

TABLE OF CONTENTS

Section I	Statement of Purpose	1
Section II	Definitions	1
Section III	Licensing Requirements and Procedures.....	3
	License required.....	3
	Unlicensed Nursery Schools.....	3
	Responsibility for Compliance.....	3
	Qualifications of the applicant and director.....	3
	Changes in children served and licensed capacity.....	4
	Application for initial license.....	4
	Application for renewal of license.....	4
	Fees.....	4
	Requirement for references.....	4
	Licenses are only effective at the location for which they are issued.....	4
	Single license for two buildings.....	5
	One license per single family residence.....	5
	Dual licensure.....	5
	Initial inspections	5
	Determining compliance with these rules.....	5
	Right of entry.	5
	Application constitutes permission for entry.....	5
	Fire safety inspection.....	6
	Increases in licensed capacity	6
	Private water supplies.....	6
	Criminal history and child protection reports.....	6
Section IV	Types of licenses.....	6
	Provisional license	6
	Full license	7
	Conditional license.....	7
	Temporary license.....	7
Section V	Term of License.....	7
	Term of provisional license	7
	Term of full license.....	7
	Term of conditional license.....	7
	Term of temporary license.....	7
	Monitoring for compliance	7
Section VI	Failure to comply with applicable laws and rules	7
	Failure to comply with applicable laws and rules	7
	Other sanctions for failure to comply	8
	Conditional license	8
	Refusal to issue or renew a license.....	8
	Suspension or revocation of a license.....	8
	Intermediate sanctions.....	8
	Financial penalties.....	9

TABLE OF CONTENTS

Section VII	Subsequent application for a full license.....	10
Section VIII	Appeal procedure.....	10
Section IX	Waivers.....	11
	Request for waiver.....	11
	Granting of waivers.....	11
Section X	General Rules for Nursery Schools.....	11
	Length of session.....	11
	Number of sessions per day.....	11
	Attendance of each child.....	11
	Limitation of hot meals.....	11
Section XI	Organization and Administration.....	11
	Administration.....	11
	Licensee responsibility for the Nursery School.....	12
	Other administrative responsibilities.....	12
	Administrative and other records.....	12
	Insurance.....	13
	Posting of license.....	13
	Posting of other notices.....	13
	Notification of legal proceedings.....	13
	Notification of change of owner/operator.....	13
	Notification of change in director.....	13
	Notification of change in location.....	13
	Notification for physical plant changes.....	13
	Availability of rules.....	13
	Transfer of license.....	13
	Notification of closure.....	14
	Responsibility of the facility to parents/parent involvement.....	14
	Admission and intake.....	14
	Pre-admission visits.....	14
	Admission policy.....	14
	Immunization records.....	14
	Compliance with Americans with Disabilities Act (ADA).....	14
	Confidentiality.....	15
	Employees with communicable diseases.....	15
	Biennial declaration by physician.....	15
Section XII	Rights for children in Nursery Schools.....	15
	Right to freedom from abuse and neglect.....	15
	Right to confidentiality.....	15
	Right to freedom from harmful actions or practices.....	15
	Right to a safe and healthy environment.....	15
	Right to be free from discrimination.....	15
	Right to consideration and respect.....	16
	Right to be informed of services provided by the Nursery School.....	16
	Right to information regarding the Nursery School's deficiencies.....	16

TABLE OF CONTENTS

	Right to service plan.....	16
	Right to a variety of activities, materials and equipment	16
	Mandatory report of rights violations.....	16
	Reasonable modifications and accommodations.....	16
Section XIII	Records and Reports	17
	Child’s record.....	17
	Personnel records.....	18
Section XIV	Personnel	19
	Staff requirements for all Nursery Schools.....	19
Section XV	Staff child requirements.....	21
	Staff-child ratios	21
	Maximum group size	21
	Children of staff members.....	21
	Supervision.....	21
	Supervision of each child.....	21
	Crying children.....	21
	Emergency plan.....	21
	Other staffing requirements and responsibilities.....	21
	Responsibility for compliance with these Rules.....	21
Section XVI	Training.....	22
	Pre-service orientation.....	22
	Orientation.....	22
	Ongoing training.....	22
	Documentation of training.....	22
	Volunteers and substitutes.....	22
Section XVII	Program description, schedule, material and equipment.....	22
	Program description and schedule.....	22
	Indoor and outdoor activities.....	23
	Materials and equipment.....	23
	Toys and play equipment.....	23
	Extra clothing for children.....	23
	Materials and equipment for children.....	23
Section XVIII	Child Guidance.....	24
	Child guidance.....	24
	Positive methods of child guidance.....	24
	Consistent and reasonable application of rules.....	24
	Constructive methods of guidance.....	24
	Corporal punishment prohibited	24
	Shaming and embarrassment	24
	Withholding of food, drink or rest	24
	Forcing food or drink	24
	Soiling or wetting	24
	Cruel or severe punishment	24

