<table>
<thead>
<tr>
<th>Regulation #</th>
<th>Regulation Description</th>
<th>Regulation Sub-Description</th>
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<tbody>
<tr>
<td>100.101.1</td>
<td>DEPARTMENT RESPONSIBILITY</td>
<td>Responsibilities and Requirements</td>
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<td>The Division of Child Care and Early Childhood Education (DCCECE) (referred to hereafter as the Division) under the Department of Human Services (DHS) is directly responsible for the inspection and evaluation of all Registered Homes.</td>
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<td>100.101.2</td>
<td>DEPARTMENT RESPONSIBILITY</td>
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<td>The Division has the power to establish rules, regulations, and standards for licensing, registration, and operation of child care facilities. This includes all powers with respect to granting, revocation, denial, and suspension of licenses and registrations. Information regarding the appeal process is available upon request.</td>
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<td>100.101.3</td>
<td>DEPARTMENT RESPONSIBILITY</td>
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<td>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.</td>
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<td>100.101.4</td>
<td>DEPARTMENT RESPONSIBILITY</td>
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<td>It is recommended that the owner be aware of any applicable city or county zoning ordinances or codes or neighborhood 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 Registered Homes with any city or county that requests this information.</td>
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<td>100.101.5</td>
<td>DEPARTMENT RESPONSIBILITY</td>
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<td>Owners, operators, staff, therapists, and volunteers are mandated reporters of suspected child maltreatment and are required to call the Child Maltreatment Hotline at 1-800-482-5964, if they have reason to suspect child maltreatment. Additionally, these same individuals are required by Act 530 of 2019, 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 registered home) that has been communicated to the person in the course of their professional duties.</td>
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<td>100.101.6a</td>
<td>DEPARTMENT RESPONSIBILITY</td>
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<td>The Child Care Licensing Unit will notify the applicable federal agency at any time 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 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. Maintain the minimum amount of coverage as follows: Registered Capacity of Home Minimum Child Care Liability Coverage: Required 1 – 5 $100,000 per occurrence</td>
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<tr>
<td>100.101.6b</td>
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<td>The registrant shall maintain Child Care Liability Insurance and comply with the following requirements: Maintain the minimum amount of coverage as follows: Registered Capacity of Home Minimum Child Care Liability Coverage: Required 1 – 5 $100,000 per occurrence</td>
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To determine a recommendation for registration, the applicant's home shall be reviewed by a Child Care Licensing Specialist to determine that the home is in substantial compliance with the requirements. (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.)

Substantial Compliance means compliance with all essential standards necessary to protect the health, safety, and welfare of the children attending the Registered Home. Essential standards include but are not limited to those relating to issues involving fire, health, safety, nutrition, and behavior management.

Registered Child Care Family Home: a situation in which five (5) or less children are cared for by a relative of the child(ren). The relationship must be that of a grandparent, great-grandparent, aunt, uncle, or sibling (residing out of the home). The registered relative may provide the child care either in his or her home or the home of the child(ren). Proof of relationship must be provided. The following must be provided to verify proof of relationship:

- the child(ren)’s birth certificate(s);

Relative Child Care Family Home: a situation in which five (5) or less children are cared for by a relative of the child(ren). The relationship must be that of a grandparent, great-grandparent, aunt, uncle, or sibling (residing out of the home). The registered relative may provide the child care either in his or her home or the home of the child(ren). Proof of relationship must be provided. The following must be provided to verify proof of relationship:

- the parent’s birth certificate;

- marriage license of the parent (if parent’s last name has changed);

- marriage license of the caregiver (if last name has changed);

- birth certificate of the caregiver (if the application is for an aunt or uncle).

Relative Child Care Family Home: a situation in which five (5) or less children are cared for by a relative of the child(ren). The relationship must be that of a grandparent, great-grandparent, aunt, uncle, or sibling (residing out of the home). The registered relative may provide the child care either in his or her home or the home of the child(ren). Proof of relationship must be provided. The following must be provided to verify proof of relationship:

- In-Home Child Care Provider: an individual selected by the family to provide the day care to five (5) or less children in the child(ren)’s own home. The In-Home Registration is not valid for child care provided outside the child(ren)’s own home.

There shall be no more than one (1) registration issued per home or structure. (This does not apply to situations such as duplexes where two (2) registrations could be issued to two (2) separate applicants.) An individual shall be eligible to hold only one (1) registration, which shall be issued for one (1) specified location.

Home with only one (1) caregiver shall limit care to no more than two (2) shifts (eighteen (18) hours) per twenty-four (24) hour period. Homes offering twenty-four (24) hour care shall provide a schedule verifying that they have made provisions for secondary caregiver to provide relief for one (1) shift. (Alternative Compliance may be requested by caregivers who provide twenty-four (24) hour care and who do not have a secondary caregiver. For this request to be approved consideration will be given to the overall level of compliance with registration requirements and to the number and ages of children in care during the third shift.)
The holder(s) of the registration shall be the primary caregiver(s) and at least one (1) shall be present and responsible for children during hours of 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 child care business, such as attending required training, and for brief and occasional absences relating to personal business or personal time off.)

Any home that has not provided care to children for a period of one (1) year shall have the registration closed unless a written request is made by the registrant stating why closure should not take place.

The primary caregiver in a Registered Home shall submit the following to complete the application process:
- A completed and signed application provided by the Division;
- Diagram of the home indicating rooms to be used by children in care and the location of exit doors;
- A Health Card on applicant, other caregivers, and any adult(s) in addition to the caregiver(s) present in the home on a regular basis while children are in care;
- Zoning approval, if applicable, shall be provided by new applicants for license and by existing homes requesting increase in licensing capacity;
- A signed Authorization for Release of Confidential Information and Child Maltreatment Central Registry Check Form (Everyone living in the home age eighteen (18) and older must complete and sign this form. A check or money order for $10.00 made out to the Department of Human Services (DHS) must be attached to each form. Children under age eighteen (18) only need to be listed where applicable. This form must be notarized);
- Criminal Record Check Form(s) (Everyone in the home age eighteen (18) and older must complete a form. The form(s) must be notarized);
- The Registrant’s Social Security Number or TIN (Tax Identification Number) shall be listed on the application. (A TIN number can be obtained by calling 1-900-546-3920 or by sending a SS-4 to the Internal Revenue Service (IRS), Memphis, Tennessee 37501. It takes approximately four (4) weeks to receive the TIN);
- Boiler inspection, or verification that inspection has been scheduled; and
- 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)

If at any time care is provided to six (6) or more children from more than one (1) family, the law requires the provider to be licensed. The caregiver’s own preschool children shall be considered when determining the need for a license or registration. The caregiver’s own school age children are not considered when determining the need for a license or registration. Other children in the home who are not accompanied by a parent are considered as being in care whether pay is received for the care or not.

If a qualified secondary caregiver is present, the primary caregiver may be absent for reasons related to the operation of the child care business, such as attending required training, and for brief and occasional absences relating to personal business or personal time off.
Any applicant applying for registration may contact the local Division Office or Child Care Licensing Specialist to obtain information and the necessary application and related forms.

A pre-application consultation meeting shall be required for all applicants for registration prior to approval of the application. The meeting shall be offered prior to 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 registration of the Division.

The Child Care Licensing Specialist shall make unscheduled visits throughout the year to determine continued compliance of standards and to offer consultation and technical assistance.

New Provisional Registration - If the Licensing Specialist finds that an applicant for a Registered Home meets the registration requirements or has a reasonable expectation of correcting deficiencies within specified time frames, the Child Care Licensing Specialist may recommend a New Provisional Registration to the Division. The New Provisional Registration shall be in effect for a period of time not to exceed twelve (12) months. This time frame shall be specified in the Provisional Registration. (The Licensing Specialist has sixty (60) days to submit a recommendation to the Division for a provisional registration.)

Regular Registration - The Child Care Licensing Specialist will recommend a Regular Registration when the home has demonstrated substantial compliance, or when an existing registrant with a Regular Registration relocates their home and their past demonstrates a substantial level of compliance.

