysis

Overview of Proposed Rule

Stakeholder Comment Summary

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REGULATORY ANALYSIS

(complete each question; answers may take more than the space provided)

1. List of groups impacted by this rule:

Which groups of persons will benefit, bear the burdens or be adversely impacted by this rule?

School-Age programs that operate as day camps will benefit by this change in the rules. The rules will be much more specific to the differences between programs that primarily operate only one season per year versus those programs that operate year around primarily to provide child care to children in their parent's absence.

2. Describe the qualitative and quantitative impact:

How will this rule-making impact those groups listed above? How many people will be impacted? What are the short-term and long-term consequences of this rule?

The short term consequences of this rule change are that the rules will be in place before the summer 2007 day camp season. The long term consequences are that day camps will now have some specific rules that just apply to them. This will make it much easier for the day camp program being regulated and the licensing staff that are monitoring the programs.

3. Fiscal Impact:

For each of the categories listed below explain the distribution of dollars; please identify the costs, revenues, matches or any changes in the distribution of funds even if such change has a total zero effect for any entity that falls within the category. If this rule-making requires one of the categories listed below to devote resources without receiving additional funding, please explain why the rule-making is required and what consultation has occurred with those who will need to devote resources.

State Fiscal Impact *(Identify all state agencies with a fiscal impact, including any CBMS change request costs required to implement this rule change)*

There is no impact to the state.

County Fiscal Impact

There is no impact to the counties.

Federal Fiscal Impact

There is no impact to the Federal Government.

Other Fiscal Impact *(such as providers, local governments, etc.)*

There is no impact to day camp providers.

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REGULATORY ANALYSIS (continued)

4. Data Description:

List and explain any data, such as studies, federal announcements, or questionnaires, you relied upon when developing this rule?

5. Alternatives to this Rule-making:

Describe any alternatives that were seriously considered. Are there any less costly or less intrusive ways to accomplish the purpose(s) of this rule? Explain why the program chose this rule-making rather than taking no action or using one of the listed alternatives.

No other alternatives were considered to this rule-making. The Day Camp Taskforce approached the Division of Child Care approximately one year ago to discuss the creation of a new set of rules or new section in the existing school-age rules specific to day camps that primarily operate only one season out of the year. These rule changes contain the taskforce's recommendations.

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Rule Author: Dana Andrews

Phone: 3030-866-5946

OVERVIEW OF PROPOSED RULE

Compare and/or contrast the content of the current regulation and the proposed change.

<u>Section Numbers</u>	<u>Current Regulation</u>	<u>Proposed Change</u>	<u>Stakeholder Comment</u>			
7.712.2, B-C	Definitions	Deletes building based and outdoor school-age child care centers	___	Yes	<u>X</u>	No
7.712.2, B, 1-3	Definitions	Defines day camp and the three types of day camps	___	Yes	<u>X</u>	No
7.712.31, A, 4-5	Policies and procedures	Adds "dates of operation" to required information and changes "inclement and excessively hot" to "severe" weather	___	Yes	<u>X</u>	No
7.712.31, A, 24-25	Policies and procedures	Rewords policy to address notification when the program will no longer be able to serve children and when children are withdrawn from the program	___	Yes	<u>X</u>	No
7.712.32, C	Communication	Deletes "statement of goals and objectives" and adds "mission statement"	___	Yes	<u>X</u>	No
7.712.32, I	Security	Clarifies how children are to be transported in case of an emergency	___	Yes	<u>X</u>	No
7.712.33, D	Orientation and staff development	Adds requirement for day camp staff to have a 20 hour orientation	<u>X</u>	Yes	_	No
7.712.33, E	Orientation and staff development	Clarifies that on-going training does not apply to day camp staff	___	Yes	<u>X</u>	No
7.712.41, D	General requirements for personnel	Clarifies that fingerprinting only applies to in-state staff	_X	Yes	___	No
7.712.42, A	Program director qualifications	Clarifies that director must be at least 21 years of age and adds requirement that the college training must be from an accredited college or university	<u>X</u>	Yes	_	No