TABLE OF CONTENTS

	Withholding of any adaptive equipment	24
	Actions or practices detrimental to the welfare of children	24
Section XVIII	Health/Medical.....	24
	Immunization.....	24
	Certificate of immunization for children.....	24
	Blood test demonstrating immunity.....	25
	Exceptions to proof of immunity.....	25
	Certificate of immunization for staff.....	25
	Documenting exemptions to immunization.....	25
	Immunization records and reporting requirements	26
	Medical statement.....	26
	Request for physician’s or psychologist reports.....	26
	Exceptions to undergoing evaluations.....	26
	Health care consultation.....	26
	Health consultation for facilities licensed for 13 or more children.....	26
	Health consultation for facilities licensed for 3-12 children.....	27
	Disease surveillance.....	27
	Daily observation.....	27
	Apparent illness of a child.....	27
	Accidents and sudden illness.....	27
	Notification of parent or guardian.....	27
	Documentation of incidents.....	27
	Administration of medication.....	27
	Written orders required.....	27
	Recording the administration of medication.....	27
	Nonprescription medications.....	28
Section XIX	Environment and safety	28
	General conditions	28
	Code compliance.....	28
	Local codes and ordinances.....	28
	State Fire Marshal’s Office approval.....	28
	Satisfactory water.....	28
	Satisfactory lead levels.....	28
	Sanitation, health and safety	28
	Buildings, space, furnishing, and equipment.....	29
	Minimum usable space.....	29
	Heating.....	29
	General safety.....	29
	Lighting and ventilation.....	30
	Furnishings.....	30
	Toilet facilities.....	30
	First aid.....	31
	Outdoor play area.....	31
	Access to sufficient outdoor space.....	31
	Hazardous outdoor conditions.....	31
	Outdoor supervision.....	31
	Playground exits.....	31

TABLE OF CONTENTS

	Surfaces.....	31
	Safe outdoor play equipment.....	31
	Drainage.....	31
	Hazard free play area.....	31
	Sand or sawdust.....	31
	Sun and shade.....	31
	Safe equipment.....	31
	Swimming pool cleanliness.....	32
	Swimming pools when not in use.....	32
	Fire evacuation drills.....	32
	Monthly fire drills.....	32
	Fire drill procedures.....	32
	Record of drills.....	32
	Animals in the Nursery School	32
Section XX	Food and kitchen facilities.....	32
	Food.....	32
	Well balanced snacks.....	32
	Food supplied from outside the Nursery School.....	32
	Hand washing.....	33
	Supervision during snacktimes	33
	Kitchen facilities.....	33
	Kitchen areas shall be well-lighted, clean and orderly.....	33
	Perishable food.....	33
	Refrigerator temperature.....	33
	Freezer temperature.....	33
	Milk products.....	33
	Preparation and eating surfaces	33
	Staff hand washing.....	33
	Dish washing.....	33
	Paper products.....	33
	Use of the food preparation area.....	33
Section XXI	Transportation.....	33
	Vehicle requirements.....	33
	Licensed driver.....	33
	Number of passengers.....	34
	Safety in vehicles.....	34
	The driver shall wear a seat belt.....	34
	All children shall ride in the back seat.....	34
	One child per seat belt.....	34
	Adult to child ratios in vehicles.....	34
	Child safety seats.....	34
	Limitations of vehicle requirements.....	35
	Weapons in vehicles.....	35
Section XXII	Reporting child abuse and neglect.....	35
	Mandatory reporting.....	35
	Policy for handling suspected instances of child abuse or neglect...	35

TABLE OF CONTENTS

	Nursery School cooperation in investigations	35
Section XXVIII.	Personnel	35
	Staff qualifications for facilities for 3-12 children	35
	Director and/or head teacher qualifications.....	35
	Qualifications of other staff.....	36
	Staff qualifications for facilities for 13-20 children	36
	Director and/or head teacher qualifications.....	36
	The Nursery School shall employ a director or head teacher.....	37
	Qualifications of other staff.....	37
	Group leader qualifications.....	37
	Staff qualifications for facilities for 21-49 children	37
	Director and/or head teacher qualifications.....	37
	Qualifications of other staff.....	38
	Group leader qualifications.....	38
	Staff qualifications for facilities for 50 or more children	38
	Director and/or head teacher qualifications.....	38
	Qualifications of other staff.....	39
	Group leader qualifications.....	39
	Other staff requirements for facilities licensed for 13 or more.....	340