Regulation # | Regulation Description | Regulation Sub-Description | Regulation | Sub-Regulation
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100.101.1 | CHILD CARE LICENSING | Related Laws and Requirements | | “The Child Care Facility Licensing Act”, Act 5-70-7B-210-220, as amended, is the legal authority under which the Division of Child Care and Early Childhood Education (DCCECE) prescribes minimum standards for a variety of child care facilities. DCCECE (referred to hereafter as the Division) under the Department of Human Services (DHS) is directly responsible for the inspection and evaluation of all Licensed Homes as defined in Section 102 of the Minimum Licensing Requirements for Child Care Family Homes. The Division has the power to establish rules and standards for licensing and operation of child care facilities. This includes all powers with respect to granting, revocation, denial, and suspension of licenses. Decisions regarding special situations shall be made on an individual basis by the Division. Information regarding an appeal process is available upon request.

100.101.2 | CHILD CARE LICENSING | Related Laws and Requirements | | It is recommended that the owner be aware of applicable city or county zoning ordinances or covenants which may limit the number of children in care or impose additional safety requirements. The Division will share information on the location and status of licensed homes or applications for a license with any city or county that requests this information. The Division works in coordination with local and state Health Departments, Fire Departments, City Planning or Zoning departments, and the Boiler Division of the Department of Labor. Persons considering opening or expanding a family home shall immediately contact these individual departments for inspections and information on their separate rules. It is recommended that a prospective licensee request clarification regarding the codes or covenants enforced by these departments as some may prevent the operation of a Child Care Family Home at a particular location, may limit the number of children in care, or may impose additional safety requirements.

100.101.3 | CHILD CARE LICENSING | Related Laws and Requirements | | Owners, operators, staff, therapists, and volunteers are mandated reporters of suspected child maltreatment and are required to call the Child Maltreatment Hotline at 1-800-482-5994, if they have reason to suspect child maltreatment. Additionally, these same individuals are required by Act 103 of 2010, to notify law enforcement if they have a good faith belief that there is a serious and imminent threat to the health or safety of a student, employee, or the public, based on a threat made by an individual regarding violence in, or targeted at, a school (or licensed home) that has been communicated to the person in the course of their professional duties.

100.101.4 | CHILD CARE LICENSING | Related Laws and Requirements | | It is recommended that the owner be aware of applicable federal or state laws which may affect the operation of the facility, such as, but not limited to: Americans with Disabilities Act (ADA); Federal civil rights laws state that a facility may not discriminate on the basis of race, color, sex, religion, national origin, physical or mental handicap, or veteran status. Prior to approval of an application, the applicant shall provide verification of the required coverage to the Licensing Specialist and provide subsequent verification when requested; and DCCECE (referred to hereafter as the Division) under the Department of Human Services (DHS) is directly responsible for the inspection and evaluation of all Licensed Homes as defined in Section 102 of the Minimum Licensing Requirements for Child Care Family Homes. The Division has the power to establish rules and standards for licensing and operation of child care facilities. This includes all powers with respect to granting, revocation, denial, and suspension of licenses. Decisions regarding special situations shall be made on an individual basis by the Division. Information regarding an appeal process is available upon request.

100.101.5 | CHILD CARE LICENSING | Related Laws and Requirements | | The Child Care Licensing Unit will notify the applicable federal agency at anytime they become aware of or are advised of violations of any of the following or similar laws. It is recommended that the owner be aware of applicable federal laws which may affect the operation of the facility, such as, but not limited to: Environmental Protection Agency (EPA) regulations to ensure that any renovation or repair work on a home, child care facility, or school that was constructed prior to 1978 shall be completed by a contractor that is certified by the EPA, when the repairs or renovations consist of any or all of the following: the repair or renovation disturbs six (6) or more square feet of the interior, the repair or renovation disturbs twenty (20) or more square feet of the exterior, or the repair or renovation involves removing a window; and Federal civil rights laws state that a facility may not discriminate on the basis of race, color, sex, religion, national origin, physical or mental handicap, or veteran status. Prior to approval of an application, the applicant shall provide verification of the required coverage to the Licensing Specialist and provide subsequent verification when requested; and Maintain the minimum amount of $100,000 per occurrence Laws relevant to the operation of child care facilities are available upon request.

100.101.6 | CHILD CARE LICENSING | Related Laws and Requirements | | The Child Care Licensing Unit will notify the applicable federal agency at anytime they become aware of or are advised of violations of any of the following or similar laws. It is recommended that the owner be aware of applicable federal laws which may affect the operation of the facility, such as, but not limited to: Environmental Protection Agency (EPA) regulations to ensure that any renovation or repair work on a home, child care facility, or school that was constructed prior to 1978 shall be completed by a contractor that is certified by the EPA, when the repairs or renovations consist of any or all of the following: the repair or renovation disturbs six (6) or more square feet of the interior, the repair or renovation disturbs twenty (20) or more square feet of the exterior, or the repair or renovation involves removing a window; and Federal civil rights laws state that a facility may not discriminate on the basis of race, color, sex, religion, national origin, physical or mental handicap, or veteran status. Prior to approval of an application, the applicant shall provide verification of the required coverage to the Licensing Specialist and provide subsequent verification when requested; and Maintain the minimum amount of $100,000 per occurrence Laws relevant to the operation of child care facilities are available upon request.

100.101.7a | CHILD CARE LICENSING | Related Laws and Requirements | | The Licensee shall maintain Child Care Liability insurance and comply with the following requirements:

A Child Care Family Home is defined as a situation in which children are cared for in a caregiver’s own family residence or in some other suitable family type residence. There shall be no more than one (1) license issued per home or structure. (This does not apply to situations such as a duplex where two (2) licenses could be issued to two (2) separate applicants.)

100.101.7b | CHILD CARE LICENSING | Related Laws and Requirements | | The Licensee shall maintain Child Care Liability insurance and comply with the following requirements:

Prior to approval of an application, the applicant shall provide verification of the required coverage to the Licensing Specialist and provide subsequent verification when requested; and Maintain the minimum amount of $100,000 per occurrence Laws relevant to the operation of child care facilities are available upon request.

100.101.7c | CHILD CARE LICENSING | Related Laws and Requirements | | The Licensee shall maintain Child Care Liability insurance and comply with the following requirements:

A Child Care Family Home is defined as a situation in which children are cared for in a caregiver’s own family residence or in some other suitable family type residence. There shall be no more than one (1) license issued per home or structure. (This does not apply to situations such as a duplex where two (2) licenses could be issued to two (2) separate applicants.)

100.101.8a | CHILD CARE LICENSING | Related Laws and Requirements | | The Licensee shall maintain Child Care Liability insurance and comply with the following requirements:

A Child Care Family Home is defined as a situation in which children are cared for in a caregiver’s own family residence or in some other suitable family type residence. There shall be no more than one (1) license issued per home or structure. (This does not apply to situations such as a duplex where two (2) licenses could be issued to two (2) separate applicants.)

100.101.8b | CHILD CARE LICENSING | Related Laws and Requirements | | The Licensee shall maintain Child Care Liability insurance and comply with the following requirements:

A Child Care Family Home is defined as a situation in which children are cared for in a caregiver’s own family residence or in some other suitable family type residence. There shall be no more than one (1) license issued per home or structure. (This does not apply to situations such as a duplex where two (2) licenses could be issued to two (2) separate applicants.)

100.102.1 | CHILD CARE LICENSING | General Requirements | | In determining a recommendation for licensing, the home shall be reviewed by a Child Care Licensing Specialist to determine that the home is in substantial compliance with the requirements.

Substantial Compliance means compliance with all essential standards necessary to protect the health, safety, and welfare of the children attending the Child Care Family Home. Essential standards include but are not limited to those relating to issues involving fire, health, safety, nutrition, behavior guidance, staff to child ratios, and space.

100.102.2 | CHILD CARE LICENSING | General Requirements | | A home requires licensing when one (1) or more persons care for six (6) or more children, from more than one (1) family at the same time. A maximum of twelve (12) children may be cared for with a Child Care Family Home license.

100.102.3 | CHILD CARE LICENSING | General Requirements | | A home requires licensing when one (1) or more persons care for six (6) or more children, from more than one (1) family at the same time. A maximum of twelve (12) children may be cared for with a Child Care Family Home license.
An individual shall be eligible to hold only one (1) license, which shall be issued for one (1) location. The holder(s) of the license shall be considered the primary caregiver(s) and shall be present and responsible for children during hours of care. At least one (1) of the Licensees (primary caregivers) shall be present at all times children are in care and shall not be otherwise employed during the hours of care.

If a qualified secondary caregiver is present, the primary caregiver may be absent for reasons related to the operation of the childcare business such as attending required training, and for brief or occasional absences related to personal business or personal time off. Compliance with staff to child ratio must still be maintained during the absence of the primary caregiver.

The caregiver’s own preschool children shall be considered when determining the need for a license. The caregiver’s own school age children are not considered when determining the need for a license. Other children in the home who are not accompanied by a parent, whether paid is received for care or not, are considered in determining the need for a license and will be counted in the ratio after a license is obtained.

A Child Care Family Home which is not required to be licensed by this definition may voluntarily choose to apply for a license or for registration with the Voluntary Registry.

Any home that has not provided care to children for a period of one (1) year shall have the license closed unless a written request is made by the Licensee stating why closure should not take place. If the Licensee requests that the license remain open, license fees and required annual inspections shall be kept current.

Any applicant applying for a home license may contact the local Division Office or Child Care Licensing Specialist to obtain information and the necessary application and related forms.

A Child Care Family Home which is not required to be licensed by this definition may voluntarily choose to apply for a license or for registration with the Voluntary Registry.

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Any applicant applying for a home license may contact the local Division Office or Child Care Licensing Specialist to obtain information and the necessary application and related forms.
A pre-approval consultation meeting shall be required for all applicants for a license prior to the approval of the application. This meeting shall be offered prior to application or within thirty (30) days of receipt of the application. Upon receipt of a signed application the Child Care Licensing Specialist shall schedule an appointment to inspect, evaluate, and make a recommendation for consideration of license to the Division.

Upon receipt of a signed application, the Child Care Licensing Specialist shall schedule an appointment to inspect, evaluate, and make a recommendation for consideration of license to the Division. Upon receipt of a signed application, the Child Care Licensing Specialist shall schedule an appointment to inspect, evaluate, and make a recommendation for consideration of license to the Division. A completed and signed application on a form provided by the Division;

Diagram of the home;

Fine department approval, if applicable;

Health department approval, if applicable;

Verification of Child Care Liability Insurance (If Child Care Liability Insurance cannot be obtained before application, it must be obtained with proof provided to the Child Care Licensing Unit before care of children can be provided);

Verification that all required criminal background checks and child maltreatment central registry checks have been initiated; and

Compliance: On-site inspections of Licensed Child Care Family Homes are conducted by the Child Care Licensing Unit on a routine basis to determine a home’s continued compliance with the standards. The caregiver(s) shall cooperate with licensing staff during licensing visits and investigations. (Clarification: In addition to rooms used for care, Child Care Licensing Staff must also be given access to all other rooms or spaces not used for child care. Any rooms or areas that are not accessible to children in care will only be viewed briefly for major health and safety issues and will not be routinely monitored for general licensing compliance. This is to help ensure that there are no dangers such as fire hazards, which could impact the safety of the entire structure.) Violations of rules are documented in writing by use of the licensing compliance record. Documentation shall include:

Reference to the specific rule violated;

A factual description of the nature and the violation and how the home failed to comply;

A date of expected corrections.

Compliance: On-site inspections of Licensed Child Care Family Homes are conducted by the Child Care Licensing Unit on a routine basis to determine a home’s continued compliance with the standards. The caregiver(s) shall cooperate with licensing staff during licensing visits and investigations. (Clarification: In addition to rooms used for care, Child Care Licensing Staff must also be given access to all other rooms or spaces not used for child care. Any rooms or areas that are not accessible to children in care will only be viewed briefly for major health and safety issues and will not be routinely monitored for general licensing compliance. This is to help ensure that there are no dangers such as fire hazards, which could impact the safety of the entire structure.) Violations of rules are documented in writing by use of the licensing compliance record. Documentation shall include:

If video recordings are made by the facility and are maintained for viewing as a part of a continuous monitoring system, they shall be made available to licensing staff upon request. This does not include video recordings of special events, etc.