Probationary Provisional Registration - The Licensing Unit may issue a Probationary Provisional Registration when the home is not maintaining substantial compliance due to deficiencies which are so numerous, frequent, or severe as to potentially jeopardize the health, safety, and welfare of children. The home and the Licensing Unit shall have a corrective action plan in place addressing the issues. Based on the level of compliance during the period of the Probationary Provisional Registration the Licensing Unit may:

- Issue a Regular registration;
- Suspend a registration; and
- Revoke a registration.

Suspension or Revocation of Registration - At the time of a final determination by the Division of revocation or suspension of a registration, the Division shall specify in the letter the period and terms of the action. A revocation of a registration shall be set for no less than one (1) year but may be for a longer term as established by the Division. Related parties shall not be eligible to apply for registration for the same specified period. (Related parties are defined as immediate family members, members of Board of Directors, person or entities associated or affiliated with, or which share common ownership, control, or common board members or which have control of or is controlled by the registrant. An immediate family member is defined as a spouse, step-9 and in-law relationships, a child, a natural or adoptive parent, a sibling, a grandparent, a grandchild or a son- or daughter-in-law.) The revocation of a registration places that registration in a null and void status. At the completion of the terms of revocation, homes wishing to be re-registered must submit a new application for registration for review and approval by the Division.
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 registration actions must be mailed within ten (10) calendar days of the receipt of the notice of the adverse action. Requests to appeal registration 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 registrant or applicant for registration 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 registrant or applicant for registration, 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.)

The Division may grant alternative compliance with the Minimum Standards Required for Registered Child Care 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 requirements for which the registrant is making the request.

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

The applicant or registrant shall submit the request for alternative compliance in writing; and the request shall include:

* 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 specific standard for which alternative compliance is sought.

* An explanation of how the alternative compliance is equal to, or exceeds, the requirement.

* As long as 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 requirements for which the registrant is making the request.

A registrant or applicant for registration may request to appeal any of the following registration actions:

- Founded registered complaints;
- Cited noncompliance with the published standards.
- Revocation of the registration or denial of an application for registration;
- A registrant or applicant for registration may request to appeal any of the following registration actions:

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

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 registration, 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 that provided by the applicant or registrant.

The Division reserves the right to deny requests for alternative compliance when 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 requirement.

All requests for alternative compliance shall be answered in writing by the Division.
Child Care Licensing staff shall have access to Registered 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 registration. (Clarification: In addition to Child Care Licensing staff having access to all areas of care, they must also be given access to any other rooms or spaces not used for care, to ensure there are no possible hazards.)

If video recordings are made by the caregiver and are maintained for viewing as 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.

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.

Each applicant At application and every two (2) years thereafter

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.

All household members who are at least ten (10) years of age At application, upon residency, and every two (2) years thereafter

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.

Staff members and applicants for employment in a registered home Prior to employment and every two (2) years thereafter

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.

All volunteers and therapists who have access to children in the home Prior to providing services or being present in the home and every two (2) years thereafter

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.

Other persons who have routine contact with children Prior to providing services or participating in home activities 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 the applicant or revoke the registration.

All caregiver(s) are mandated reporters under the Child Maltreatment Act. The caregiver shall notify the Child Maltreatment Hotline number at 1-800-482-5964 when there is reason to believe that a child has been abused or neglected. (AR Code Annotated §12-12-501 et seq.) These reports of child maltreatment shall include all allegations made to the registrant by parents, staff members, or the general public. It is recommended that the registrant call the Child Care Licensing Specialist for guidance if there is any question about whether the Hotline should be called regarding any situation where potential child maltreatment is involved. If a complaint of child maltreatment is filed against any registrant or persons in the home, the Child Care Licensing Unit shall evaluate the risk to children and determine the suitability of the persons to supervise, be left alone with children or remain in the home during hours of care until the allegations have been determined true or unsubstantiated.

The Registered Child Care Family Home operator and any employees or other persons in the home who have had a true report of child maltreatment shall follow the corrective action plan approved by the Child Care Licensing Unit. Corrective action measures may vary from relevant training to reassignment or termination. Failures to comply with corrective action plans can constitute grounds for adverse action against the

The Child Care Licensing staff shall have access to Registered 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 registration.
Any person who has pleaded guilty, nolo contendere, or who has been found guilty of any one (1) of the offenses listed above (Section 109.4), may not work in child care unless:

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; or

Any person who has pleaded guilty, nolo contendere, or who has been found guilty of any one (1) of the offenses listed above (Section 109.4), 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.

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 Registered Home and all household members age eighteen (18) and up. At initial application 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.

Each staff member: Prior to providing services or participating in home activities 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.

Volunteers or other persons who have supervisory or disciplinary control over children, are left alone with children, or 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.)

Each applicant: At application and every five (5) years thereafter.
DEPARTMENT RESPONSIBILITY

FBI Criminal Record Checks

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 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 and applicants for employment in a Registered 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 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 control, disciplinary control over children, or 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.)

Criminal records will be returned to the division for review. Any charge or convictions listed in this section (Section 110) that are subsequently expunged, pardoned, or otherwise sealed.

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 and continual basis if that person has pled 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.

Abuse of an endangered or impaired person, if felony, §5-28-103;
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 and continual basis if that person has pled 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:

1. Arson, §5-38-301;
2. Capital Murder, §5-10-101;
3. Endangering the welfare of an incompetent person in the first degree, §§27-201;
4. Kidnapping, §§1-11-102;
5. Murder in the first degree, §§10-101;
6. Murder in the second degree, §§10-103;
7. Rape, §§14-103;
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 prohibited:

100.109.503 DEPARTMENT RESPONSIBILITY FBI Criminal Record Checks

Criminal conspiracy to commit any offenses; §5-3-401;

100.109.504 DEPARTMENT RESPONSIBILITY FBI Criminal Record Checks

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 prohibited:

Criminal solicitation, to commit any offenses; §5-3-301;

100.109.505 DEPARTMENT RESPONSIBILITY FBI Criminal Record Checks

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 prohibited:

Assault in the first, second, or third degree; §§13-205 to -207;

100.109.506 DEPARTMENT RESPONSIBILITY FBI Criminal Record Checks

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 prohibited:

Aggravated assault; §§13-204;

100.109.507 DEPARTMENT RESPONSIBILITY FBI Criminal Record Checks

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 prohibited:

Aggravated assault on a family or household member, §§26-306;

100.109.508 DEPARTMENT RESPONSIBILITY FBI Criminal Record Checks

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 prohibited:

Battery in the first, second, or third degree, §§13-201 to -203;

100.109.509 DEPARTMENT RESPONSIBILITY FBI Criminal Record Checks

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 prohibited:

Breaking or entering, §§39-202;

100.109.510 DEPARTMENT RESPONSIBILITY FBI Criminal Record Checks

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 prohibited:

Burglary, §§39-201;

100.109.511 DEPARTMENT RESPONSIBILITY FBI Criminal Record Checks

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 prohibited:

Coercion, §§13-208;

100.109.512 DEPARTMENT RESPONSIBILITY FBI Criminal Record Checks

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 prohibited:

Computer crimes against minors, §§27-801 et. seq.;

100.109.513 DEPARTMENT RESPONSIBILITY FBI Criminal Record Checks

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 prohibited:

Contributing to the delinquency of a juvenile, §§27-220;
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 prohibited:

 Contributing to the delinquency of a minor, §§27-209;

 Criminal impersonation, §§37-208;

 Criminal use of a prohibited weapon, §§73-104;

 Communicating a death threat concerning a school employee or students: §§17-101;

 Domestic battery in the first, second, or third degree, §§26-303 to -305;

 Employing or consenting to the use of a child in a sexual performance, §§27-401;

 Endangering the welfare of a minor in the first or second degree, §§27-205 to -206;

 Endangering the welfare of an incompetent person in the second degree, §§27-202;

 Engaging children in sexually explicit conduct for use in visual or print media, §§27-303;

 False imprisonment in the first or second degree, §§11-103 to -104;

 Felony abuse of an endangered or impaired person, §§28-103;
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 prohibited:

- Forgery, §5-37-104;

- Felony interference with a law enforcement officer, §§5-44-101 et seq.;

- Financial identity fraud, §§37-227;

- Forger, §§37-201;

- Interference with court ordered custody, §§26-5001;