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<u>Section Numbers</u>	<u>Current Regulation</u>	<u>Proposed Change</u>	<u>Stakeholder Comment</u>			
7.712.42, B	Required personnel	Deletes listed areas for experience and clarifies that it must be "at least" 3 months	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
7.712.42, C	Required personnel	Changes age of staff to under 18 years of age and defines age of maintenance staff	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
7.712.42, D	Required personnel	Requires all staff 18 years of age and over in a day camp must be trained in first aid and CPR	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
7.712.43, C, E	Required staff supervision	Clarifies that staff must always actively supervise children	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
7.712.43, G	Required staff supervision	Changes "mobile and outdoor-based" program to "day camp"	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
7.712.51, B, 1	Admission procedures	Deletes requirement for pre-admission interview	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
7.712.51, B, 2	Admission procedures	Revises that parents be given a copy of policies rather than explained	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
7.712.52, A, 2	Health care	Adds ability to use alternate approved immunization form	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
7.712.52, B, 3	Health care	Clarifies that a cot must be provided for a building-based program	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
7.712.52, C, 5	Medication	Deletes date of "January 1, 2003"	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
7.712.52, C, 6	Medication	Deletes requirement for medication to be locked	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
7.712.52, C, 10	Medication	Adds anaphylactic shock as a reason to carry an EPI-PEN	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
7.712.52, D, 1	Sun protection	Requires sunscreen to be applied unless parents provide written notice otherwise	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No

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<u>Section Numbers</u>	<u>Current Regulation</u>	<u>Proposed Change</u>	<u>Stakeholder Comment</u>			
7.712.56, A, 1	Transportation	Adds requirement to abide by state and federal laws	___	Yes	<u>X</u>	No
7.712.56, B, 2, d	Transportation	Changes "encouraged" to "required"	___	Yes	<u>X</u>	No
7.712.56, B, 3	Transportation	Adds requirement that seat belts must be used if provided	___	Yes	<u>X</u>	No
7.712.61, E	Program activities	Changes "school-age" to "day camp"	___	Yes	<u>X</u>	No
7.712.62, A	Equipment and materials	Clarifies that a rest time must be provided in a building based program if child requires it	___	Yes	<u>X</u>	No
7.712.71, A	Facility requirements	Changes "school-age" to "day camp"	___	Yes	<u>X</u>	No
7.712.71, D	Facility requirements	Clarifies that a building-based program must provide access to a play area	___	Yes	<u>X</u>	No
7.712.82, A, 3	Staff records	Adds cell phone, pager, fax and email to staff contacts	<u>X</u>	Yes	___	No

STAKEHOLDER COMMENT SUMMARY

The following individuals and/or entities were contacted and informed that this rule-making was proposed:

Day Camp Taskforce

Comments were received from stakeholders on the proposed rule-making:

Yes No

If “yes”, please summarize and/or attach the feedback you received:

1. Include first aid and CPR in twenty (20) hours of pre-camp training.
2. Insert word “or” under 7.712.42,c to indicate that the director may take either the college training or the 40 clock hours of training.
3. Re-word 7.712.52 so it does not appear that day camp/school-age staff have to apply sunscreen to children.
4. Eliminate requirement that there must always be a program director with each group of children in a mobile day camp or an outdoor-based day camp.
5. Renumber 7.712.42,C concerning program aides and re-letter 7.712.42,D to address maintenance staff.
6. Clarify 7.712.52 to address children who are at risk of anaphylaxis.

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 POLICY OF THE COLORADO DEPARTMENT OF HUMAN SERVICES

It is the policy of the Colorado Department of Human Services ("the Department") to promote and encourage child care in environments that contribute to the safety, health, protection, and well-being of children. To verify compliance with standards intended to ensure such an environment, the department requires thorough and ongoing appraisals of child care facilities, persons working in the child care profession, and the nature of care provided.