Compliance: On-site inspections of Licensed Child Care Family Homes are conducted by the Child Care Licensing Unit on a routine basis to determine a home’s continued compliance with the standards. The caregiver(s) shall cooperate with licensing staff during licensing visits and investigations. (Clarification: In addition to rooms used for care, Child Care Licensing Staff must also be given access to all other rooms or spaces not used for child care. Any rooms or areas that are not accessible to children in care will only be viewed briefly for major health and safety issues and will not be routinely monitored for general licensing compliance. This is to help ensure that there are no dangers such as fire hazards, which could impact the safety of the entire structure.) Violations of rules are documented in writing by use of the licensing compliance record. Documentation shall include:

A factual description of the nature and the violation and how the home failed to comply;

A date of expected corrections.

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A factual description of the nature and the violation and how the home failed to comply;

A date of expected corrections.

Compliance: On-site inspections of Licensed Child Care Family Homes are conducted by the Child Care Licensing Unit on a routine basis to determine a home’s continued compliance with the standards. The caregiver(s) shall cooperate with licensing staff during licensing visits and investigations. (Clarification: In addition to rooms used for care, Child Care Licensing Staff must also be given access to all other rooms or spaces not used for child care. Any rooms or areas that are not accessible to children in care will only be viewed briefly for major health and safety issues and will not be routinely monitored for general licensing compliance. This is to help ensure that there are no dangers such as fire hazards, which could impact the safety of the entire structure.) Violations of rules are documented in writing by use of the licensing compliance record. Documentation shall include:

A factual description of the nature and the violation and how the home failed to comply;

A date of expected corrections.
100.103.8 CHILD CARE LICENSING Licensing Procedures

The license as issued shall apply only to the home's location at the time of licensing. The Licensee shall notify the Child Care Licensing Specialist's office of any change of location or ownership at which time a new study shall be conducted. Upon issuance of a license, the license shall remain in effect as long as compliance is maintained with the Minimum Licensing Requirements for Child Care Family Homes.

New Provisional License: If the Division Staff finds that an applicant meets the licensing requirements for a Child Care Family Home or has a reasonable expectation of correcting deficiencies in a reasonable time, the Child Care Licensing Specialist may recommend a new provisional license for operation of a Child Care Family Home to the Division. The new provisional license shall be in effect for a reasonable period, not to exceed twelve (12) months. The time frame shall be specified in the new provisional license. A written list of deficiencies shall be provided to the applicant at the time of issuance of a new provisional license. A Licensing Specialist has sixty (60) days to submit a recommendation to the Division for a provisional license.

100.103.9 CHILD CARE LICENSING Licensing Procedures

A Child Care Family Home shall be assessed a license fee of fifteen ($15.00) per year.

100.104.1 CHILD CARE LICENSING License Fee

Upon review and determination by the Child Care Licensing Specialist of a licensing recommendation to be presented to the Division, the Child Care Licensing Specialist shall issue a Notice of License Fee Due to the home.

100.104.2 CHILD CARE LICENSING License Fee

The Division shall not issue a license unless the required license fee has been paid.

100.104.3 CHILD CARE LICENSING License Fee

A copy of the license fee notice shall be submitted at the time of licensing recommendation.

100.104.4 CHILD CARE LICENSING License Fee

A second notice of license fee due will be sent to homes failing to submit the required license fee (Notice of License Fee Past Due). This notice will be sent twenty (20) days after the initial notice of fee due. Failure to submit a license fee within twenty (20) days of the receipt of the past due notice will result in action to suspend the license until such time as the fee is paid.

100.104.5 CHILD CARE LICENSING License Fee

Refunds of license fees paid are made only when the Division does not approve issuance of a license. There shall be no refunds of license fees paid upon Division action to revoke or suspend a license or for closure of a facility.

100.104.6 CHILD CARE LICENSING License Fee

An appeal may be initiated on any of the above actions by requesting an appeal in writing to the Licensing Specialist or Licensing Supervisory Staff. Requests to appeal adverse licensing actions must be mailed within twenty (20) calendar days of the receipt of the notice of the adverse action. Requests to appeal licensing actions, other than adverse, must be mailed within twenty (20) calendar days from receipt of the notification of the action. The request to appeal shall include a statement of the action(s) taken by the Division and the reason(s) the licensee or applicant for license disagrees with that action. The request to appeal will be reviewed by the Licensing Supervisor and the Licensing Administrator. If the appeal is not resolved to the satisfaction of the licensee or applicant for license, the matter will be referred to the Child Care Appeal Review Panel for hearing. (Additional information regarding the appeal procedures and the Child Care Appeal Review Panel is available on request.)

100.105.2 CHILD CARE LICENSING Appeal of Licensing Actions

The Division may grant alternative compliance with the Minimum Licensing Requirements for Child Care Family Homes if the Division determines that the alternative form of compliance offers equal protection of health, safety, and welfare to children and meets the basic intent of the requirement for which the Home is making the request.

100.106.1 CHILD CARE LICENSING Alternative Compliance

The Division shall consider all requests for alternative compliance with the Licensing Requirements except those requirements which are enforced by the Department of Health, Local Fire Marshal, or State Fire Marshal's Office.

100.106.2 CHILD CARE LICENSING Alternative Compliance

To request alternative compliance, the following procedure shall be initiated by the person responsible for the operation of the home:

The applicant or Licensee shall submit the request for alternative compliance in writing and:

The request shall include: • The specific standard for which alternative compliance is sought; • An explanation of how the alternative form of compliance is equal to or exceeds the stated requirement; • Full justification and description of what the alternative compliance method will be and the method by which the facility will carry out this plan to be able to continue to provide for the health, safety, and welfare of children as intended by the requirement. • The applicant or Licensee must provide clear and supportive evidence, and upon request of the Division, an expert's opinion on the effect to the health, safety, and welfare of children and how it will protect through the alternative means of compliance.

100.106.3a CHILD CARE LICENSING Alternative Compliance

To request alternative compliance, the following procedure shall be initiated by the person responsible for the operation of the home:

100.106.3b CHILD CARE LICENSING Alternative Compliance

The applicant or Licensee shall submit the request for alternative compliance in writing and:

The request shall include: • The specific standard for which alternative compliance is sought; • An explanation of how the alternative form of compliance is equal to or exceeds the stated requirement; • Full justification and description of what the alternative compliance method will be and the method by which the facility will carry out this plan to be able to continue to provide for the health, safety, and welfare of children as intended by the requirement. • The applicant or Licensee must provide clear and supportive evidence, and upon request of the Division, an expert's opinion on the effect to the health, safety, and welfare of children and how it will protect through the alternative means of compliance.
A separate written request shall be submitted for each requirement for which alternative compliance is sought. The approved alternative compliance is effective for the duration of the license unless a shorter time frame is requested or approved.

The granting of alternative compliance for a requirement shall in no way constitute a precedent. If an alternative means of complying with the requirement is granted by the Division and the facility fails to implement satisfactorily this alternative means, the original requirement for which alternative compliance was sought shall become immediately enforceable.

The Division shall have the right to obtain an expert opinion to corroborate expert opinions provided by the applicant or Licensee.

The Division reserves the right to deny requests for alternative compliance where it finds that such a request does not adequately protect the health, safety, and welfare of children and does not meet the intent of the requirements.

Child Care Licensing staff shall have access to licensed homes for the purpose of conducting inspections, reviews, and complaint investigations. Denial of access to the home or denial of the right to interview children in care or other individuals present during hours of care may result in adverse action against the license.

The following persons shall be required to have their background reviewed through an Arkansas Child Maltreatment Central Registry Check. Prospective owners, household members who are ten (10) years of age or older, and employees who have not lived in the State of Arkansas during the preceding five (5) years will be subject to current federal guidelines regarding conducting a child maltreatment background check in any states where they resided during the past five (5) years.

Failure to comply with corrective action plans can constitute disciplinary control over children, or have routine contact with children. Prior to providing services or being present in the home and every two (2) years thereafter.

The Division has the authority to review and consider each true (founded) report of child maltreatment received from the Central Registry. The Division shall retain the authority to:

- Deny an application;
- Require corrective action; and
- Take appropriate adverse action against the Licensee.
The date of the conviction, plea of guilty or nolo contendere for a misdemeanor offense is at least five (5) years from the date of the request for the criminal history records check and there have been no criminal convictions or pleas of guilty or nolo contendere of any type or nature during the five (5) year period preceding the background check request.

Any person who has pleaded guilty, nolo contendere, or who has been found guilty of any one of the offenses listed above (Section 109.5), may not work in child care unless:

- The date of the conviction, plea of guilty, or nolo contendere for a felony offense is at least ten (10) years from the date of the request for the criminal history records check and there have been no criminal convictions or pleas of guilty or nolo contendere of any type or nature during the ten (10) year period preceding the background check request.

Any person who has pleaded guilty, nolo contendere, or who has been found guilty of any one of the offenses listed above (Section 109.5), may not work in child care unless:

Any person who has pleaded guilty, nolo contendere, or who has been found guilty of any one of the offenses listed above (Section 109.5), may not work in child care unless:

100.109.1a CHILD CARE LICENSING FBI Criminal Records Check

The following persons shall apply to the Identification Bureau of the Arkansas State Police for a nationwide criminal records check, to be conducted by the Federal Bureau of Investigation (FBI), which shall include a fingerprint check: (The individual is responsible for the cost of the nationwide check.) Fingerprints submitted will be used to check the criminal history records of the FBI. Individuals with results showing a prohibited offense shall be advised to contact the Licensing Unit for procedures to obtain the results and for procedures to update or make corrections to the record of their individual history.

Each applicant to own or operate a licensed center, a CDEP center, a Licensed Child Care Family Home, or a Licensed Child Care Family Home prior to 09/01/2009 with a clear background check history may remain eligible for employment unless the employee had a conviction, plea guilty, or plea nolo contendere to an offense listed in the above section (Section 109.5) since 09/01/2009.

100.109.1b CHILD CARE LICENSING FBI Criminal Records Check

The following persons shall apply to the Identification Bureau of the Arkansas State Police for a nationwide criminal records check, to be conducted by the Federal Bureau of Investigation (FBI), which shall include a fingerprint check: (The individual is responsible for the cost of the nationwide check.) Fingerprints submitted will be used to check the criminal history records of the FBI. Individuals with results showing a prohibited offense shall be advised to contact the Licensing Unit for procedures to obtain the results and for procedures to update or make corrections to the record of their individual history.

Each staff member. Prior to employment and every five (5) years thereafter.

The following persons shall apply to the Identification Bureau of the Arkansas State Police for a nationwide criminal records check, to be conducted by the Federal Bureau of Investigation (FBI), which shall include a fingerprint check: (The individual is responsible for the cost of the nationwide check.) Fingerprints submitted will be used to check the criminal history records of the FBI. Individuals with results showing a prohibited offense shall be advised to contact the Licensing Unit for procedures to obtain the results and for procedures to update or make corrections to the record of their individual history.

The date of the conviction, plea of guilty, or nolo contendere for a felony offense is at least five (5) years from the date of the request for the criminal history records check and there have been no criminal convictions or pleas of guilty or nolo contendere of any type or nature during the five (5) year period preceding the background check request.

100.109.1c CHILD CARE LICENSING FBI Criminal Records Check

The following persons shall apply to the Identification Bureau of the Arkansas State Police for a nationwide criminal records check, to be conducted by the Federal Bureau of Investigation (FBI), which shall include a fingerprint check: (The individual is responsible for the cost of the nationwide check.) Fingerprints submitted will be used to check the criminal history records of the FBI. Individuals with results showing a prohibited offense shall be advised to contact the Licensing Unit for procedures to obtain the results and for procedures to update or make corrections to the record of their individual history.