- Interference with visitation, §§26-501;

- Introduction of controlled substance into body of another person, §§13-210;

- Manslaughter, §§10-104;

- Negligent homicide, §§10-105;

- Obscene performance at a live public show, §§68-105;
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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 prohibited:

- Offense of cruelty to animals, §5-62-103;
- Offense of agrivated cruelty to dog, cat, or horse, §5-62-104;
- Offense of pandering or possessing visual or print medium depicting sexually explicit conduct involving a child, §5-27-304;
- Sexual Solicitation, §5-70-103;
- Permanent detention or restraint, §5-11-106;
- Permitting abuse of a minor, §5-27-221;
- Producing, directing, or promoting a sexual performance by a child, §5-27-403;
- Promoting obscene materials, §5-68-303;
- Promoting obscene performance, §5-68-304;
- Promoting prostitution in the first, second, or third degree, §5-70-104 to -106;
- Prostitution, §5-70-102;
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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 prohibited:

- Resisting arrest, §5-54-103;
- Stalking, §5-71-229;
- Aggravated Robbery, §5-12-103;
- Terroristic act, §5-13-310;
- Terroristic threatening, §5-13-310;
- Theft by receiving, §5-36-106;
- Soliciting money or property from incompetents, §5-27-229;
- Simultaneous possession of drugs and firearms, §5-74-106;
- Sexual Offenses, §5-14-101 et seq.;
- Stalking, §5-71-229;
- Public display of obscenity, §§-68-205;
- Drug and firearm offenses, §5-74-106;
- Simultaneous possession of drugs and firearms, §5-74-106;
- Sexual Offenses, §5-14-101 et seq.;
- Stalking, §5-71-229;
- Soliciting money or property from incompetents, §5-27-229;
- Simultaneous possession of drugs and firearms, §5-74-106;
- Sexual Offenses, §5-14-101 et seq.;
- Stalking, §5-71-229;
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- Soliciting money or property from incompetents, §5-27-229;
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- Simultaneous possession of drugs and firearms, §5-74-106;
- Sexual Offenses, §5-14-101 et seq.;
- Stalking, §5-71-229;
Theft of property, §5-36-103;

Theft of services, §5-36-104;

Theft by receiving § 5-36-106;

Resisting arrest § 5-54-103;

Forgery § 5-37-201;

Unlawful discharge of a firearm from a vehicle, §5-74-107; and

Transportation of minors for prohibited sexual conduct, §§27-305;

Voyeurism, §5-16-102.

The individual has fully complied with all court orders pertaining to the conviction or plea.

If the registrant 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 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.

Thief by receiving § 5-36-106;

Forgery § 5-37-201;

Financial identity fraud § 5-37-227;

Resisting arrest § 5-54-103;

Criminal impersonation in the second degree § 5-37-208(b);
If the registrant 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 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.

100.109.6f DEPARTMENT RESPONSIBILITY FBI Criminal Record Checks

If the registrant 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 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.

100.109.6g DEPARTMENT RESPONSIBILITY FBI Criminal Record Checks

If the registrant 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 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.

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100.109.6i DEPARTMENT RESPONSIBILITY FBI Criminal Record Checks

If the registrant 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 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.

100.109.6j DEPARTMENT RESPONSIBILITY FBI Criminal Record Checks

If the registrant 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 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.

100.109.7 DEPARTMENT RESPONSIBILITY FBI Criminal Record Checks

100.109.8 DEPARTMENT RESPONSIBILITY FBI Criminal Record Checks

100.109.9 DEPARTMENT RESPONSIBILITY FBI Criminal Record Checks

100.109.10 DEPARTMENT RESPONSIBILITY FBI Criminal Record Checks

100.201.1 ADMINISTRATION Administrative Procedures

Verification of permission for persons not on the authorized pick-up list shall be obtained by the caregiver by calling the parent at a number listed in the child’s record. The caregiver shall view an official picture ID of the individual to verify identity.

200.201.2 ADMINISTRATION Administrative Procedures

Required records shall be kept and made available to the Child Care Licensing Unit on verification of permission for persons not on the authorized pick-up list shall be obtained by the caregiver by calling the parent at a number listed in the child’s record. The caregiver shall view an official picture ID of the individual to verify identity.

200.201.3 ADMINISTRATION Administrative Procedures

Any Individual and related parties, on the Department of Human Services (DHS) Exclusion List pursuant to DHS Exclusion Policy 1088 Services (DHS) Exclusion List pursuant to DHS Exclusion Policy 1088 are not authorized to work in any licensed child care facility.

200.201.4 ADMINISTRATION Administrative Procedures

200.201.5 ADMINISTRATION Administrative Procedures

Any Individual and related parties, on the Department of Human Services (DHS) Exclusion List pursuant to DHS Exclusion Policy 1088 Services (DHS) Exclusion List pursuant to DHS Exclusion Policy 1088 are not authorized to work in any licensed child care facility.

200.201.6 ADMINISTRATION Administrative Procedures

All applicable health and fire regulations shall be met. The Registered Home shall not care for more than five (5) children at any time including their own pre-school children.

200.201.7 ADMINISTRATION Administrative Procedures

The caregiver shall provide prudent supervision of the other persons in the Registered Home, and is responsible for the health, welfare, and safety of the children in care.

200.201.8 ADMINISTRATION Administrative Procedures

The caregiver shall provide a copy of the list of Kindergarten Readiness skills, prepared by the Arkansas Department of Education (ADE), to parents of all three (3) and four (4) year old children enrolled. (Act 825 of 2003) A statement signed by the parent that they have received a copy of the list shall be maintained in the child’s record.

200.201.9a ADMINISTRATION Administrative Procedures

The caregiver shall not release a child to anyone whom is not immediately recognized as the child’s parent or as someone on the authorized pick-up list unless.
At no time shall children be left unsupervised. The person in charge may match the ID to the individual named on the child's data sheet.

**Caregiver Qualifications and Responsibilities**

300.301.1 PERSONNEL Caregiver Qualifications and Responsibilities

The Registered Home primary caregiver shall be eighteen (18) years or older.

300.301.2 PERSONNEL Caregiver Qualifications and Responsibilities

At least one (1) caregiver who has a current certificate of successful completion of first aid and Cardiopulmonary Resuscitation (CPR) from an approved organization shall be on site at all times. If the home serves infants and toddlers, this training shall include infant and child CPR. (Infant and child CPR may be included in the basic course or in a separate course.) The curriculum shall conform to current American Heart Association or American Red Cross guidelines.

300.301.10a PERSONNEL Caregiver Qualifications and Responsibilities

At least one (1) caregiver who has a current certificate of successful completion of first aid and Cardiopulmonary Resuscitation (CPR) from an approved organization shall be on site at all times. If the home serves infants and toddlers, this training shall include infant and child CPR. (Infant and child CPR may be included in the basic course or in a separate course.) 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 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.)

300.301.10b PERSONNEL Caregiver Qualifications and Responsibilities

At least one (1) caregiver who has a current certificate of successful completion of first aid and Cardiopulmonary Resuscitation (CPR) from an approved organization shall be on site at all times. If the home serves infants and toddlers, this training shall include infant and child CPR. (Infant and child CPR may be included in the basic course or in a separate course.) The caregiver shall be physically and emotionally able to care for children.

300.301.10c PERSONNEL Caregiver Qualifications and Responsibilities

The caregiver shall not release a child to anyone whom is not immediately recognized as the child’s parent or as someone on the authorized pick-up list unless: The person in charge may match the ID to the individual named on the child’s data sheet.

300.301.11 PERSONNEL Caregiver Qualifications and Responsibilities

Child Care licensing may require a physician’s statement for the caregiver anytime behavioral or physical indicators warrant.

300.301.12 PERSONNEL Caregiver Qualifications and Responsibilities

The caregiver shall not engage in behavior that could be viewed as sexual, dangerous, exploitative, or physically harmful to children.