7.712.2 DEFINITIONS

- A. A "school-age child care center" (hereafter referred to as the "center") is a child care center that provides care for 5 or more children who are between 5 and 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. A "building-based school-age child care program" is a child care program that provides care for 5 or more children who are between 5 and 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 PROGRAMMING. 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.

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COLORADO DEPARTMENT OF HUMAN SERVICES STAFF MANUAL VOLUME 7 SOCIAL SERVICES				

7.712.2 DEFINITIONS (continued)

D. 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.
- B. 2. A "mobile ~~school-age child care program~~ DAY CAMP" IS A CHILD CARE PROGRAM THAT provides care PROGRAMMING for FIVE (5) or more children who are at least 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 ~~for the care of children~~. MOBILE DAY CAMP PROGRAMS MAY OPERATE IN MULTIPLE SITES UNDER ONE LICENSE.
- G. 3. An "outdoor-based ~~school-age child care program~~ DAY CAMP" IS A CHILD CARE PROGRAM THAT provides care for FIVE provides care for FIVE (5) or more children who are at least 7 years of age or have completed the first grade. ~~This program~~ THE DAY CAMP uses no permanent building on a regular basis ~~for the care of children~~. ~~Children are cared for~~ AND PROVIDES PROGRAMMING in a permanent outdoor or park setting.

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COLORADO DEPARTMENT OF HUMAN SERVICES
STAFF MANUAL VOLUME 7
SOCIAL SERVICES

7.712.3 POLICIES AND PROCEDURES

7.712.31 Statement of Policies and Procedures

- A. A written statement of the center's policies and procedures must be available to parents and guardians and 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 ~~inclement and excessively hot~~ 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 policy on discipline.
 - 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.

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COLORADO DEPARTMENT OF HUMAN SERVICES SOCIAL SERVICES				

7.712.31 Statement of Policies and Procedures (continued)

- Rev. eff. 11/1/98 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.
- Rev. eff. 11/1/01 18. The procedure for ~~storing and~~ administering children's medicines and delegation of medication administration in compliance with Section 12-38-132, C.R.S., of the "Nurse Practice Act."
- Rev. eff. 11/1/98 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 ~~notification when child care service is withdrawn and when parents or guardians withdraw their children from the center~~ 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.

7.712.32 Communication, Emergency, and Security Procedures

(See also Section 7.712.52, B)

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

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7.712.32 Communication, Emergency, and Security Procedures (continued)

- 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, at a minimum, how children will be evacuated to a safe area in case of fire or other disaster and the reporting of reportable 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.

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7.712.33 Personnel Policies, Orientation, and Staff Development

Rev. eff.
11/1/01

- A. The duties and responsibilities of each staff position and the lines of authority and responsibility within the center must be in writing.
- B. At the time of employment, staff members must be informed of their duties and assigned a supervisor.
- C. Prior to working with children, the staff member must read and be instructed about the policies and procedures of the center, including those 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.
- D. 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.
- ~~E. D.~~ The center must have a staff development plan that includes a minimum of NINE (9) 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. The NINE clock hours of training do not include recertification in first aid and CPR.
- ~~F. E.~~ All staff must complete training in universal precautions within the first THREE (3) months of employment.

7.712.4 PERSONNEL

7.712.41 General Requirements for All Personnel

Rev. eff.
1/1/04

- A. All personnel of the center must demonstrate an interest in and a 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.

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7.712.41 General Requirements for All Personnel (continued)

- 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 each IN-STATE STAFF MEMBER ~~caregiver~~ 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.

7.712.42 Required Personnel and Qualifications

Rev. eff.
11/1/98

A. Program Director

Each center must have an on-site program director WHO SHALL BE AT LEAST 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 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.
 - b. Two years of college training and 6 months of satisfactory and verifiable full-time or equivalent part-time, paid or volunteer, experience, since attaining the age of 18, in the care and supervision of 4 or more children.