Each staff member. Prior to employment and every five (5) years thereafter.

100.109.1d CHILD CARE LICENSING FBI Criminal Records Check

The following persons shall apply to the Identification Bureau of the Arkansas State Police for a nationwide criminal records check, to be conducted by the Federal Bureau of Investigation (FBI), which shall include a fingerprint check: (The individual is responsible for the cost of the nationwide check.) Fingerprints submitted will be used to check the criminal history records of the FBI. Individuals with results showing a prohibited offense shall be advised to contact the Licensing Unit for procedures to obtain the results and for procedures to update or make corrections to the record of their individual history.

The date of the conviction, plea of guilty, or nolo contendere for a felony offense is at least five (5) years from the date of the request for the criminal history records check and there have been no criminal convictions or pleas of guilty or nolo contendere of any type or nature during the five (5) year period preceding the background check request.

100.109.2a CHILD CARE LICENSING FBI Criminal Records Check

Arkansas State Police Criminal Background Check. The following persons shall be required to have their background reviewed through a fingerprint criminal records check including the Arkansas Sexual Offender Registry, conducted by the Arkansas State Police. A prospective staff member may not begin work until the Arkansas State Police criminal record check result has been returned as satisfactory. Following receipt of the satisfactory result, this individual must be supervised at all times, pending completion of all of the required background check components, by a staff member who has successfully completed all required background checks. Prospective employees who have not lived in the State of Arkansas during the preceding five (5) years will be subject to current federal guidelines regarding conducting a criminal background check and sexual offender registry check in any states where they resided during the past five (5) years. (A National Sexual Offender Registry check will also be conducted on prospective employees.)

Each applicant to own or operate a licensed center, a CDEP center, a Licensed Child Care Family Home, or a Registered Child Care Family Home prior to 09/01/2009 with a clear background check history may remain eligible for employment unless the employee had a conviction, plea guilty, or plea nolo contendere to an offense listed in the above section (Section 109.5) since 09/01/2009.

100.109.1e CHILD CARE LICENSING FBI Criminal Records Check

The following persons shall apply to the Identification Bureau of the Arkansas State Police for a nationwide criminal records check, to be conducted by the Federal Bureau of Investigation (FBI), which shall include a fingerprint check: (The individual is responsible for the cost of the nationwide check.) Fingerprints submitted will be used to check the criminal history records of the FBI. Individuals with results showing a prohibited offense shall be advised to contact the Licensing Unit for procedures to obtain the results and for procedures to update or make corrections to the record of their individual history.

Each applicant to own or operate a licensed center, a CDEP center, a Licensed Child Care Family Home, or a Registered Child Care Family Home prior to 09/01/2009 with a clear background check history may remain eligible for employment unless the employee had a conviction, plea guilty, or plea nolo contendere to an offense listed in the above section (Section 109.5) since 09/01/2009.
No person shall be eligible to be a child care facility owner, operator, employee, household member, or volunteer who is in the home on a routine or continual basis if that person has pleaded guilty, or been found guilty, of any of the following offenses by any court in the State of Arkansas, any similar offense by a court in another state, or any similar offense by a federal court.

- Abuse of an endangered or impaired person, if felony, §5-28-103;
- Burglary, §5-38-101;
- Arson, §5-38-301;
- Capital Murder, §5-10-101;

No person shall be eligible to be a child care facility owner, operator, employee, household member, or volunteer who is in the home on a routine or continual basis if that person has pleaded guilty, or been found guilty, of any of the following offenses by any court in the State of Arkansas, any similar offense by a court in another state, or any similar offense by a federal court.

- Burglary, §5-38-101;
- Arson, §5-38-301;
- Capital Murder, §5-10-101;

Arkansas State Police Criminal Background Check. The following persons shall be required to have their background reviewed through a fingerprint criminal records check including the Arkansas Sexual Offender Registry, conducted by the Arkansas State Police. A prospective staff member may not begin work until the Arkansas State Police criminal record check result has been returned as satisfactory. Following receipt of the satisfactory result, this individual must be supervised at all times, pending completion of all of the required background check components, by a staff member who has successfully completed all required background checks. Prospective employees who have not lived in the State of Arkansas during the preceding five (5) years will be subject to current federal guidelines regarding conducting a criminal background check and sexual offender registry check in any states where they resided during the past five (5) years. (A National Sexual Offender Registry check will also be conducted on prospective employees.)

- All household members who are eighteen (18) years of age or older. At application; upon residency and every five (5) years thereafter.

Arkansas State Police Criminal Background Check. The following persons shall be required to have their background reviewed through a fingerprint criminal records check including the Arkansas Sexual Offender Registry, conducted by the Arkansas State Police. A prospective staff member may not begin work until the Arkansas State Police criminal record check result has been returned as satisfactory. Following receipt of the satisfactory result, this individual must be supervised at all times, pending completion of all of the required background check components, by a staff member who has successfully completed all required background checks. Prospective employees who have not lived in the State of Arkansas during the preceding five (5) years will be subject to current federal guidelines regarding conducting a criminal background check and sexual offender registry check in any states where they resided during the past five (5) years. (A National Sexual Offender Registry check will also be conducted on prospective employees.)

- Staff members and applicants for employment in a Licensed Home. Prior to employment and every five (5) years thereafter.

Arkansas State Police Criminal Background Check. The following persons shall be required to have their background reviewed through a fingerprint criminal records check including the Arkansas Sexual Offender Registry, conducted by the Arkansas State Police. A prospective staff member may not begin work until the Arkansas State Police criminal record check result has been returned as satisfactory. Following receipt of the satisfactory result, this individual must be supervised at all times, pending completion of all of the required background check components, by a staff member who has successfully completed all required background checks. Prospective employees who have not lived in the State of Arkansas during the preceding five (5) years will be subject to current federal guidelines regarding conducting a criminal background check and sexual offender registry check in any states where they resided during the past five (5) years. (A National Sexual Offender Registry check will also be conducted on prospective employees.)

- Volunteers and Therapists who have routine contact with children. Prior to providing services or participating in home activities and every five (5) years thereafter.

Arkansas State Police Criminal Background Check. The following persons shall be required to have their background reviewed through a fingerprint criminal records check including the Arkansas Sexual Offender Registry, conducted by the Arkansas State Police. A prospective staff member may not begin work until the Arkansas State Police criminal record check result has been returned as satisfactory. Following receipt of the satisfactory result, this individual must be supervised at all times, pending completion of all of the required background check components, by a staff member who has successfully completed all required background checks. Prospective employees who have not lived in the State of Arkansas during the preceding five (5) years will be subject to current federal guidelines regarding conducting a criminal background check and sexual offender registry check in any states where they resided during the past five (5) years. (A National Sexual Offender Registry check will also be conducted on prospective employees.)

- Other persons who have supervisory or disciplinary control over children, or have routine contact with children. Prior to providing services or participating in home activities and every five (5) years thereafter.
No person shall be eligible to be a child care facility owner, operator, employee, household member, or volunteer who is in the home on a routine or continual basis if that person has pleaded guilty, or been found guilty, of any of the following offenses by any court in the State of Arkansas, any similar offense by a court in another state, or any similar offense by a federal court. The following offenses are permanently prohibited:

- Child kidnapping, §5-11-102;
- Murder in the first degree, §5-10-102;
- Murder in the second degree, §5-10-103;
- Rape, §§14-10-103;
- Sexual assault in the first degree, §§16-12-14;
- Sexual assault in the second degree, §§14-12-15;
- Criminal attempt to commit any offense, §§3-3-201;
- Criminal conspiracy to commit any offense, §§3-401;
- Criminal solicitation to commit any offense, §§3-3-201;
- Criminal solicitation to commit any offense, §§3-3-201;
- Assault in the first, second, or third degree, §§5-13-201 to -207;
- Aggravated assault, §§5-13-204;
- Aggravated assault on a family or household member, §§5-26-306;
- Battery in the first, second, or third degree, §§5-13-201 to -207;
- Battery in the first, second, or third degree, §§5-13-201 to -207;
- Battery in the first, second, or third degree, §§5-13-201 to -207;
No person shall be eligible to be a child care facility owner, operator, employee, volunteer, or household member, if that person has pleaded guilty, or been found guilty, of any of the following offenses by any court in the State of Arkansas, any similar offense by a court in another state or any similar offense by a federal court. The following offenses are prohibited:

- Breaking or entering, § 5-39-202;
- Burglary, § 5-39-201;
- Coercion, § 5-13-208;
- Computer crimes against minors, § 5-27-601 et. seq.;
- Contributing to the delinquency of a juvenile, § 5-27-220;
- Contributing to the delinquency of a minor, § 5-27-209;
- Criminal impersonation, § 5-37-208;
- Criminal use of a prohibited weapon, § 5-73-104;
- Communicating a death threat concerning a school employee or students: § 5-17-11;
- Domestic battery in the first, second, or third degree, § 5-26-303 to -305;
- Employing or consenting to the use of a child in a sexual performance, § 5-27-461;
- Endangering the welfare of a minor in the first or second degree, §§ 5-27-205 to -206;
- Endangering the welfare of an incompetent person in the second degree, § 5-27-210;
- Engaging children in sexually explicit conduct for use in visual or print media, § 5-27-303;
- False imprisonment in the first or second degree, §§ 5-11-303 to -304;
- Felony abuse of an endangered or impaired person, § 5-28-103;
No person shall be eligible to be a child care facility owner, operator, employee, volunteer, or household member, if that person has pleaded guilty, or been found guilty, of any of the following offenses by any court in the State of Arkansas, any similar offense by a court in another state or any similar offense by a federal court. The following offenses are prohibited:

- Financial identity fraud, § 5-37-227;
- Offense of cruelty to animals, § 5-62-103;
- Interference with visitation, § 5-26-501;
- Incest, § 5-26-202;
- Sexual solicitation, § 5-70-103;
- Forgery, § 5-37-201;
- Negligent homicide, § 5-10-105;
- Manslaughter, § 5-10-104;
- Obscene performance at a live public show, § 5-66-305;
- Offense of cruelty to animals, § 5-62-103;
-Offense of aggravated cruelty to dog, cat, or horse, § 5-62-103;
- Pandering or possessing visual or print medium depicting sexually explicit conduct involving a child, § 5-27-104;
- Sexual solicitation, § 5-70-103;
- Permanent detention or restraint, § 5-11-101;

Felonies interfere with a law enforcement officer, §§ 5-54-104;
Felon violation of the Uniform Controlled Substance Act, §§ 5-64-101 et seq.;
Financial identity fraud, § 5-37-227;
Interference with court ordered custody, §§ 5-26-501;
Interference with visitation, §§ 5-26-501;
Introduction of controlled substance into body of another § 5-13-210;
Negligent homicide, § 5-20-105;
Obscene performance at a live public show, § 5-66-305;
Offense of cruelty to animals, § 5-62-103;
Offense of aggravated cruelty to dog, cat, or horse, § 5-62-103;
No person shall be eligible to be a child care facility owner, operator, employee, volunteer, or household member, if that person has pleaded guilty, or been found guilty, of any of the following offenses by any court in the State of Arkansas, any similar offense by a court in another state or any similar offense by a federal court. The following offenses are prohibited:

- Permitting abuse of a minor, § 5-27-221;
- Producing, directing, or promoting a sexual performance by a child, § 5-27-403;
- Soliciting money or property from a child under 16 years old by a court in another state or any similar offense by a federal court. The following offenses are prohibited:
- Simultaneous possession of drugs and firearms, § 5-74-101a seq.;
- Soliciting money or property from incompetents, § 5-27-229;
Theft by receiving, § 5-36-106; Forgery, § 5-37-201; Interference with visitation, § 5-26-501; Theft of services, § 5-36-104; Theft of property, § 5-36-103; Voyeurism, § 5-16-102.