300.301.13 PERSONNEL Caregiver Qualifications and Responsibilities

The caregiver shall not consume or be under the influence of illegal drugs. The caregiver shall not consume or be under the influence of alcohol while delivering care. The caregiver shall not consume or be under the influence of medications (prescription or non-prescription), which may impair his or her ability to provide care. Newly registered caregivers shall attend Business Administration Scale (BAS) training within the first six (6) months of being registered. It is recommended that all staff members who have direct contact with children receive annual influenza (flu) immunizations. It is recommended that all staff members who have direct contact with children receive a onetime Tdap (Diphtheria, Tetanus and Pertussis) immunization. The primary caregiver and all secondary caregivers shall have a high school diploma or General Education Diploma (GED).

300.301.14 PERSONNEL Caregiver Qualifications and Responsibilities

The caregiver shall be physically and emotionally able to care for children.

300.301.15 PERSONNEL Caregiver Qualifications and Responsibilities

At no time shall children be left unsupervised. Additional staff provisions shall be made for enrollment of children with disabilities who require individual attention.

300.301.16 PERSONNEL Caregiver Qualifications and Responsibilities

It is recommended that all staff members who have direct contact with children receive annual influenza (flu) immunizations. It is recommended that all staff members who have direct contact with children receive a onetime Tdap (Diphtheria, Tetanus and Pertussis) immunization. The primary caregiver and all secondary caregivers shall have a high school diploma or General Education Diploma (GED).

300.301.17 PERSONNEL Caregiver Qualifications and Responsibilities

It is recommended that all staff members who have direct contact with children receive the recommended series of immunizations for chicken pox, mumps, measles, and rubella, or evidence of immunity.

300.301.18 PERSONNEL Caregiver Qualifications and Responsibilities

The 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. The caregiver shall not use profanity or speak in an abusive manner when children are present. The caregiver shall also cooperate with licensing staff during regular monitor visits. The caregiver shall have a person who would be able to care for the children in the event of an emergency.

300.301.19 PERSONNEL Caregiver Qualifications and Responsibilities

Newly Registered Home providers shall attend Family Child Care Provider Training within the first six (6) months of being registered. The registrant shall notify the Licensing Unit within five (5) calendar days of any change in the person(s) designated as secondary caregivers.

300.301.20 PERSONNEL Caregiver Qualifications and Responsibilities

Newly Registered Home providers shall attend Family Child Care Provider Training within the first six (6) months of being registered. The registrant shall notify the Licensing Unit within five (5) calendar days of any change in the person(s) designated as secondary caregivers.

300.301.21 PERSONNEL Caregiver Qualifications and Responsibilities

The caregiver shall obtain at least fifteen (15) hours of training, including child development training registered with DCCECE Professional Development Registry, Department of Education, or Department of Higher Education approved training each year in continuing early childhood education, which is approved by the Division. Topics appropriate for continuing early childhood education shall include, but are not limited to the following: Child growth and development;
The caregiver shall obtain at least fifteen (15) hours of training, including child development training registered with DCCECE Professional Development Registry, Department of Education, or Department of Higher Education approved training each year in continuing early childhood education, which is approved by the Division. Topics appropriate for continuing early education shall include, but are not limited to the following:

- Nutrition and food service;
- Parent communication and involvement;
- Curriculum and curriculum development;
- Developmentally appropriate practice and learning environments;
- Behavior management;
- Proper supervision of children;
- Administration and management of early childhood program.
- Proper supervision of children;
- Professionalism and ethical practice;
- Maintenance of equipment, furniture, buildings, and routes, and location and use of fire extinguishers;
- Administration and management of early childhood program.
- Proper supervision of children;
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;

Nutrition and physical activities;

Prevention and response to food sensitivities and allergic reactions;

Basic child development; and

The handling and storage of hazardous materials and the appropriate disposal of bio contaminants.

The caregiver(s) shall provide a clear statement regarding the presence of any other adults eighteen (18) years of age and above who reside in the home. Any adult, residents, or visitors shall not present a threat to the safety or welfare of children.

A Registered Home shall have additional staff when there are persons in the home who require constant or routine care.

Volunteers 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 ratios or given supervisory and disciplinary control over children, they shall be considered staff and must meet caregiver qualifications and responsibilities. (Section 301)

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 license and has been approved on an individual basis by the Child Care Licensing Unit.

Volunteers who have routine contact with children shall have on file a maltreatment Central Registry check. An exception shall be given to parents who volunteer on field trips but are not left alone with children. Child Maltreatment Central Registry checks for volunteers under eighteen (18) years of age must include a parent’s signature.
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 routine 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 and maltreatment check results and may share a copy with other facilities in which the therapist may be working.)

300.303.4 PERSONNEL Volunteer Requirements

300.304.1 PERSONNEL Supervision

300.304.2 PERSONNEL Supervision

300.304.3 PERSONNEL Supervision

300.304.4 PERSONNEL Supervision

300.304.5 PERSONNEL Supervision

300.304.6 PERSONNEL Supervision

400.401.1 PROGRAM AND ACTIVITIES Program Requirements

400.401.10 PROGRAM AND ACTIVITIES Program Requirements

400.401.11a PROGRAM AND ACTIVITIES Program Requirements

400.401.11b PROGRAM AND ACTIVITIES Program Requirements

400.401.11c PROGRAM AND ACTIVITIES Program Requirements

400.401.12a PROGRAM AND ACTIVITIES Program Requirements

400.401.12b PROGRAM AND ACTIVITIES Program Requirements

400.401.12c PROGRAM AND ACTIVITIES Program Requirements

400.401.13 PROGRAM AND ACTIVITIES Program Requirements

400.401.14 PROGRAM AND ACTIVITIES Program Requirements

400.401.15 PROGRAM AND ACTIVITIES Program Requirements

400.401.16 PROGRAM AND ACTIVITIES Program Requirements

The caregiver shall be responsible for children in care at all times and shall exercise prudent supervision. 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 sleeping children shall be visually monitored and periodically checked to ensure they are breathing normally.

The caregiver shall be present on the outdoor play area at all times when any children are present.

The caregiver shall not leave children unattended in the kitchen area of the home while any cooking is occurring.

There shall be a posted daily schedule, which includes age-appropriate activities, including alternating periods of active play and quiet activities throughout the day. Indoor activity equipment shall be adequate for the number and ages of children in the Registered Home to meet their physical and developmental needs.

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:

- Manipulative and Fine Motor activities (such as things done with the hands: puzzles, drawing, modeling clay).

- Large muscle and Gross Motor activities (such as climbing and running); and

- Visual and Auditory activities (including television, music, and sound effects).

- Occasional viewing of appropriate movies or other programs which are age-appropriate (it is recommended that programs have educational value); (Viewing time may be extended for special events or occasions such as a current event, holiday, or the occasional viewing of age-appropriate movies or other programs that may exceed one hour in length); and

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

- 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:

- The use of television, Digital Versatile Disc (DVD), video cassette viewing, and computer or video games and other screen time activities shall meet the following requirements:

- The use of television, Digital Versatile Disc (DVD), video cassette viewing, and computer or video games and other screen time activities shall meet the following requirements:

- 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:

- The use of television, Digital Versatile Disc (DVD), video cassette viewing, and computer or video games and other screen time activities shall meet the following requirements:

- Information provided by the Department of Health on prevention of Shaken Baby Syndrome to all parents of infants, upon enrollment. Written documentation of receipt of this information by each parent, with a signature, shall be placed in the child’s file. (Carter’s Law, Act 1208) Photos or video recordings shall not be made of any child without prior written parental permission.

- Staff shall plan and provide experiences that meet children’s needs and stimulate learning in the following developmental areas: physical, social and emotional, creative and aesthetic, cognitive and intellectual, and language, found in Arkansas’s Early Learning Standards (Experiences that promote self-concept development for infants and toddlers shall also be provided if that age group is in care.) Photos or video recordings of children shall not be placed on social media web sites without prior written parental permission.
There shall be meaningful interaction between staff and children to include but not limited to the following:

- Comfort children who are upset;
- Engage in frequent, multiple, and rich social interactions such as smiling, talking, touching, and singing;
- Interact with children by being their play partner as well as protector;
- Help children identify and label feelings by being attuned to children’s needs;

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

- Communicate consistently with parents and guardians; and
- Interact with children and develop a relationship in the context of everyday routines.

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

- If children do not fall asleep, they shall be allowed to participate in a quiet activity either on their cot, in the area, or in another room under supervision.