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7.712.42 Required Personnel and Qualifications (continued)

c. Three years of satisfactory and verifiable full-time or equivalent part-time, paid or volunteer, experience, since attaining the age of 18, in the care and supervision of 4 or more children. The program director must complete 6 semester hours, 9 quarter hours IN COURSE WORK FROM A REGIONALLY ACCREDITED COLLEGE OR UNIVERSITY, or 40 clock hours of training in course work applicable to school-age children within the first 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 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 in such areas as Sunday school, scouts, sports, or baby-sitting.

C. Program Aides

1. Program aides must be at least 16 years of age. Program aides who are ~~16 or 17~~ UNDER EIGHTEEN (18) years of age must work directly under the supervision of the program director or program leaders.

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 16 YEARS OF AGE, MUST BE IN COMPLIANCE WITH COLORADO LABOR LAWS.

~~ED.~~ First Aid and CPR Certified Staff

For every 30 or fewer children in attendance, there must be at least 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.

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7.712.43 Required Staff Supervision

Rev. eff.
11/1/98

- 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 21 years of age and has at least 3 months of full-time or equivalent part-time verifiable experience working with children.
 2. A program leader who is at least 18 years of age and has at least 1 year full-time or equivalent part-time verifiable experience working with children.
 3. Two program leaders who are at least 19 years of age and have at least 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 1 program leader providing supervision with each group of 30 or fewer children cared for by the center. **AT ALL TIMES, STAFF MUST BE ACTIVELY SUPERVISING CHILDREN.**
- D. There must be 1 staff member for each 15 children in attendance.
- E. At any time when 9 or more children are present at the center, there must be at least 1 program leader **ACTIVELY SUPERVISING CHILDREN** and another responsible person at least 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 ~~school-age child care~~ program or an outdoor-based DAY CAMP ~~school-age child care~~ program, the staff ratio given at Section 7.712.43, C and D, must be maintained, but there must be at least 2 PROGRAM LEADERS ~~staff members~~ at all times with the children. ~~One of those staff members must be a program director.~~

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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.
 2. Given instruction as to the center's policies and procedures.

7.712.5 CHILD CARE SERVICES

7.712.51 Admission Procedure

- Rev. eff. 11/1/98
- A. The center can accept children only of the ages for which it has been licensed. At no time can the number of children in attendance exceed the number for which the center has been licensed.
 - B. Admission procedures must be completed prior to the child's attendance at the center and must include:
 - ~~1. A pre-admission interview (either by telephone or in person) with the child's parent(s) or guardian(s) to determine whether the services offered by the center will meet the needs of the child and the parent(s) or guardian(s).~~
 1. ~~3.~~ Completion of the registration information for inclusion in the child's record, as required in Section 7.712.81.
 2. PROVIDING THE PARENT(S) OR GUARDIAN(S) WITH A COPY OF ~~explanation~~ of the center's policies and procedures.

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7.712.52 Health Care

Rev. eff.
4/1/06

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. 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) ~~or an approved alternate certificate approved by 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. ~~At a minimum~~ FOR BUILDING-BASED PROGRAMS, a cot or mat, PLUS ~~and~~ 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.

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7.712.52 Health Care (continued)

2. The written order by the prescribing practitioner must include:
 - Child's name
 - Licensed prescribing practitioner name, telephone number, and signature
 - Date authorized
 - Name of medication and dosage
 - Time of day medication is to be given
 - Route of medication
 - Length of time the medication is to be given
 - Reason for medication (unless this information needs to remain confidential)
 - Side effects or reactions to watch for
 - Special instructions

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

- Child's name
- Prescribing practitioner's name
- Pharmacy name and telephone number
- Date prescription was filled
- Expiration date of the medication
- Name of the medication
- Dosage
- How often to give the medication
- Length of time the medication is to be given

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

4. In the case medication needs to be given on an ongoing, long-term basis, the authorization and consent forms must be reauthorized on an annual basis. Any changes in the original medication authorization require a new written order by the prescribing practitioner and a change in the prescription label. Verbal orders taken from the licensed prescriber may be accepted only by a licensed registered nurse.
5. ~~By January 1, 2003,~~ 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 ~~locked and~~ inaccessible to children. Controlled medications must be counted and safely secured, and specific policies regarding their handling require special attention in the center's policies. Access to these medications must be limited.