If the Licensee wishes to employ an individual with a conviction or plea of guilty or nolo contendere for the following nonviolent offenses, they shall submit a written request for a waiver prior to employment. (§ 20-38-103(e)(3)(A) Act 990 of 2013) The waiver may be approved if all the following conditions are met: • The individual has fully complied with all court orders pertaining to the conviction or plea • The individual has paid all court ordered fees, fines, and restitution • The individual has completed probation or parole supervision • The individual has paid all court ordered fees, fines, and restitution • The individual has completed probation or parole supervision • The individual has paid all court ordered fees, fines, and restitution • Transportation of minors for prohibited sexual conduct, § 5-27-305; Unlawful discharge of a firearm from a vehicle, § 5-74-107; and

No person shall be eligible to be a child care facility owner, operator, employee, volunteer, or household member, if that person has pleaded guilty, or been found guilty, of any of the following offenses by any court in the State of Arkansas, any similar offense by a court in another state or any similar offense by a federal court. The following offenses are prohibited: Theft by receiving, § 5-36-106; Theft of property, § 5-36-103; Theft of services, § 5-36-104; Unlawful discharge of a firearm from a vehicle, § 5-74-107; and

If the Licensee wishes to employ an individual with a conviction or plea of guilty or nolo contendere for the following nonviolent offenses, they shall submit a written request for a waiver prior to employment. (§ 20-38-103(e)(3)(A) Act 990 of 2013) The waiver may be approved if all the following conditions are met: • The individual has fully complied with all court orders pertaining to the conviction or plea • The individual has paid all court ordered fees, fines, and restitution • The individual has fully complied with all court orders pertaining to the conviction or plea • The individual has fully complied with all court orders pertaining to the conviction or plea

No person shall be eligible to be a child care facility owner, operator, employee, volunteer, or household member, if that person has pleaded guilty, or been found guilty, of any of the following offenses by any court in the State of Arkansas, any similar offense by a court in another state or any similar offense by a federal court. The following offenses are prohibited: Theft by receiving, § 5-36-106; Theft of property, § 5-36-103; Theft of services, § 5-36-104; Unlawful discharge of a firearm from a vehicle, § 5-74-107; and

If the Licensee wishes to employ an individual with a conviction or plea of guilty or nolo contendere for the following nonviolent offenses, they shall submit a written request for a waiver prior to employment. (§ 20-38-103(e)(3)(A) Act 990 of 2013) The waiver may be approved if all the following conditions are met: • The individual has fully complied with all court orders pertaining to the conviction or plea • The individual has paid all court ordered fees, fines, and restitution • The individual has fully complied with all court orders pertaining to the conviction or plea • The individual has fully complied with all court orders pertaining to the conviction or plea • The individual has fully complied with all court orders pertaining to the conviction or plea

Financial identity fraud § 5-37-227; Resisting arrest § 5-34-103; Criminal impersonation in the second degree § 5-37-208(b);
If the Licensee wishes to employ an individual with a conviction or plea of guilty or no contest for the following nonviolent offenses, they shall submit a written request for a waiver prior to employment: (§ 20-38-103(e)(3)(A) Act 990 of 2013) The waiver may be approved if all the following conditions are met: • The individual has completed probation or parole supervision • The individual has paid all court ordered fees, fines, and restitution • The individual has fully complied with all court orders pertaining to the conviction or plea

Interference with court-ordered visitation § 5-20-502

If the Licensee wishes to employ an individual with a conviction or plea of guilty or no contest for the following nonviolent offenses, they shall submit a written request for a waiver prior to employment: (§ 20-38-103(e)(3)(A) Act 990 of 2013) The waiver may be approved if all the following conditions are met: • The individual has completed probation or parole supervision • The individual has paid all court ordered fees, fines, and restitution • The individual has fully complied with all court orders pertaining to the conviction or plea

Prostitution § 5-70-102; and

Patronizing a prostitute § 5-70-203;
Number of Children: 10 - Ages of Children: 3-up

Homes specializing in infant care shall maintain a 1:3 ratio.

Ironing shall not occur in the presence of the children.

### 300.301 PERSONNEL
#### Staff to Child Ratios

When a caregiver is not in the same room with children the children shall be frequently observed, and the caregiver shall remain close enough to easily hear them; doors to rooms where children are sleeping or playing within the home shall remain open and periodically checked to ensure they are breathing normally; and the caregiver shall be present on the outdoor play area at all times when any children are present.

### 300.301.1 PERSONNEL
#### Staff to Child Ratios

The primary caregiver's own preschool children shall be included in the caregiver to child ratio. The primary caregiver's own school age children are not considered in the ratio.

### 300.301.2 PERSONNEL
#### Staff to Child Ratios

A Licensed Home may care for two (2) school age children for a short time not to exceed a total of three (3) hours per day before or after a school day. These two (2) children shall not be counted in the caregiver to child ratio. School age children who are in care at times other than before or after a school day shall be included in the caregiver to child ratio. These same two (2) children may stay all day in care and not be counted in the ratio due to emergency school closings, such as inclement weather. The home’s capacity shall not be exceeded other than the above stated exemptions. If the attendance exceeds ten (10), fire approval is required.

### 300.301.3 PERSONNEL
#### Staff to Child Ratios

The primary caregiver shall be twenty-one (21) years or older. A secondary caregiver shall be age eighteen (18) or older.

### 300.301.4 PERSONNEL
#### Staff to Child Ratios

The primary caregiver shall be twenty-one (21) years or older. A secondary caregiver shall be age eighteen (18) or older.

### 300.301.5 PERSONNEL
#### Staff to Child Ratios

The primary caregiver shall be twenty-one (21) years or older. A secondary caregiver shall be age eighteen (18) or older.

### 300.301.6 PERSONNEL
#### Staff to Child Ratios

A Licensed Home may care for two (2) school age children for a short time not to exceed a total of three (3) hours per day before or after a school day. These two (2) children shall not be counted in the caregiver to child ratio. School age children who are in care at times other than before or after a school day shall be included in the caregiver to child ratio. These same two (2) children may stay all day in care and not be counted in the ratio due to emergency school closings, such as inclement weather. The home’s capacity shall not be exceeded other than the above stated exemptions. If the attendance exceeds ten (10), fire approval is required.

### 300.301.7 PERSONNEL
#### Staff to Child Ratios

The primary caregiver shall be twenty-one (21) years or older. A secondary caregiver shall be age eighteen (18) or older.

### 300.301.8 PERSONNEL
#### Staff to Child Ratios

The primary caregiver shall be twenty-one (21) years or older. A secondary caregiver shall be age eighteen (18) or older.

### 300.301.9 PERSONNEL
#### Staff to Child Ratios

The primary caregiver shall be twenty-one (21) years or older. A secondary caregiver shall be age eighteen (18) or older.

### 300.302 PERSONNEL
#### Staff to Child Ratios

Homes specializing in Infant Care: Staff to Child Ratio

Homes specializing in Infant Care shall maintain a 1:3 ratio. Homes specializing in infant care shall have a Fire Department inspection and approval.

### 300.303 PERSONNEL
#### Caregiver Qualifications and Responsibilities

The primary caregiver shall be twenty-one (21) years or older. A secondary caregiver shall be age eighteen (18) or older.

### 300.303.1 PERSONNEL
#### Caregiver Qualifications and Responsibilities

Caregiver licensing may require a physician's statement for any caregiver anytime behavioral or physical indicators warrant. Staff shall not engage in behavior that could be viewed as sexual, dangerous, exploitative, or physically harmful to children. A caregiver shall not use profanity or speak in an abusive manner when children are present.

### 300.303.2 PERSONNEL
#### Caregiver Qualifications and Responsibilities

Newly licensed caregivers shall attend Family Child Care Provider Training and Business Administration Scale (BAS) training (or other approved tools that are considered equivalent in the state’s Quality Rating and Improvement System (QRIS) within the first six (6) months of being licensed.

### 300.303.3 PERSONNEL
#### Caregiver Qualifications and Responsibilities

Caregiver Qualifications and Responsibilities

The Licensee shall notify the Licensing Unit within five (5) calendar days of any change in the person(s) designated as secondary caregivers.

### 300.303.4 PERSONNEL
#### Caregiver Qualifications and Responsibilities

Primary caregivers licensed after November 1, 2002, and all secondary caregivers shall have a high school diploma or General Education Diploma (GED). If a diploma or proof of a GED is not available, a reasonable attempt to obtain a copy shall be documented.
300.303.3 PERSONNEL  Caregiver Qualifications and Responsibilities

The primary caregiver shall not be otherwise employed during the time he or she is responsible for children in the home. Employment at other times shall not affect the quality of care given to the children. When two (2) persons are listed as joint holders of the license and are both primary caregivers, at least one (1) shall be present in the home while children are in care.

300.303.4 PERSONNEL  Caregiver Qualifications and Responsibilities

A caregiver shall not use profanity or speak in an abusive manner when children are present. The caregiver shall also cooperate with licensing staff during licensing monitor visits.

300.303.5 PERSONNEL  Caregiver Qualifications and Responsibilities

The caregiver shall have a person who would be able to care for the children in the event of an emergency.

All caregivers who work directly with children shall obtain at least fifteen (15) hours of training, including child development training, registered with the Division of Child Care and Early Childhood Education Professional Development (DCCEDP) Registry, or Department of Education or Department of Higher Education approved training each year in continuing early childhood education.

300.303.6 PERSONNEL  Caregiver Qualifications and Responsibilities

The caregiver shall have a person who would be able to care for the children in the event of an emergency. Proper supervision of children; Behavioral guidance practices; Safe sleep practices for infants; Shaken baby syndrome, which includes prevention (Carter's Law, Act 1208); Appropriately responding to a crying, fussy, infant or child; Emergency procedures in the event of severe weather, or fire, including evacuation procedures and routes, and location, and use of fire extinguishers; Mandated reporter training; Administering medication; Caring for children with special needs or care plans; Transportation and car seat safety; Policies regarding release of children to authorized individuals; Prevention and control of infectious diseases; Building and physical premises safety, including the identification of, and protection from, hazards, bodies of water, and vehicular traffic; Educational approved training each year in continuing early childhood education.

300.303.7a PERSONNEL  Caregiver Qualifications and Responsibilities

All caregivers, including volunteers who are counted in the ratios, shall receive the following orientation within three (3) months of employment (and every three (3) years thereafter) and shall not be left alone with children until this is completed. 1. Introduction (eight (8) clock hours):

- Proper supervision of children; Behavioral guidance practices.
- Safe sleep practices for infants; Shaken baby syndrome, which includes prevention (Carter's Law, Act 1208).
- Appropriately responding to a crying, fussy, infant or child; Emergency procedures in the event of severe weather, or fire, including evacuation procedures and routes, and location, and use of fire extinguishers.
- Mandated reporter training; Administering medication.
- Caring for children with special needs or care plans; Transportation and car seat safety.
- Policies regarding release of children to authorized individuals.

300.303.7b PERSONNEL  Caregiver Qualifications and Responsibilities

All caregivers, including volunteers who are counted in the ratios, shall receive the following orientation within three (3) months of employment (and every three (3) years thereafter) and shall not be left alone with children until this is completed. 1. Introduction (eight (8) clock hours):

- Proper supervision of children; Behavioral guidance practices.
- Safe sleep practices for infants; Shaken baby syndrome, which includes prevention (Carter's Law, Act 1208).
- Appropriately responding to a crying, fussy, infant or child; Emergency procedures in the event of severe weather, or fire, including evacuation procedures and routes, and location, and use of fire extinguishers.
- Mandated reporter training; Administering medication.
- Caring for children with special needs or care plans; Transportation and car seat safety.
- Policies regarding release of children to authorized individuals.