There shall be a total of thirty (30) minutes per day of moderate to quiet activity either on their cot, in the area, or in another room under supervision.

If children do not fall asleep, they shall be allowed to participate in a quiet activity either on their cot, in the area, or in another room under supervision.

There shall be a total of one (1) hour of outdoor play per day in suitable weather. It is recommended that when deciding if children should play outside, staff shall consider the following environmental factors:

- When the heat index is forecast to be ninety (90) degrees or above, it is recommended that outdoor play be scheduled during early morning hours or the length of time spent outdoors should be reduced to avoid heat stress;
- When outdoor play occurs during the hotter part of the day, it is recommended that children have shaded area, ample supply of water, and should be monitored closely for signs of heat stress; and
- When outdoor play occurs during the winter months and when temperatures are extremely cold, it is recommended that the time scheduled for outdoor play be reduced or suspended depending on the temperature and other weather conditions.

There shall be a total of one (1) hour of outdoor play per day in suitable weather. It is recommended that when deciding if children should play outside, staff shall consider the following environmental factors:

- There shall be a total of at least one (1) hour of outdoor play per day in suitable weather. It is recommended that when deciding if children should play outside, staff shall consider the following environmental factors:
- There shall be a total of at least one (1) hour of outdoor play per day in suitable weather. It is recommended that when deciding if children should play outside, staff shall consider the following environmental factors:

- The caregiver shall provide a safe and clean learning environment, both indoors and outdoors, with age appropriate materials and equipment arranged to support learning.
- The caregiver shall implement relationship-based practices that promote consistency and continuity of care for infants and toddlers;
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The caregiver shall implement relationship-based practices that promote consistency and continuity of care for infants and toddlers:

- 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;
- Engage children in frequent positive social exchanges during routine care such as eating, diaper changing, toiletting, and preparing for rest;

The caregiver shall implement relationship-based practices that promote consistency and continuity of care for infants and toddlers:

- Interact with children by being their play partner as well as protector;
- Help children identify and label feelings by being attuned to children’s needs;

The caregiver shall implement relationship-based practices that promote consistency and continuity of care for infants and toddlers:

- 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;
- Engage children in frequent positive social exchanges during routine care such as eating, diaper changing, toiletting, and preparing for rest;
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:

- Provide consistent emotional support to infant and toddlers by acknowledging their feelings and emotions and providing physical and verbal support;
- Communicate consistently with parents and guardians by greeting them warmly and exchanging information that promotes continuity between the center and the child’s home; and
- Engage in play activities with children by providing a safe environment to explore, modeling play behavior such as imagination and use of toys and equipment and providing verbal encouragement and support.

Infant and toddler caregivers and teachers shall:

- 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:
- Infants shall be taken outside for a period of time every day, unless prevented by weather or special medical reasons.
- Outdoor play for infants and toddlers may include riding in a stroller. However, infants and toddlers shall be offered opportunities for gross motor play outdoors as well.
- If a child falls asleep while in a walker, swing, high chair, etc., that child shall be placed in appropriate sleep equipment.
- Infants (children twelve (12) months and below) shall be placed flat on their backs to sleep 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.) If there is a medical reason a child cannot sleep on his or her back, then a signed statement from the child’s physician must be in the file stating that a different sleep position is indicated.
- Infants’ sleep space (e.g. crib) shall be free of loose bedding. It is recommended that if a light blanket is necessary, it be kept at or below the mid-chest area of the child. Staff shall not cover the faces of infants.

Pillows (including nursing or “boppy” pillows), bumpers and bumper pads, and stuffed animals shall not be placed in cribs.

The school age child shall be provided with a choice of indoor and outdoor activities. A quiet time and a private place with appropriate equipment shall be provided for one person activities, including resting or homework. A supervised rest period does not apply to school-age children.

Infant and toddler caregivers and teachers shall:

- Communicate consistently with parents and guardians by greeting them warmly and exchanging information that promotes continuity between the center and the child’s home;
- Engage in play activities with children by providing a safe environment to explore, modeling play behavior such as imagination and use of toys and equipment and providing verbal encouragement and support.

Night care is any care provided after midnight. 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 and/or other alarms to alert the caregiver if the children leave the sleeping area, the ages, number, and sex of the children in overnight care and written notification to parents that the caregiver will be sleeping during overnight care. There shall be a plan for evacuating children to safety in case of fire or emergency. Children arriving in the daylight hours shall have outdoor play, weather permitting. Older children shall have time for reading or doing homework during the school year. Evening meals shall be served. The home shall ensure that children spending the night are served breakfast. Drinking water shall be available to children during the night. 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 for school age children.

School age children who leave the Registered 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

Permit for regular activities such as scouting may be given for the entire school term.
Acceptable behavior guidance techniques include:

- Profane or abusive language;
- Placing child in dark area;
- Isolation without supervision;
- Physical punishment shall not be administered to children.

The following activities are unacceptable as behavior guidance measures and shall not be used. These include but are not limited to:

- Washing mouth with soap;
- Bitting back, spatting, swatting, kicking, twisting arms, biting or pinching, pulling hair, slapping, inflicting physical pain, hitting, tasting substances in mouth, on lips, etc.;
- Placing unpleasant or painful attention.

When a misbehaving child begins to behave appropriately, encourage and praise small positive steps rather than waiting until the child has behaved for a long period of time; and Attend to the children who are behaving appropriately, and other children will follow their example in order to obtain your attention.

Restraints (Restraining a child briefly by holding the child is allowed when the child’s actions place the child or others at risk of injury);

- Washing mouth with soap;
- Taping or obstructing a child's mouth;
- Placing unpleasant or painful tasting substances in mouth, on lips, etc.;
- Profane or abusive language;
- Isolation without supervision;
- Placing child in dark area;
- Inflicting physical pain, hitting, pinching, pulling hair, slapping, kicking, twisting arms, biting or biting back, spitting, swatting, etc.;

Look for appropriate behavior and reinforce the children with praise and encouragement when they are behaving well;

Remind the children on a daily basis of the rules by using clear positive statements of how they are expected to behave rather than what they are not supposed to do; Attempt to ignore minor inappropriate behaviors and concentrate on what the child is doing properly;

Use brief supervised separation from the group only when the child does not respond to a verbal command which instructs the child as to how he or she is supposed to behave;
The following activities are unacceptable as behavior guidance measures and shall not be used. These include but are not limited to:

- Yelling (This does not include a raised voice level to gain a child’s attention to protect the child from risk of harm);
- Forcing physical activity, such as running laps, doing push-ups, etc. (This does not include planned group physical education activities that are not punitive in nature);
- Associating punishment with rest, toilet training or illness; Denying food (lunch or snacks) as punishment or punishing children for not eating (Children shall not be forced or bribed to eat);
- Shaming, humiliating, frightening, physically or mentally harming children or labeling children; and
- Covering the faces of children with blankets or similar items.

The only acceptable form of behavior guidance with infants and toddlers shall be redirection. (Brief separation from the group is acceptable when the child’s behavior places the child or others at risk of harm. The child may be placed in a supervised area away from the group or in a crib or playpen while the caregiver attends to the situation. Example: A child who has bitten another child would be removed from the group briefly while the caregiver attends to the bitten child.)

All employee, child, and home records shall be kept 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.)

Verification of Commercial Liability Insurance; Fire department approval, if required by local fire department, state fire code, or requested by the Child Care Licensing Unit due to possible hazards;

Arkansas State Department of Health approval, if applicable;

Verification of annual approval by the Boiler Inspector Division of the Department of Labor;

Record of emergency drills;

Plans and procedures of Emergency Preparedness;

Pet vaccinations;

Attendance records on all children to include the date and time of arrival and departure and daily parental signatures on the sign-in and out forms;

Verification of commercial vehicle insurance coverage.
Enrollment information shall be obtained for each child before admission. (Sample enrollment forms may be obtained from your Licensing Specialist.)

Identifying and Personal Data shall include:
- Child's name, birth date, home address, and telephone number; (The name and addresses of the parents and telephone numbers where the parents can be reached while the child is in care;
- Date of enrollment in facility;
- Name, address, and phone number of persons to be contacted if parents cannot be reached;
- The caregiver shall provide a written discipline policy to parents, with a copy signed by the parents and retained by the caregiver; and
- Any legal documentation that has been given to the facility, by the parent or legal guardian, regarding the care of the child.