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7.712.52 Health Care (continued)

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:
 - Child's name
 - Name of the medication, dosage, and route
 - Time medication is to be given
 - Special instructions
 - Name and initials of the individuals giving the medication
 - Notation if the medication was not given and the reason
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 may, with written parental consent and authorization of the prescribing practitioner, permit children who have asthma to carry their own inhalers OR CHILDREN WHO ARE AT RISK OF ANAPHYLAXIS TO CARRY THEIR OWN EPI-PEN, and use them as directed. All staff must be aware of which children have asthma and which ones may use their own inhalers as needed.

D. Sun Protection

1. The center must ~~obtain the parent or guardian's written authorization and instructions for applying sunscreen to their children's exposed skin~~ 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.

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7.712.52 Health Care (continued)

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.

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7.712.53 Personal Hygiene

Rev. eff.
10/1/03

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 36 by 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.
3. Have a sufficient supply of diapers at all times.

7.712.54 Food and Nutrition

Rev. eff.
10/1/03

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 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.

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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

- 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.

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7.712.56 Transportation (continued)

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.
 - d. Seating must be comfortable, with a seat of at least 10 inches wide for each child.
2. In passenger vehicles, which include automobiles, station wagons, and vans with a manufacturer's established capacity of 16 or fewer passengers and less than 10,000 pounds, the following is required:
 - a. Each child must be restrained in an individual seat belt.
 - b. Two or more children must never be restrained in one seat belt.
 - c. Lap belts must be secured low and tight across the upper thighs and under the belly.
 - d. Children must be instructed and ~~encouraged~~ **REQUIRED** to keep the seat belt properly fastened and adjusted.

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7.712.56 Transportation (continued)

3. In vehicles with a manufacturer's established capacity of 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

- 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 ~~school-age child care~~ DAY CAMP program must establish a daily itinerary and ~~provide~~ 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 ~~school-age child care center~~ DAY CAMP must be notified immediately. Parents must be instructed to contact the main headquarters to determine the exact location of their child.

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7.712.62 Equipment and Materials

- Rev. eff. 11/1/98
- 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
 5. Science equipment and materials
- Add eff. 11/1/01
- 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.
 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 -
7.712.65

None

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7.712.7 BUILDING AND FACILITIES

7.712.71 Facility Requirements

- A. The mobile ~~school-age child care~~ DAY CAMP program and the outdoor-based ~~school-age child care~~ 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 inclement 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 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 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 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.
 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.

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7.712.72 Toilet Facilities

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- 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 1 toilet per 30 or fewer children for which the center is licensed. Hand-washing facilities must be available at the ratio of 1 sink per 30 or fewer children.

7.712.73 Food Preparation Area

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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.

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7.712.8 RECORDS AND REPORTS

7.712.81 Children's Records

- Rev. eff.
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- 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 EMAIL 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 exclusions.
 10. Written authorization from a parent or guardian for the center to transport the child to and from school, whether by walking or driving.
 11. Reports of serious injuries and accidents occurring during care that result in medical attention, admission to the hospital, or death of a child.

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7.712.82 Staff Records

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- A. The center office must maintain a record for each staff member, paid or volunteer, that 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 EMAIL 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.
 8. Verification that a review of the Central Registry of Child Protection has occurred or is in process.
- B. Each staff member's personnel file must contain all required information within 30 working days of the first day of employment.

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