300.303.7c PERSONNEL  Caregiver Qualifications and Responsibilities

All caregivers, including volunteers who are counted in the ratios, shall receive the following orientation within three (3) months of employment (and every three (3) years thereafter) and shall not be left alone with children until this is completed. 1. Introduction (eight (8) clock hours):

- Proper supervision of children; Behavioral guidance practices.
- Safe sleep practices for infants; Shaken baby syndrome, which includes prevention (Carter's Law, Act 1208).
- Appropriately responding to a crying, fussy, infant or child; Emergency procedures in the event of severe weather, or fire, including evacuation procedures and routes, and location, and use of fire extinguishers.
- Mandated reporter training; Administering medication.
- Caring for children with special needs or care plans; Transportation and car seat safety.
- Policies regarding release of children to authorized individuals.

300.303.7d PERSONNEL  Caregiver Qualifications and Responsibilities

All caregivers, including volunteers who are counted in the ratios, shall receive the following orientation within three (3) months of employment (and every three (3) years thereafter) and shall not be left alone with children until this is completed. 1. Introduction (eight (8) clock hours):

- Proper supervision of children; Behavioral guidance practices.
- Safe sleep practices for infants; Shaken baby syndrome, which includes prevention (Carter's Law, Act 1208).
- Appropriately responding to a crying, fussy, infant or child; Emergency procedures in the event of severe weather, or fire, including evacuation procedures and routes, and location, and use of fire extinguishers.
- Mandated reporter training; Administering medication.
- Caring for children with special needs or care plans; Transportation and car seat safety.
- Policies regarding release of children to authorized individuals.

300.303.7e PERSONNEL  Caregiver Qualifications and Responsibilities

All caregivers, including volunteers who are counted in the ratios, shall receive the following orientation within three (3) months of employment (and every three (3) years thereafter) and shall not be left alone with children until this is completed. 1. Introduction (eight (8) clock hours):

- Proper supervision of children; Behavioral guidance practices.
- Safe sleep practices for infants; Shaken baby syndrome, which includes prevention (Carter's Law, Act 1208).
- Appropriately responding to a crying, fussy, infant or child; Emergency procedures in the event of severe weather, or fire, including evacuation procedures and routes, and location, and use of fire extinguishers.
- Mandated reporter training; Administering medication.
- Caring for children with special needs or care plans; Transportation and car seat safety.
- Policies regarding release of children to authorized individuals.

300.303.7f PERSONNEL  Caregiver Qualifications and Responsibilities

All caregivers, including volunteers who are counted in the ratios, shall receive the following orientation within three (3) months of employment (and every three (3) years thereafter) and shall not be left alone with children until this is completed. 1. Introduction (eight (8) clock hours):

- Proper supervision of children; Behavioral guidance practices.
- Safe sleep practices for infants; Shaken baby syndrome, which includes prevention (Carter's Law, Act 1208).
- Appropriately responding to a crying, fussy, infant or child; Emergency procedures in the event of severe weather, or fire, including evacuation procedures and routes, and location, and use of fire extinguishers.
- Mandated reporter training; Administering medication.
- Caring for children with special needs or care plans; Transportation and car seat safety.
- Policies regarding release of children to authorized individuals.

300.303.7g PERSONNEL  Caregiver Qualifications and Responsibilities

All caregivers, including volunteers who are counted in the ratios, shall receive the following orientation within three (3) months of employment (and every three (3) years thereafter) and shall not be left alone with children until this is completed. 1. Introduction (eight (8) clock hours):

- Proper supervision of children; Behavioral guidance practices.
- Safe sleep practices for infants; Shaken baby syndrome, which includes prevention (Carter's Law, Act 1208).
- Appropriately responding to a crying, fussy, infant or child; Emergency procedures in the event of severe weather, or fire, including evacuation procedures and routes, and location, and use of fire extinguishers.
- Mandated reporter training; Administering medication.
- Caring for children with special needs or care plans; Transportation and car seat safety.
- Policies regarding release of children to authorized individuals.

300.303.7h PERSONNEL  Caregiver Qualifications and Responsibilities

All caregivers, including volunteers who are counted in the ratios, shall receive the following orientation within three (3) months of employment (and every three (3) years thereafter) and shall not be left alone with children until this is completed. 1. Introduction (eight (8) clock hours):

- Proper supervision of children; Behavioral guidance practices.
- Safe sleep practices for infants; Shaken baby syndrome, which includes prevention (Carter's Law, Act 1208).
- Appropriately responding to a crying, fussy, infant or child; Emergency procedures in the event of severe weather, or fire, including evacuation procedures and routes, and location, and use of fire extinguishers.
- Mandated reporter training; Administering medication.
- Caring for children with special needs or care plans; Transportation and car seat safety.
- Policies regarding release of children to authorized individuals.

300.303.7i PERSONNEL  Caregiver Qualifications and Responsibilities

All caregivers, including volunteers who are counted in the ratios, shall receive the following orientation within three (3) months of employment (and every three (3) years thereafter) and shall not be left alone with children until this is completed. 1. Introduction (eight (8) clock hours):

- Proper supervision of children; Behavioral guidance practices.
- Safe sleep practices for infants; Shaken baby syndrome, which includes prevention (Carter's Law, Act 1208).
- Appropriately responding to a crying, fussy, infant or child; Emergency procedures in the event of severe weather, or fire, including evacuation procedures and routes, and location, and use of fire extinguishers.
- Mandated reporter training; Administering medication.
- Caring for children with special needs or care plans; Transportation and car seat safety.
- Policies regarding release of children to authorized individuals.
All caregivers, including volunteers who are counted in the ratios, shall receive the following orientation within three (3) months of employment and every three (3) years thereafter and shall not be left alone with children until this is completed. 1. Introduction (eight (8) clock hours): Prevention of and control of infectious diseases;

All caregivers, including volunteers who are counted in the ratios, shall receive the following orientation within three (3) months of employment and every three (3) years thereafter and shall not be left alone with children until this is completed. 1. Introduction (eight (8) clock hours): Nutrition and physical activities;

All caregivers, including volunteers who are counted in the ratios, shall receive the following orientation within three (3) months of employment and every three (3) years thereafter and shall not be left alone with children until this is completed. 1. Introduction (eight (8) clock hours): Prevention and response to food sensitivities and allergic reactions;

All caregivers, including volunteers who are counted in the ratios, shall receive the following orientation within three (3) months of employment and every three (3) years thereafter and shall not be left alone with children until this is completed. 1. Introduction (eight (8) clock hours): Basic child development; and

All caregivers, including volunteers who are counted in the ratios, shall receive the following orientation within three (3) months of employment and every three (3) years thereafter and shall not be left alone with children until this is completed. 1. Introduction (eight (8) clock hours): The handling and storage of hazardous materials and the appropriate disposal of biohazardous materials.

All caregivers, including volunteers who are counted in the ratios, shall receive the following orientation within three (3) months of employment and every three (3) years thereafter and shall not be left alone with children until this is completed. 1. Introduction (eight (8) clock hours): The curriculum shall conform to current American Heart Association or American Red Cross guidelines;

All caregivers, including volunteers who are counted in the ratios, shall receive the following orientation within three (3) months of employment and every three (3) years thereafter and shall not be left alone with children until this is completed. 1. Introduction (eight (8) clock hours): The curriculum shall require hands on, skill-based instruction, as well as practical testing. Training and certification that is provided solely online will not be accepted, and

All caregivers, including volunteers who are counted in the ratios, shall receive the following orientation within three (3) months of employment and every three (3) years thereafter and shall not be left alone with children until this is completed. 1. Introduction (eight (8) clock hours): Emergency Medical Services (EMS) Safety Services, Inc.

Caregivers are those individuals who have routine contact with children and assist in the home. If they are left alone with children, considered in the staff to child ratio or given supervisory and disciplinary control over children, they shall be considered staff and must meet caregiver qualifications and responsibilities. (Section 303)

Caregivers are those individuals who have routine contact with children and assist in the home. If they are left alone with children, considered in the staff to child ratio or given supervisory and disciplinary control over children, they shall be considered staff and must meet caregiver qualifications and responsibilities. (Section 303)

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Caregivers are those individuals who have routine contact with children and assist in the home. If they are left alone with children, considered in the staff to child ratio or given supervisory and disciplinary control over children, they shall be considered staff and must meet caregiver qualifications and responsibilities. (Section 303)

The instructor shall be qualified and authorized to teach the curriculum and shall be certified by a nationally recognized organization. (Including but not limited to: Health and Safety Institute; Emergency Medical Services (EMS) Safety Services, Inc.)

All volunteers in a Registered Child Care Family Home shall be eighteen (18) years of age or older unless the volunteer is under the direct supervision of the licensee and has been approved on an individual basis by the Child Care Licensing Unit.

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Individuals who provide health services or program enrichment activities on a limited basis are not considered volunteers. The home shall retain a register of such persons listing name, organization address, telephone number, date, and time in the center. (Note: This section does not apply to therapists or others who have frequent contact with children. Therapists who are not left alone with children are required to have child maltreatment background checks. Therapists who are left alone with children at any time are subject to all background checks required for personnel. The therapist is entitled to a copy of the initial background check report and may share a copy with other facilities in which the therapist may be working.)

Students visiting the home on a regular or periodic basis to observe classroom activities or for other similar purposes shall not be counted in the staff to child ratio, shall not have disciplinary control over children, and shall not be left alone with children. These individuals shall have a child maltreatment background check on file.

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There shall be a posted daily schedule, which includes age-appropriate activities, including alternating periods of active play and quiet activities throughout the day.

Children shall have a variety of toys, books, creative materials, and equipment that is easily accessible and arranged to support learning. This includes equipment for:

Large muscle activities (such as climbing and running); and

The use of television, DVD, video cassette viewing, and computer or video games and other screen time activities shall meet the following requirements:

Manipulative activities (such as things done with the hands).

There shall not be one (1) hour per child or group of children. (Children shall not be required to participate in screen time activities and shall be offered other choices. Viewing time may be extended for special events or occasions such as a current event, holiday or birthday celebrations, or for the occasional viewing of age appropriate movies or other programs that may exceed one hour in length; and

Do not exceed two (2) hours.)

There shall be meaningful interaction between staff and children, to include but not limited to the following:

Communicate consistently with parents or guardians; and

Large muscle activities (such as climbing and running; and

The use of television, DVD, video cassette viewing, and computer or video games and other screen time activities shall meet the following requirements:

Computer learning periods for children below age five (5) may not exceed two (2) hours a day per child or group of children.

There shall be a posted daily schedule, which includes age-appropriate activities, including alternating periods of active play and quiet activities throughout the day.

Children shall have a variety of toys, books, creative materials, and equipment that is easily accessible and arranged to support learning. This includes equipment for:

Large muscle activities (such as climbing and running); and

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Computer learning periods for children below age five (5) may not exceed two (2) hours a day per child or group of children.
400.402.11 PROGRAM AND ACTIVITIES Infant and Toddler Specific Program Requirements

Infants and toddlers shall be taken outside for a period of time every day, unless prevented by weather or special medical reasons.

400.402.12 PROGRAM AND ACTIVITIES Infant and Toddler Specific Program Requirements

Infants shall be placed flat on their backs to sleep, in accordance with American Academy of Pediatrics guidelines, to lessen the risk of suffocation and Sudden Infant Death Syndrome (SIDS). (If a child rolls over on his or her own, the facility is not required to reposition the child.) Infants (children twelve (12) months and below) shall be placed in cribs, cots, or mats meeting Consumer Product Safety Commission (CPSC) standards, when they fall asleep. (Note: Also, any items used in any position during sleep, including sleep aids, must be safe for the infant or toddler.) The caregiver shall implement relationship-based practices that promote consistency and continuity of care for infants and toddlers. Infant and toddler caregivers and teachers shall: Engage children in frequent, rich social exchanges in a variety of ways. For example, holding, patting, making frequent eye contact; smiling, singing, and using a pleasant calm voice in conversation;

400.402.13 PROGRAM AND ACTIVITIES Infant and Toddler Specific Program Requirements

The caregiver shall remain awake at all times children are in care. Alternative Compliance may be requested to allow the caregiver to sleep after the children are in bed for the night. For this request to be approved, consideration will be given to the overall level of licensing compliance, the use of motion detectors or other alarms to alert the caregiver if children leave the sleeping area, the ages, numbers, and sex of the children in overnight care and written notification to parents that the caregiver will be sleeping during overnight care.