Medical Records shall include:
- The name, address, and telephone number of the child's physician or emergency medical care facility;
- Pertinent past medical history on the child and any change in health;
- Child's unusual food needs such as special formulas, diabetic diet, or food allergies;
- Notes of special problems (such as allergies to medication or sunburn sensitivity) or needs as indicated by the parents;
- An authorized record of up-to-date immunizations or documentation of a religious, medical, or philosophical exemption from the Arkansas Department of Health. The caregiver shall maintain a roster of children who have not completed the minimum immunization requirements. A current immunization schedule is provided as an insert in this publication;
- A written record shall be made of all significant changes in the child's physical or emotional state and accidents, incidents or injuries, indicating the location, time of day, area, or piece of equipment where the incident occurred. A copy of this shall be given to the parent on the day of occurrence; and
- Any medical documentation that has been given to the facility, by the parent or legal guardian, regarding the care of the child.

Permissions and Agreements will be signed by the parents and caregiver(s):
- Consent for emergency medical care and transportation for such care which shall accompany children who are transported to and from the home;
- Other transportation permission, if any, including routine and special field trips;
- Permission to participate in water activities, if any;
- Signed statements by the parents stating who is authorized to pick up the child.
600.602.4e RECORDS Children's Records
Permissions and Agreements will be signed by the parents and caregiver(s):
Written permission for the facility to photograph or video tape their child, if applicable; and
Written permission for the facility to place photos and video recordings of their child on social media or other websites, if applicable.

600.602.4f RECORDS Children's Records
Permissions and Agreements will be signed by the parents and caregiver(s):
Documentation of high school diploma or GED, and continuing education hours. [If these documents are no longer available, proof of reasonable effort to obtain the documentation is acceptable.]
(Clarification: Training hours will be counted on a calendar year basis or by the home’s operating schedule if they do not operate year-round);

600.603.1a RECORDS Caregiver Records
Caregiver records shall contain the following:
Documentation of high school diploma or GED, and continuing education hours. (If these documents are no longer available, proof of reasonable effort to obtain the documentation is acceptable.)
(Clarification: Training hours will be counted on a calendar year basis or by the home’s operating schedule if they do not operate year-round);

600.603.1b RECORDS Caregiver Records
Caregiver records shall contain the following:
Verification of required transportation training and a current copy of the driver’s license for caregiver(s) who transports children.

600.603.1c RECORDS Caregiver Records
Caregiver records shall contain the following:
There shall be a sink with hot and cold running water;
All freezers shall be inaccessible to children;
Chemical and toxins shall not be stored in food storage area; and
All medicines shall be stored separately from food at all times.

700.701.10 NUTRITION Nutrition Requirements
All food shall be safe and stored properly to prevent spoiling;

700.701.11 NUTRITION Nutrition Requirements
Children shall not be forced or bribed to eat.

700.701.1a NUTRITION Nutrition Requirements
The Registered Home shall meet the following:
All food and drink shall be prepared, distributed, and served under sanitary conditions and the following shall be met:

700.701.1b NUTRITION Nutrition Requirements
There shall be a sink with hot and cold running water;

700.701.1c NUTRITION Nutrition Requirements
Individual drinking glasses or disposable cups shall be provided;

700.701.1d NUTRITION Nutrition Requirements
All counter tops and other food preparation surfaces shall be kept clear of clutter and in a sanitary condition;

700.701.1e NUTRITION Nutrition Requirements
Food left uncovered or handled shall not be reused;

700.701.1f NUTRITION Nutrition Requirements
When dishes are washed by hand, they shall be sanitized with a bleach solution; and

700.701.2a NUTRITION Nutrition Requirements
Caregivers shall wash hands before preparing food;

700.701.2b NUTRITION Nutrition Requirements
There shall be a sink with hot and cold running water;

700.701.2c NUTRITION Nutrition Requirements
Food shall be served on individual plates, bowls, or other dishes that can be sanitized or discarded.

700.701.2d NUTRITION Nutrition Requirements
Drinking water and water used for the preparation of formula shall not come from the hot water supply. (Water from hot water systems may contain higher levels of lead and other substances that could be harmful to small children.)

700.701.2e NUTRITION Nutrition Requirements
Food shall be served on individual plates, bowls, or other dishes that can be sanitized or discarded.

700.701.2f NUTRITION Nutrition Requirements
All food and drink shall be prepared, distributed, and served under sanitary conditions and the following shall be met:

700.701.11 NUTRITION Nutrition Requirements
Food shall not be stored under sinks;

700.701.12 NUTRITION Nutrition Requirements
All counter tops and other food preparation surfaces shall be kept clear of clutter and in a sanitary condition;

700.701.13 NUTRITION Nutrition Requirements
Food shall not be stored under sinks;

700.701.14 NUTRITION Nutrition Requirements
There shall be a sink with hot and cold running water;

700.701.15 NUTRITION Nutrition Requirements
Food shall not be stored under sinks;

700.701.16 NUTRITION Nutrition Requirements
There shall be a sink with hot and cold running water;

700.701.17 NUTRITION Nutrition Requirements
Food shall not be stored under sinks;

700.701.18 NUTRITION Nutrition Requirements
There shall be a sink with hot and cold running water;
Age appropriate tables and chairs, highchairs, and equipment designed for children, or other comfortable seating options shall be used during snack and meal time.

Breakfast, if served, lunch and evening meals shall each meet current U.S. Department of Agriculture guidelines, including portion size. (See Appendix A). If sack lunches are utilized, the home shall ensure that these also meet U.S. Department of Agriculture guidelines by supplementing the lunches if necessary. Milk shall be served to each child during the day. Exceptions may be made for children who suffer allergies to milk.

Breakfast shall be made available to children who arrive before 7:00am. 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. Midmorning and mid-afternoon snacks shall be provided to all children and shall meet current U.S. Department of Agriculture guidelines.

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

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

Menus shall be set up for feeding schedules to meet safety and comfort. 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). Babies under six (6) months of age shall be held while being fed. Bottles shall not be propped. Infants six (6) months of age or older shall be held if needed. Infants no longer held for feedings shall either sit in low chairs at low tables or in infant seats with trays, or in highchairs with wide bases. Safety straps shall be used.

Feeding 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.

Microwaves 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 registered Family Home’s building, 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.

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/or 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 §20-23-101 et. seq.)

The Registered Family Home shall have a working telephone on site all hours children are in care. The registrant 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 during all hours of care, 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 and doors used for ventilation shall be screened.

Carbon monoxide detectors shall be placed in homes according to manufacturer’s recommendations if either of the following situations apply: 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
800.801.7b BUILDING Building Requirements

Carbon monoxide detectors shall be placed in homes according to manufacturer's recommendations if either of the following situations apply:

- Manufactured homes registered as Registered Child Care Family Home shall be tied down and under-pinned as required by the Arkansas Manufactured Home Commission. The Registered Child Care Family Home shall obtain an inspection and approval from the Arkansas Manufactured Home Commission prior to registration.

- An annual fire approval shall be obtained on all manufactured homes that are registered.

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 satellite photo is not available.

900.901.1 GROUNDS Ground Requirements

Use zone protective surfacing depths shall be as follows: Minimum compressed loose-fill protective surfacing depths

- Inches Loose-Fill Material Protects to Fall Height

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<thead>
<tr>
<th>Surface Material</th>
<th>Minimum Fall Height</th>
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<tbody>
<tr>
<td>Wood chips</td>
<td>10 feet</td>
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<tr>
<td>Wood mulch (non-CCA)</td>
<td>7 feet</td>
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<tr>
<td>Shredded and recycled rubber</td>
<td>10 feet</td>
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<tr>
<td>Recycled rubber</td>
<td>7 feet</td>
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<tr>
<td>Recycled wood chips</td>
<td>10 feet</td>
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<td>Wood mulch</td>
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<td>Compressed wood chips</td>
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Any changes in the play area boundaries or equipment requested must be submitted in writing and approved prior to use. All equipment and protective surfacing shall be installed and maintained according to manufacturer's guidelines.