400.402.14 PROGRAM AND ACTIVITIES Infant and Toddler Specific Program Requirements

Permission from parents shall be on file for school age children to leave the home.

400.402.15 PROGRAM AND ACTIVITIES Infant and Toddler Specific Program Requirements

School age children who leave the home to participate in classes, clubs, or other activities shall have written permission from the parents naming the activity, time of leaving and returning, and method of transportation to the activity; and

400.402.16 PROGRAM AND ACTIVITIES Infant and Toddler Specific Program Requirements

School age children who leave the home to participate in classes, clubs, or other activities shall have written permission from the parents naming the activity, time of leaving and returning, and method of transportation to the activity; and

400.402.17 PROGRAM AND ACTIVITIES Infant and Toddler Specific Program Requirements

The caregiver shall remain awake at all times children are in care. Alternative Compliance may be requested to allow the caregiver to sleep after the children are in bed for the night. For this request to be approved, consideration will be given to the overall level of licensing compliance, the use of motion detectors or other alarms to alert the caregiver if children leave the sleeping area, the ages, numbers, and sex of the children in overnight care and written notification to parents that the caregiver will be sleeping during overnight care.

400.402.18 PROGRAM AND ACTIVITIES Infant and Toddler Specific Program Requirements

In the event of an emergency or fire or emergency, older children shall have time for reading or doing homework during the school year.

400.402.19 PROGRAM AND ACTIVITIES Infant and Toddler Specific Program Requirements

Permission from parents shall be on file for school age children to leave the home.

400.402.20 PROGRAM AND ACTIVITIES Infant and Toddler Specific Program Requirements

Permission from parents shall be on file for school age children to leave the home.

400.402.21 PROGRAM AND ACTIVITIES Infant and Toddler Specific Program Requirements

The caregiver shall implement relationship-based practices that promote consistency and continuity of care for infants and toddlers. Infant and toddler caregivers and teachers shall: Respond promptly to cries and calls of distress by verbally acknowledging, gently touching, and holding children;

400.402.22 PROGRAM AND ACTIVITIES Infant and Toddler Specific Program Requirements

The caregiver shall implement relationship-based practices that promote consistency and continuity of care for infants and toddlers. Infant and toddler caregivers and teachers shall: Respond promptly to cries and calls of distress by verbally acknowledging, gently touching, and holding children;
Drinking water shall be available to children during the night.

Acceptable behavior guidance techniques include:

Physical punishment shall not be administered to children.

Acceptable behavior guidance techniques include:

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Acceptable behavior guidance techniques include:

Bathing facilities shall be available. Hot water shall be available. Children shall not take baths together or share the same bath water. Tubs or showers shall be cleaned after each use. Children shall be given fresh washcloths and towels. Preschool children shall never be left alone when bathing. Privacy shall be ensured.

Each child in night care shall be given a bed or cot with mattress or pad and pillow. Each child in night care shall be given a bed or cot with mattress or pad and pillow. Each child in night care shall be given a bed or cot with mattress or pad and pillow.

Bed or cots shall be arranged at least one foot (1') apart.

Use brief supervised separation from the group only when the child does not respond to a verbal command which instructs the child to do what he or she is supposed to do;...
Home records that are required to be kept are as follows:

Medical Records shall include:
- Verification of Child Care Liability insurance;
- Pet vaccinations.

Caregiver records shall contain the following:

Infant and Toddler Behavior Guidance Requirements

- All employee, child, and home records shall be kept on site and made available to the Child Care Licensing Unit on request. All required records shall be maintained for three (3) years. (This includes records on children no longer enrolled).
- Licensing Compliance forms (DCC-521) shall be maintained at the facility for three (3) years. The facility shall advise parents in writing that the compliance forms are available for review upon request.

- The following activities are unacceptable as behavior guidance measures and shall not be used:
  - Shaming, humiliating, frightening, physically or mentally harming children, or labeling children;
  - Covering the faces of children with blankets or similar items.

Licensing Compliance forms are available for review upon request.
Medical Records shall include:

- All licensed homes shall meet the following:
  - Food shall not be stored under sinks;
  - All surfaces shall be kept sanitary;
  - Each household shall ensure that these also meet U.S. Department of Agriculture guidelines, including routine and special field trips.
  - Sanitation Services.

Children’s Records

- All children in care during evening hours shall be offered an evening snack. Children in care during evening hours shall be served supper and children sleeping the night shall be served breakfast unless provided by parent or school.

Permission and Agreements will be signed by parents and caregiver(s):

- Written permission for the facility to photograph or video tape their child, if applicable, and
- Written permission for facility to place photos and video recordings of their child on social media or other web sites, if applicable.
- Written permission to use food brought in from outside sources or come from Health Department approved kitchens. This recommendation is based on concerns for the health and safety of children who may suffer severe food allergies, and the difficulty of monitoring ingredients in food brought in from home kitchens.
- Written permission to participate in water activities, if any.
- Signed statement by the parent stating who is authorized to pick up the child.
- Consent for emergency medical care and transportation for such care which shall be maintained at forty-one (41) degrees or below. (Frisco thermometer shall be maintained at zero (0) degrees or below.) Food shall not be stored under sinks; food shall be stored in original container or in a closed container; Chemical and tools shall not be stored in food storage area; and all medicines shall be stored separately from food at all times.

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Menus for all meals and snacks shall be available for review.

Breakfast shall be made available to children who arrive before 7:00 a.m. Breakfast may be served to all children rather than a morning snack provided there is no more than three (3) hours between the beginning of breakfast and the beginning of lunch. Morning and mid-afternoon snacks shall be provided to all children and shall meet current U.S. Department of Agriculture guidelines (See Appendix A).

The routine use of baby food, bottles, and formulas shall be agreed upon by the caregiver and parent. Instructions regarding special needs for food, bottles, and formulas, such as food allergies, shall be obtained in writing from the parent and followed by the caregiver (See Appendix B).

Infants no longer held for feeding shall either sit in low chairs at low tables or in infant seats with trays, or in high chairs with wide bases. Safety straps shall be used with high chairs.

Children under two (2) years of age shall not be fed foods that may cause choking, such as but not limited to hard candy, raw carrots, hot dogs, nuts, seeds, or popcorn.

Feedings for all children up to twelve (12) months of age shall be documented by the caregiver and available for review by the parent. This documentation shall continue for all children older than twelve (12) months of age who are still being given bottles. Children shall not share the same bottle.

A sanitary method of cleaning baby bottles shall be practiced. Baby bottles shall be properly refrigerated. Microwave shall not be used for heating bottles due to the danger of uneven heating.

Infant feeding schedules shall be flexible and adapted to each infant’s needs. The solid foods fed to an infant shall be determined by the child’s parent(s).

Infants under six (6) months of age shall be held while being fed. Bottles shall not be propped. Infants six (6) months of age and older shall be held if needed.

The home’s buildings, grounds, and equipment shall be clean, kept in good repair, and maintained as needed to protect the health and safety of the children. If the home has sustained structural damage the caregiver shall immediately notify the Child Care Licensing Specialist.

The home uses wood, propane, natural gas, or any other products as a source of heat that can produce carbon monoxide indoors or in an attached garage; or

There shall be at least thirty-five (35) square feet of usable indoor space for each child in the Home. This area shall not include kitchens, bathrooms, hallways or closets.

The home shall have an operable telephone on site at all hours if children are in care. The Licensee shall provide the phone number to the Licensing Unit and to the parents. (This phone may be a cell phone if the phone stays operable, stays at the facility, and is the phone number provided to the Licensing Unit and the parents.)

Light, heating, cooling, and ventilation of the home shall be adequate for safety and comfort. Windows or doors used for ventilation shall be screened.

It is recommended that if natural gas or propane is used, the facility’s heating systems be inspected and cleaned (if necessary) before each heating season by a qualified Heating, Ventilation, and Air Conditioning (HVAC) technician. Manufactured homes, licensed as Child Care Family Home, shall be fire-tested and under-gunned as required by the Arkansas Manufactured Home Commission. The home shall obtain an inspection and approval from the Arkansas Manufactured Home Commission prior to being licensed.

A diagram of the playground shall be submitted, clearly identifying the perimeter of the playground, with measurements, and identifying each piece of equipment used by the children enrolled at the licensed facility. This documentation shall be in the form of a satellite photo, when possible, from an internet site such as Google Maps, or a diagram of the playground if a useful photo is not available.

Any changes in the play area boundaries and/or equipment requested must be submitted in writing and approved prior to use.

Department of Labor, Boiler Inspection Division requirements shall be met. All water heaters and any other boilers in licensed child care settings shall be inspected on an annual basis and upon installation. Verification that initial inspection or proof of attempt to set up initial inspection, shall be completed within six (6) months of licensure. Scheduling and completion of annual inspections will be the responsibility of the Department of Labor; however, the facility is responsible for cooperating and keeping documentation of such inspection on file for review. (AR Code § 20-25-101 et seq.)
There shall be an outside exit from the play area.
The area shall be well drained.
Trapeze bars; or
The area shall be free of hazards or potentially hazardous objects.
Direct supervision shall be provided for children in toddler swings.
The following swings shall not be used for any ages:
There shall be no sharp points, corners, edges, or splinters.
Paint on equipment shall be lead free.
The following swings shall not be used for any ages:
There shall be no wood or metal swing seats.
The following swings shall not be used for any ages:

Flexible grid climbing devices shall not be used for preschoolers unless they are anchored at both ends and have a means of transitioning from one (1) piece of equipment to the next. Preschoolers shall not use sliding poles.

Sliding poles shall have no protruding rails or seams along the sliding surface and the pole shall not change directions. The only merry-go-rounds allowed are the portable merry-go-rounds not designed to be anchored.

Merry-go-rounds shall have handgrips or other secure means of holding on.

Seesaws without spring centering devices shall have shock absorbing materials, such as partial tires embedded in the ground underneath the seats or secured to the underside of the seats. Hand holds shall be provided for both hands at each seating position and shall not turn when propped. Hand holds shall not protrude beyond the sides of the seat on seesaws.

There shall be use zones and protective surfacing under and around all equipment that is over eighteen inches (18") in height at the highest accessible point. (The highest accessible point is defined as the highest surface on the piece of equipment where children would stand or sit when the equipment is being used as intended). Use zones shall extend a minimum of six feet (6’) in all directions (unless otherwise specified) from the perimeter of the equipment. (Placard equipment that is between eighteen inches (18") and twenty-four inches (24") at the highest accessible point and that was installed prior to the enforcement date of this revision is allowable without protective surfacing, as long as it meets all other requirements.)

Savings require use zones and protective surfacing regardless of height.

6 inches – Shredded or recycled rubber – Protects to Fall Height of 10 feet

*Shredded/recycled rubber loose-fill protective surfacing does not compress in the same manner as other loose-fill materials. However, it is recommended that care be taken to ensure that the gravel is actually pea gravel that is smooth and rounded, and not crushed rock or gravel with sharp edges. Crushed rock and sharp gravel will not be approved;

When purchasing gravel, it is recommended that care be taken prior to purchase to ensure that the gravel is actually pea gravel that is smooth and rounded, and not crushed rock or gravel with sharp edges. Crushed rock and sharp gravel will not be approved;

9 inches – Sand – Protects to Fall Height of 4 feet

When purchasing gravel, it is recommended that care be taken prior to purchase to ensure that the gravel is actually pea gravel that is smooth and rounded, and not crushed rock or gravel with sharp edges. Crushed rock and sharp gravel will not be approved;

9 inches – Wood mulch (non-CCA) – Protects to Fall Height of 7 feet

When purchasing gravel, it is recommended that care be taken prior to purchase to ensure that the gravel is actually pea gravel that is smooth and rounded, and not crushed rock or gravel with sharp edges. Crushed rock and sharp gravel will not be approved;

9 inches – Wood chips – Protects to Fall Height of 10 feet

When purchasing gravel, it is recommended that care be taken prior to purchase to ensure that the gravel is actually pea gravel that is smooth and rounded, and not crushed rock or gravel with sharp edges. Crushed rock and sharp gravel will not be approved;

When purchasing gravel, it is recommended that care be taken prior to purchase to ensure that the gravel is actually pea gravel that is smooth and rounded, and not crushed rock or gravel with sharp edges. Crushed rock and sharp gravel will not be approved;

Sand used for use zones shall be over 9 inches in size and shall not be mixed with gravel unless gravel is also used in the use zone. Different types of protective surfacing materials shall not be combined within the same use zone area.

Shock absorbent material such as sand, pea gravel, wood chips, wood mulch, shredded tires, etc., shall be used in use zone areas under and around playground equipment which requires a use zone.

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The following guidelines shall also be required for cribs:

- Water shall always be available to the children.
- Mattresses shall fit snugly in the crib;
- Each child under twelve (12) months of age shall have a separate well-constructed baby bed or playpen w/ a waterproof mattress or pad which shall be clean, dry, and in good condition. Sheets and covers are required and shall be kept clean and dry. Bassinets shall not be used. (Please note that the CPSC does not recommend the use of playpens in licensed child care.)

- Waterbeds shall not be used for sleeping children under the age of two (2) years.
- Cribs that have end panels with decorative cutout areas shall not be used;
- Mattresses shall fit snugly in the crib;
- The space between crib and mattress shall measure no more than one inch (1”);
- Corner post shall be the same height as end panels;
- End panels shall extend below mattress at the lowest position of the mattress; and
- Baby beds shall have slats no greater than two and three-eighths inches (2 3/8) apart."

- First-aid materials are required and shall be kept out of reach of children. A first aid kit containing medications shall be locked.
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- Water, sewage disposal, and toilet facilities shall be safe and sanitary. The Health Department may be consulted for its recommendation.

- Family Home is prohibited at all times. This includes:
  - The facility shall follow any health or medical care plans and/or medical documentation as provided by the child’s physician, parent, or guardian.
  - Garbage shall be kept in a closed container out of children’s reach.
  - All garbage, soiled diapers, and trash shall be removed from the home daily and grounds at least once a week.
  - The home shall be free of insects and rodents. Water, sewage disposal, and toilet facilities shall be safe and sanitary. The Health Department may be consulted for its recommendation. All areas of the home, regardless of whether children are in care (includes time periods such as nights, weekends, holidays, etc.), also includes office areas or other areas of the facility that share the same ventilation system(s).

- First-aid materials shall include:
  - Thermometer;
  - Roll of gauze bandages;
  - Sterile gauze squares;
  - Scissors;
  - Roll of gauze bandages;
  - Adhesive tape;
  - Antiseptic;
  - Roll of gauze bandages;
  - Thermometer;
  - Tweezers; and
  - Disposable gloves.
Reporting data should include:

- The reporter’s name, location, and phone number;
- The name of disease reported and the date onset;
- The patient’s name, address, phone number, age, sex, and race (Please spell the patient’s name);
- The attending physician’s name, location, and phone number;
- Any pertinent clinical and laboratory used in the diagnosis (Please give the laboratory name); and
- Any treatment information, if known.

It is recommended that universal precautions be used when handling and disposing of materials containing bodily secretions such as wet or soiled diapers, fecal matter, etc. Universal precautions shall be used when handling items contaminated by blood. These items shall be disposed of separately and by using rubber gloves that shall be properly disposed of after each use. (Note: hands must be washed even after gloves are used.) Within fifteen (15) days of enrollment of a child, the home shall verify that the child has been immunized as required by the Arkansas Department of Health or the child cannot remain in care. (Arkansas Code § 19-78-206 as amended by Act 870 of 1997.) (A current immunization schedule is provided as an insert in this publication.)

Children shall be protected from oversaturation to the sun. Sunscreen shall be used if needed and as directed by the parent. Sunburns and sunscreens used for infant, toddlers, and pre-school children shall be kept out of the children’s reach and shall be administered only with written parental permission. School age children may apply sunscreen to themselves with supervision. Blanket permission may be obtained annually.

It is recommended that the facility have an automated external defibrillator on site and have a staff member(s) on-site who is trained in the proper use of this device.

The parent or legal guardian shall be notified as soon as possible when a child has any symptoms that requires exclusion from the facility. The child shall be separated from other children and closely monitored until the parent arrives to pick the child up.

It is recommended that the caregiver determine if the illness prevents the child from participating comfortably in activities, results in a greater need for care than the child care staff can provide without compromising the health and safety of the other children, or poses a risk of spread of harmful diseases to others.

- Fever over one hundred and one (101) degrees oral, one hundred (100) degrees axillary or equivalent method(s) in a child who also has: Blood or mucous in stool (unless caused by hard stools);
- Vomiting illness (two (2) or more episodes of vomiting in the previous twenty-four (24) hours);

- Rash with fever or behavior change;

- Convulsions or “jerk eye” – with white, yellow, or green eye discharge and red (“bloodshot”) eyes, exclude only if child has: Fever; eye pain; redness or swelling of the skin around the eye; or if more than one (1) child in the program has symptoms. Pectolusis (head lice), from the end of the day until after the first treatment;

- Rash with fever or behavior change;

- Mumps with drooling;

- Sudden change in behavior, such as: agitation or lack of responsivness;
- Unexplained irritability or persistent crying;
- Difficult breathing;
- A quickly-spreading rash.

Diabetes, defined as watery or runny stools if frequency exceeds two (2) or more stools above normal for that child, and is not related to a change in diet or medication (excluding from child care is required if diabetes cannot be contained in the diaper or if diarrhea is causing soiled clothing in toilet-trained children);

- Blood or mucus in stool (unless caused by hard stools);
- Vomiting illness (two (2) or more episodes of vomiting in the previous twenty-four (24) hours);

- Abdominal pain which lasts more than two (2) hours;

- Increased temperature shall be medically evaluated.

Fever over one hundred and one (101) degrees oral, one hundred (100) degrees axillary or equivalent method(s) in a child who also has: Blood or mucous in stool (unless caused by hard stools);

- Vomiting illness (two (2) or more episodes of vomiting in the previous twenty-four (24) hours);

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- Unexplained irritability or persistent crying;
- Difficult breathing;
- A quickly-spreading rash.
Illness in the home shall be handled to protect all children in care. Hepatitis; Leaving child unsupervised on toilet.

The following methods shall not be used in toilet training: MUMPS; Any injury incurred by a child.

E-coli. Rash illness (including Measles and Rubella);

The caregiver shall notify the child's parents of significant events that affect the child. This shall include, but is not limited to: Cases of serious contagious disease; or

Any injury incurred by a child.

The caregiver shall temporarily exclude from child care if child has: Mumps, until five (5) days after onset of gland swelling; Measles, until four (4) days after onset of rash; and

Hepatitis A, until one (1) week after onset of illness or as directed by the health department.

In case of critical illness or injury, and if the parents cannot be reached, the physician named by the parent shall be called. In case of critical illness or injury that requires the attention of medical personnel the Child Care Licensing Specialist shall be notified within one (1) business day.

Caregiver's and children's hands shall be washed with liquid soap by caregivers and children. Liquid soap shall be accessible in the hand washing area and used to wash hands by caregivers and teachers. The table shall be a convenient height for use by caregivers and teachers.

The caregiver shall notify the child's parents of significant events that affect the children. This shall include, but is not limited to: Cases of serious contagious disease; or

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In case of critical illness or injury, and if the parents cannot be reached, the physician named by the parent shall be called. In case of critical illness or injury that requires the attention of medical personnel the Child Care Licensing Specialist shall be notified within one (1) business day.

Caregiver's and children's hands shall be washed with liquid soap by caregivers and children. Liquid soap shall be accessible in the hand washing area and used to wash hands by caregivers and teachers. The table shall be a convenient height for use by caregivers and teachers.
Children shall always be attended during diapering.

All poisonous substances shall be kept in a locked area.

Home and business numbers of the parents.

Police or sheriff's department;

Poison Control Center: 1-800-376-4766;

Fire department;

Child Abuse Hotline Number: 1-800-482-5964;

Medication Requirements

All non-prescription medication (except aspirin substitutes, such as ibuprofen and acetaminophen) shall be labeled with the child's name and date.

All medicines shall be given to a child only with the written permission of the child's parent(s) or guardian which includes date, time, drug name, type and dosage, length of time to give medication, and what the medication is being given for.

Medicines shall be kept in a locked area. Medicine shall be kept out of the reach of the children when dispensing.

Medicine shall be stored at the proper temperature, separately from food at all times.

Rescue medications such as inhalers or EpiPen shall be inaccessible to children (kept in a cabinet with a childproof lock safety latch or carried by caregiver).

Medication shall be returned to the parent or disposed of properly when a child withdraws from care or when the medication is out of date.

Children with special health care needs (ex. asthma, seizures, diabetes, etc.) who require scheduled daily medications or medications to be given on an emergent basis (Benadryl, EpiPen, rescue asthma medication, etc.) shall have a care plan. Care plans shall have clearly stated parameters, directions, and reasons for giving the medications. Care plans shall be updated as needed, but at least yearly.

Medication Requirements

The facility shall share information with families regarding medical homes for children.

Phone Numbers Required

The following phone numbers shall be available in the immediate area of the telephone:

Ambulance service or emergency medical services;

Police or sheriff's department;

Fire department;

Poison Control Center: 1-800-376-4766;

Child Abuse Hotline Number: 1-800-482-5964;

The following phone numbers shall be available in the immediate area of the telephone:

The physicians named by the parents;

Child Care Licensing Unit Central Office Number: 501-682-2350 or toll free 1-800-445-3315; and

Home and business numbers of the parents.

Pets with which children have contact shall receive vaccinations as required by law. Verification of vaccinations administered by a licensed veterinarian shall be maintained. Any pet that constitutes a threat to the welfare and safety of the children shall be kept in a confined area which prevents any contact with the children.

The home shall immediately notify the Licensing Unit of any damage to the building or grounds. If phone service is not available, notification shall be as soon as service is restored or available.

Pet Requirements

Safety Requirements

Licensed Homes must maintain a log of all child product recall and safety notices issued by Consumer Products Safety Commission (CPSC) or distributed by the Attorney General's Office and shall post or otherwise make these notices available for parents to review on site. The Licensee shall certify, on an annual basis, that these notices have been maintained and reviewed and that any identified items have been removed from the facility. Forms for self-certification will be provided by the Licensing Specialist and shall be submitted annually. (Act 1313 of 2001)

Safety Requirements

Electrical outlets shall be guarded. Protective caps, if used, shall be large enough to prevent small objects from being inserted.

Safety Requirements

Stairways shall be well lighted and guarded as needed. Dangerous equipment or objects shall be stored away from areas used by the children.

Safety Requirements

All detergents and cleaning supplies shall be kept out of the reach of children. (This does not include hand soap in children's or staff bathrooms). Supplies used for children's activities shall be carefully supervised.

Safety Requirements

All poisonous substances shall be kept in a locked area.

Accidents shall be unattended. Guns, other weapons, and ammunition shall be stored in a locked area in the home. Illegal drugs or paraphernalia shall not be in any part of the home, regardless if children are present or not.

Safety Requirements

Within thirty (30) days of licensure and thirty (30) days of any change or modification of the floor plan, the facility shall file a copy of their floor plan with the local Office of Emergency Management including the following: (§ 20-78-228 Act 1159 of 2013): Homes already licensed on the effective date of this regulation shall have thirty (30) days to comply.

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Within thirty (30) days of licensure and thirty (30) days of any change or modification of the floor plan, the facility shall file a copy of their floor plan with the local Office of Emergency Management including the following: (§ 20-78-228 Act 1159 of 2013): Homes already licensed on the effective date of this regulation shall have thirty (30) days to comply.