The play area or outdoor learning area shall be fenced or otherwise enclosed and provide at least seventy-five (75) square feet per child present on the playground at any time.

Children shall be supervised at all times when outdoors by someone at least eighteen (18) years of age.

The play area shall be maintained in good order and free of potentially hazardous items.

Trampolines shall not be used. (Therapeutic use of trampolines is acceptable if supervised by the therapist on a one-on-one basis.) Ball pits shall not be used. (Ball pits are large areas or "pits" filled with balls intended for children to jump in and play. Therapeutic use of ball pits is acceptable if supervised by the therapist on a one-on-one basis.)
Each child under twelve (12) months of age shall have a separate well-constructed baby bed or play pen with 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.

Crib shall have end panels with decorative cutout areas shall not be used.

Each child twelve (12) months of age or older shall have a cot, bed, pallet, or mat which shall be placed at least one foot (1') apart. Sheets and covers are required. Bedding shall be of washable material and shall be kept clean. If mats or pallets are used on floors, floors shall be clean, warm, dry, and draft free. Any mat or pallet less than two inches (2") thick shall be placed on carpet."

First-aid materials are required and shall be kept out of reach of children. A first aid kit containing medications shall be locked. The Health Department may be consulted for its recommendation.

Registered Homes shall comply with the Clean Indoor Air Act of 2006. Smoking (including e-cigarettes) in a Child Care Family Home is prohibited at all times. This includes: Registered Homes shall comply with the Clean Indoor Air Act of 2006. Smoking (including e-cigarettes) in a Child Care Family Home is prohibited at all times. This includes:

Outdoor play area; Other outdoor areas when children are present on those areas; and

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- Thermometer;
- Tweezers; and
- Disposable gloves.

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.

The parent or legal guardian shall be notified as soon as possible when a child has any symptom 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. Temporarily exclude from child care if child has:

- Fever over one hundred and one (101) degrees oral or one hundred (100) degrees axillary (or equivalent method) in a child who also has pain, behavior changes, or other symptoms of illness; • An infant younger than two (2) months with any increased temperature shall get urgent medical attention, within an hour. • An infant younger than six (6) months with any increased temperature shall be medically evaluated.

- Diarrhea, 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. (Exclusion from child care is required if diarrhea cannot be contained in the diaper or if diarrhea is causing soiled clothing in toilet-trained children);

- Blood or mucus in stools (unless caused by hard stools);
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. Temporarily exclude from child care if child has:

- Mouth sores with drooling;
- Respiratory illness characterized by cough and fever, and/or swelling of the skin around the eyes or red and/or swollen eyes;
- Rash with fever or behavior change;
- Conjunctivitis or “pink eye” – discharge, redness and/or swelling of the skin around the eyes; or more than one child in the program has symptoms;
- Rash, until at least five (5) days after initiation of antibiotic if pertussis (whooping cough);
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. 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.

During the exclusion period, either the local County Health Unit or the toll-free Reporting System shall be notified within one (1) business day.

In case of critical illness or injury, and if the parents cannot be reached, the physician named by the parent shall be called. If necessary, the child shall be taken to the nearest emergency room. Injuries that require the attention of medical personnel shall be reported to the parent immediately.

In case of critical illness or serious injury that requires the attention of medical personnel, the Child Care Licensing Specialist shall be notified within one (1) business day.

Cases of serious contagious disease shall be reported to the parents of all the children in care.

The caregiver shall notify the child’s parent of significant events that affect the children. This shall include, but not be limited to:
- Any injury incurred by a child.
- Rash illness (including measles and rubella);
- Whooping cough (Pertussis);
- Meningitis;
- Tuberculosis;
- Salmonellas (including typhoid); and
- E-Coli.

The caregiver shall notify the parent of significant events that affect the children. This shall include, but not be limited to:
- The communicable diseases listed in Appendix D, whether suspected in a child or adult, shall be reported within twenty-four (24) hours to either the local County Health Unit or the toll-free Reporting System (800-482-8888). Immediate notification is recommended for the following:
  - Hepatitis;
  - Rash illness (including measles and rubella);
  - Whooping cough (Pertussis);
  - Meningitis;
  - Tuberculosis;
  - Salmonellas (including typhoid); and
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  - Tuberculosis;
  - Salmonellas (including typhoid); and
  - E-Coli.
Reporting data shall include:

HEALTH

At least one [1] commode and one [1] sink shall be made available for the children's use. Potty chairs may be used by the younger children if emptied, cleaned, and disinfected after each use. Potty chairs shall be located in the bathroom only.

Toilet tissue shall be located within reach of the children when toileting. Individual cloth towels or paper towels shall be available for each child. Caregiver's and children's hands shall be washed with liquid soap before meals, after toileting, after each diaper change, and as needed.

Children shall always be attended during diapering.

There shall be a safe diaper changing table that meets the following requirements:

- Impervious (non-absorbent) smooth surfaces that do not trap soil and are easily disinfected;
- There shall be a changing pad capable of being sanitized used as a cushion between the child and the changing table surface;
- The table shall be sturdy and stable to prevent tipping over; The table shall be a convenient height for use by caregivers and teachers; and
- The table shall be equipped with a raised edge or other provision to help reduce the risk of a child rolling off the table.

Children shall always be attended during diapering. Soiled or wet diapers shall be removed, disposed of properly, and replaced with clean, dry diapers. The caregiver shall ensure that children are properly cleaned and dried.

The caregiver shall assist children in toilet routine and hygiene practices.

Placing the child on a toilet or potty chair for prolonged time periods; Using harsh language; Punishing or berating in any way for soiling clothing; Using physical force to place child on a toilet or potty chair against their will; and Leaving child unsupervised on toilet.

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

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 symptoms for giving the medications. Care plans shall be updated as needed, but at least yearly.

Prescription medicine shall be in the original container with a child resistant cap, and labeled with the child’s name, not have an expired date, instructions, and the physician’s name.

Non-prescription medicine (except aspirin substitutes, such as ibuprofen and acetaminophen) shall be labeled with the child’s name, not have an expired resistant cap, and labeled with the child’s name, not have an expired date, instructions, and the physician’s name.

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.

Medication shall be stored at the proper temperature, separately from food and medicine shall be kept in a locked area. Medicine shall be kept out of the reach of the children when dispensing. Rescue medications such as inhalers or EpiPens shall be inaccessible to children (kept in an accessible cabinet with a child proof type safety latch or carried by the 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.

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

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

- 911: the local emergency number used for police, fire, and ambulance service; or
- 411: the local emergency number used for police, fire, and ambulance service;
- 999: the local emergency number used for police, fire, and ambulance service; or
- The local emergency number used for police, fire, and ambulance service

If a child leaves the center, the following information shall be shared with the parents:

- P.O. Box information;
- School name and telephone;
- Name and telephone of the child's physician;
- Name and telephone of the child's laboratory; and
- Name and telephone of the child's care provider.

The facility shall share information with families regarding medical services.

The facility shall share information with families regarding medical services.

Any pertinent clinical and laboratory information used in the diagnosis (Please give the laboratory name); and Any treatment information, if known.
1100.1105.1b HEALTH Phone Numbers Required
The following numbers shall be available in the immediate area of the telephone:
- Police or sheriff's department;
- Fire department;
- Poison Control Center 1-800-376-4766;
- Child Abuse Hotline Number 1-800-482-5964;
- The physicians named by the parents;
The Child Care Licensing Central Office: 501-682-8590 or toll free 1-800 445-3316; and
- Home and business numbers of parents.

1100.1105.1c HEALTH Phone Numbers Required
The following numbers shall be available in the immediate area of the telephone:
- 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 registrant shall immediately notify the Licensing Unit of any damage to the building and/or grounds. If phone service is not available, notification shall be as soon as service is restored or available:
  - List of emergency numbers;
  - List of all emergency and contact information for children;
  - List of all emergency and contact information for staff;
  - First aid kit (requirement 1101.8) with extra gloves;
  - Battery powered flashlight and extra batteries;
  - Battery powered radio and extra batteries;
  - Hand sanitizer;
  - Notepad and pens or pencils;
  - Whistle;
  - Disposable cups;
  - Wet wipes; and
  - Emergency survival blanket.