A schematic drawing of the facility and property used by the child care facility including the configuration of rooms, spaces, and other physical features of the building.
Wading pools shall not be used.

Fire and tornado drills shall be practiced as follows:

The written plan shall include the following information:

- Procedures for ensuring family reunification;
- Procedures for notifying parents of relocation;
- Safety Requirements
- The home shall maintain a record of emergency drills. This record shall include:
  - The type of drill;
  - Date of drill;
  - Number of children participating in the drill; and
  - Everyone in the Home at the time of the drill shall participate in the drill; and
  - Designated relocation site and evacuation route;

- Designated relocation site and evacuation route;

- Written procedures and evacuation diagrams for emergency drills shall be posted in each room used for childcare.

- Home swimming pools shall not be used by children in care unless the facility shall file a copy of their floor plan with the local Office of Emergency Management including the following: The home has already reviewed the current plan and agree to comply with the provisions of the plan.

- The home shall maintain a record of emergency drills. This record shall include:
  - The escape routes approved by the local fire department for the child care facility;
  - The licensed capacity and ages of children per room at the facility;

- An aerial view of the child care facility and properly used by the child care facility shall be included with the floor plan if available.

- The licensed capacity and ages of children per room at the facility;

- The escape routes approved by the local fire department for the child care facility;

Alcoholic beverages shall be kept out of reach of children.

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The Child Care Family Home shall maintain an evacuation pack that shall be taken on all drills and during real emergency evacuations. The pack shall be easily accessible in an emergency and all caregivers shall know the location of the pack. The evacuation pack shall include, but is not limited to the following:

- Battery powered flashlight and extra batteries;
- Hand sanitizer;
- Disposable cups;
- Wet wipes and sanitizing wipes;
- A home care for viewers (1) or more children at any age (this does not include school-age children not counting in the ratio) shall provide verification of an approved annual fire Department inspection; and;

The Child Care Family Home shall maintain an evacuation pack that shall be taken on all drills and during real emergency evacuations. The pack shall be easily accessible in an emergency and all caregivers shall know the location of the pack. The evacuation pack shall include, but is not limited to the following:

- First aid kit (requirement 1001.9) with extra gloves;
- Battery powered radio and extra batteries;
- Hand sanitizers;

The Child Care Family Home shall maintain an evacuation pack that shall be taken on all drills and during real emergency evacuations. The pack shall be easily accessible in an emergency and all caregivers shall know the location of the pack. The evacuation pack shall include, but is not limited to the following:

- A working smoke detector shall be installed near the kitchen area and in the children's sleeping areas.
- Emergency survival blanket;
The structure and use of the home shall permit easy entry and exit and shall comply with the following:
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Wood burning stoves, gas logs, fireplaces, open flame space heaters, water heaters, floor furnaces, or other sources of heat shall be guarded and vented when necessary for the protection of the children. Portable fuel fired heaters shall not be used.

Transportation Requirements

1300.1301.11 TRANSPORTATION

Transportation Requirements

There shall be a seating space and an individual, appropriate restraint system provided for each child being transported. 

1300.1301.10 TRANSPORTATION

Transportation Requirements

Vehicle seating space(s) shall remain available for review for one (1) year.

To ensure the vehicle and available for review for one (1) year.

To ensure that children are left on the vehicle, the driver or a staff member must walkthrough the vehicle and physically check each seat before leaving the vehicle.

To ensure that children have safely arrived in the home classroom, the transportation roster shall be reviewed by the Licensee and compared with attendance records. The Licensee shall sign off on the transportation roster to verify that all children have safely transitioned from the vehicle to the home.

Any vehicles designed or used to transport more than seven (7) passengers and one (1) driver must have approved child safety alarm devices installed. These devices must be properly maintained in working order at all times. Vehicles in service at licensed facilities prior to July 1, 2005, shall have the alarm installed by a qualified technician or mechanic no later than December 31, 2005. On or after July 1, 2005, all vehicles at newly licensed facilities and newly acquired vehicles at existing facilities shall have a child safety alarm installed before placing the vehicle in service. The Child Care Licensing Unit shall maintain a list of approved alarm systems. Clarification • The alarm system shall be installed so that the driver must walk to the very back of the vehicle to reach the switch that deactivates the alarm. Alarm switches installed in locations that do not require the driver to walk to the back of the vehicle and view all seating areas will not be acceptable. • The alarm systems may be installed by any certified technician or mechanic employed by a recognized electronics or automotive business in accordance with the device manufacturer's recommendations. • The time delay from activation of the alarm until the alarm sounds shall be no longer than one (1) minute. Any of the following three (3) options are acceptable to meet the intent of Act 1979 when children are being delivered at the facility. Other options must be approved by the Licensing Unit.

Any vehicles designed or used to transport more than seven (7) passengers and one (1) driver must have approved child safety alarm devices installed. These devices must be properly maintained in working order at all times. Vehicles in service at licensed facilities prior to July 1, 2005, shall have the alarm installed by a qualified technician or mechanic no later than December 31, 2005. On or after July 1, 2005, all vehicles at newly licensed facilities and newly acquired vehicles at existing facilities shall have a child safety alarm installed before placing the vehicle in service. The Child Care Licensing Unit shall maintain a list of approved alarm systems. Clarification • The alarm system shall be installed so that the driver must walk to the very back of the vehicle to reach the switch that deactivates the alarm. Alarm switches installed in locations that do not require the driver to walk to the back of the vehicle and view all seating areas will not be acceptable. • The alarm systems may be installed by any certified technician or mechanic employed by a recognized electronics or automotive business in accordance with the device manufacturer's recommendations. • The time delay from activation of the alarm until the alarm sounds shall be no longer than one (1) minute. Any of the following three (3) options are acceptable to meet the intent of Act 1979 when children are being delivered at the facility. Other options must be approved by the Licensing Unit.

Upon arrival, have one (1) staff member immediately walk through the vehicle to deactivate the alarm system. That staff member will remain near the alarm switch at the back of the vehicle until all children have been unloaded to ensure that no child is left on board. (This option will only work if you are able to unload all children in less than [1] minute.)
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Upon arrival, deactivate the alarm and unload the children. Immediately after unloading, start the vehicle and move it to a different location.

The vehicle(s) used for the transportation of children shall be in compliance with Arkansas state laws on transportation of children.

Commercial insurance coverage shall be maintained for any vehicle used for transportation by the facility. Verification of commercial insurance coverage shall be provided to the Licensing Specialist prior to transportation of children. Required coverage amounts to be maintained are:

- Minimum coverage of $100,000 Combined Single Limit (CSL); and
- Minimum coverage of $100,000 for both Uninsured Motorist (UM) and Under Insured Motorist (UIM); and
- Minimum coverage of $5,000 Personal Injury Protection (PIP) for each passenger (based on the number of passengers the vehicle is manufactured to transport).

Commercial insurance coverage shall be maintained for any vehicle used for transportation by the facility. Verification of commercial insurance coverage shall be provided to the Licensing Specialist prior to transportation of children. Required coverage amounts to be maintained are:

- Minimum coverage of $5,000 Personal Injury Protection (PIP) for each passenger (based on the number of passengers the vehicle is manufactured to transport).

The vehicle(s) used for the transportation of children shall be in compliance with Arkansas state laws on transportation of children.

When children are transported, emergency contact information shall be maintained on the vehicle at all times.

Caregivers transporting children shall meet the following requirements:

- Be at least twenty-one (21) years old or the minimum age required by the Licensee’s commercial auto insurance; hold a current valid driver’s license or commercial driver’s license as required by state law, and a readable copy shall be maintained in the employee’s record;
- Successfully completed the training course in Driver Safety that is offered, or approved, by the Division prior to transporting children; Verification of the completed course in Driver Safety shall be maintained in the employee’s record; and
- Be certified in Cardiopulmonary Resuscitation (CPR) and First Aid.

Caregivers transporting children shall meet the following requirements:

- The vehicle(s) used for the transportation of children shall be in compliance with Arkansas state laws on transportation of children;
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Vehicle(s) shall be licensed and maintained in proper working condition including air conditioning and heating systems.

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Commercial insurance coverage shall be maintained for any vehicle used for transportation by the facility. Verification of commercial insurance coverage shall be provided to the Licensing Specialist prior to transportation of children. Required coverage amounts to be maintained are:

- Minimum coverage of $100,000 Combined Single Limit (CSL); and
- Minimum coverage of $100,000 for both Uninsured Motorist (UM) and Under Insured Motorist (UIM); and
- Minimum coverage of $5,000 Personal Injury Protection (PIP) for each passenger (based on the number of passengers the vehicle is manufactured to transport).

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Any child transported in a passenger automobile, van or pick-up truck, who is less than six (6) years old or weighs less than sixty (60) pounds, must be restrained by a safety belt or any other approved safety devices. (Act 470 of 2001) Child passenger safety seats shall be used in accordance with manufacturer’s recommendations. • The time delay from activation of the alarm until the alarm sounds shall be no longer than one (1) minute. Any of the following three (3) options are acceptable to meet the intent of Act 1079 when children are being delivered at the facility. Other options must be approved by the licensing unit.

Upon arrival, deactivate the alarm and unload the children. Immediately after unloading, start the vehicle and move it to a different location.

The loading and unloading of children from vehicles shall be conducted in a safe manner.

A vehicle transporting children under the age of thirty-six (36) months shall maintain a ratio of one (1) adult to three (3) children.

The facility shall enroll children with special needs without regard to disability. (Programs are required to provide space and care for a child who can be placed in their facility with existing services, as well as added supports from special educational services, and as long as the health and safety of the child can be met.)

All child care facilities shall comply with all applicable provisions as specified in Individual with Disabilities Act (IDEA).

Staff shall provide care in the general classroom with children who are not disabled.

The facility shall assist in facilitation of services required to meet the "special needs" of children in the center or in the classroom as specified on the Individualized Education Program (IEP) and Individual Education Plan (IEP) plan process;
<table>
<thead>
<tr>
<th>Section</th>
<th>Description</th>
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<tbody>
<tr>
<td>1400.1401.1a</td>
<td>Special Needs Requirements - All child care facilities shall comply with all applicable provisions as specified in the Individual with Disabilities Act (IDEA): The facility shall allow service providers who are representatives of the Department of Human Services (DHS), the Division of Developmental Disabilities Services (DDS), or the Arkansas Department of Education (ADE) access to the facility to provide special services as prescribed on the plan to enable the plan to be implemented in the classroom (natural and least restrictive environment).</td>
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<tr>
<td>1400.1401.1f</td>
<td>Special Needs Requirements - All child care facilities shall comply with all applicable provisions as specified in the IDEA: The facility shall not charge special service providers for space, accept &quot;gratuities&quot;, or payment for allowing special service providers to provide services in their facility. The facility is not required to &quot;displace&quot; children or staff to make space available to special service providers.</td>
</tr>
<tr>
<td>1400.1401.1g</td>
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</tr>
<tr>
<td>1400.1401.1h</td>
<td>Special Needs Requirements - All child care facilities shall comply with all applicable provisions as specified in the IDEA: In order for a special service provider to provide special services in the facility, the IFSP/IEP planning team under the authority of the ADE and the DHS, DDS, shall identify the needed special services on the IFSP/IEP and Classroom staff shall reinforce the specified goals and objectives as part of the daily routine of the classroom.</td>
</tr>
<tr>
<td>1400.1402.1</td>
<td>Infant and Toddler Special Needs Requirements - When infants and toddlers cannot achieve satisfactory results from early intervention services in a natural environment, the provision of early intervention services shall occur in other appropriate settings as determined by the parent and the Individualized Family Service Team.</td>
</tr>
<tr>
<td>1400.1402.2</td>
<td>Infant and Toddler Special Needs Requirements - All child care facilities shall comply with all applicable provisions as specified in the IDEA: To the maximum extent appropriate, children ages 0-2 shall participate in early intervention services provided in &quot;natural environments.&quot;</td>
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