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

1100.1105.1d HEALTH Phone Numbers Required
The following numbers shall be available in the immediate area of the telephone:
- Electrical outlets shall be guarded. Protective caps, if used, shall be large enough to prevent swallowing.
SAFETY

The written plan shall include the following information:

Stairways shall be well lighted and guarded as needed.

Dangerous equipment or objects shall be stored away from areas used by the children.

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

All poisonous substances shall be kept in a locked area. Guns shall be unloaded. 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 facility or on the premises, regardless if children are present or not.

Tanks, ponds, swimming pools, open wells, drainage ditches, and sewage drainpipes shall be fenced if located within the play area.

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;

The location or locations where children enrolled in child care spend time regularly;

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;

The contact information for at least two (2) emergency contacts for the facility; and

An aerial view of the child care facility and property used by the child care facility shall be included with the floor plan if available. Homes already registered on the effective date of this regulation shall have thirty (30) days to comply.

The Registered Child Care Family Home shall have a written plan detailing the procedures to follow in the event of emergencies (fires, floods, tornadoes, utility disruptions, bomb threats, etc.) (Act 801 of 2009). The plan and procedures are required for emergencies that could cause structural damage to the facility, be identified as a threat by the Arkansas Department of Emergency Management or pose a health or safety hazard to the children and staff. This plan shall include provisions for “sheltering in place” or “lock down”, in the event of situations that warrant such measures.

Home swimming pools shall not be used by children in care unless permission is obtained from Child Care Licensing through an alternative compliance request. This request must include written approval from the Arkansas Department of Health for the use of the pool by children in care. (Home swimming pools used by children in care are considered semi-private pools by the Department of Health and approval for these pools requires inspection during the construction phase. Obtaining approval for existing pools is usually not possible.)

The written plan shall include the following information:

Designated relocation site and evacuation route;

Procedures for notifying parents of relocation;

Procedures for ensuring family reunification;

The written plan shall include the following information:
The written plan shall include the following information:

- Fire and tornado drills shall be practiced as follows:
  - Monthly;

The Registered Child Care Family Home shall coordinate with local emergency management officials to plan for emergencies. Written procedures and evacuation diagrams for emergency drills shall be posted in each room used for childcare.

A fire extinguisher with a minimum of five pound (5 lb) ABC rating shall be properly maintained. Caregivers shall know how to operate the extinguisher. (Clarification: These fire extinguishers are required by State Code to be inspected annually and have the approval verification tag attached. An alternative to the inspection is the purchase of a new fire extinguisher annually and retention of the receipt verifying the purchase.)

- Fire and tornado drills shall be practiced as follows:
  - Fire and tornado drills shall be practiced on separate days and at different times of the day;
  - During all hours when children are in care (evenings, nights, weekends, etc.);
  - Everyone in the home at the time of the drill shall participate in the drill;

Caregivers, including volunteers, shall be trained in safety drill procedures.

- Notes regarding things that need improvement.

A Registered Home with more than one (1) level shall have second exits on all levels used by children; A Registered Home shall have at least two (2) exits to the outside located on different sides of the home;

Doors opening to the outdoors shall be constructed so the children can open them easily from the inside;

Doors between rooms in the exit route shall not be locked while children are in the home; and Doors and pathways shall be clear of equipment that blocks the movement of children and caregiver(s).
1200.1202.5 SAFETY Fire Requirements
Wood burning stoves, or 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 heaters shall not be used.

1200.1202.6 SAFETY Fire Requirements
Cooking stoves or ovens shall not be used as a heating source in the home.

1200.1202.7 SAFETY Fire Requirements
Portable heaters shall not be placed within reach of children and shall be approved UL listed products.

1200.1202.8 SAFETY Fire Requirements
The providers shall notify the Child Care Licensing Specialist of any fires causing damage to the home. This notification shall be made no later than the end of the following working day.

1300.1301.1 TRANSPORTATION Transportation Requirements
The requirement in this section shall apply to all transportation provided by the registrant, including transportation provided by any person on behalf of the registrant, regardless of whether the person is employed by the registrant. The requirements in this section are not limited to routinely scheduled transportation. Periodic transportation, such as a parent requesting that their child be picked up at school due to the parent’s work schedule or other conflicts, is also covered by these requirements, whether a fee is charged for this service or not.

1300.1301.10 TRANSPORTATION Transportation Requirements
There shall be a seating space and an individual, appropriate restraint system provided for each child being transported.

1300.1301.11 TRANSPORTATION Transportation Requirements
Rosters listing the date, names, and ages of all children being transported as well as the name of the driver and any other staff member on the vehicle shall be maintained. These rosters shall be used to check children on and off the vehicle when they are picked up and dropped off at home, school, etc. and when they arrive at and leave the Registered Home. Transportation rosters shall be kept by the home and available for review for one (1) year.

1300.1301.12 TRANSPORTATION Transportation Requirements
To ensure that no children are left on the vehicle, the driver or a staff member must walk through the vehicle and physically check each seat before leaving the vehicle. The transportation roster must be signed by the driver, or staff who conducted the walk-through inspection, documenting that all children have safely arrived in the home. To ensure that children have safely arrived in the home, the transportation roster shall be reviewed by the registra nt and compared with attendance records. The registrar shall sign off on the transportation roster to verify that all children have safely transitioned from the vehicle to the classroom.

1300.1301.13 TRANSPORTATION Transportation Requirements
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. • The alarm system shall be installed so that the driver must walk to the 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. 

1300.1301.14*1 TRANSPORTATION Transportation Requirements
Unload all of the children, walk through the vehicle to ensure that no children remain on board and deactivate the alarm. (This option will only work if you are able to unload all children in less than one (1) minute.)
1300.1301.14*2 TRANSPORTATION Transportation Requirements

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. 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 require at least two (2) staff members, one (1) to supervise the children and one (1) to remain inside the vehicle.

1300.1301.14*3 TRANSPORTATION Transportation Requirements

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. 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, deactivate the alarm and unload the children. Immediately after unloading, start the vehicle and move it to a different location for final parking. (This will reactivate the alarm and require a final walk through.)

1300.1301.2 TRANSPORTATION Transportation Requirements

Caregivers transporting children shall meet the following requirements:

- Be at least twenty-one (21) years old or the minimum age required by the registrant'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 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.

1300.1301.3 TRANSPORTATION Transportation Requirements

Caregivers transporting children shall meet the following requirements:

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

1300.1301.4 TRANSPORTATION Transportation Requirements

Caregivers transporting children shall meet the following requirements:

- The vehicle(s) used for the transportation of children shall comply with Arkansas State laws on transportation of children.
- Vehicles shall be licensed and maintained in proper working condition including air conditioning and heating systems.
- 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);
A vehicle transporting children under the age of thirty-six (36) months shall maintain a ratio of one (1) adult to three (3) children. Individuals with Disabilities Education Act (IDEA): "It is a law ensuring services to children with disabilities throughout the nation. IDEA governs how states and public agencies provide early intervention, special education and related services to eligible infants, toddlers, children and youth with ..." It defines a child with Special Needs as: a) A child determined eligible for special services under the Individual with Disabilities Education Act (IDEA) for whom a current IFSP (Individual Family Service Plan) or IEP (Individual Education Plan) exists and/or b) A child whose physical condition has lasted or is expected to last at least two (2) years as diagnosed by a licensed medical or psychological examiner. It is specified in Public Law 108-466 §635.16 A-B (IDEA as reauthorized) as: "Children with disabilities including children in public or private institutions or other care facilities are educated to the maximum extent appropriate with children who are not disabled. Special classes, separate schooling or other removal of children with disabilities from the regular educational environment occurs only when the nature or severity of the disability of the child is such that the child is not achieving a satisfactory education in a regular class that provides supplementary aids and services. All child care facilities are required by IDEA to refer a child with any suspected delays or disabilities to the appropriate lead agency (as determined by the child’s age)."

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 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 Education Act (IDEA):

- The facility shall not charge special service providers for space, accept “gratuities”, or payment for allowing special service providers to provide services in their facility.
- The facility is not required to “displace” children or staff to make space available to special service providers.

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.

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.