

OFFICE OF THE GOVERNOR
GOVERNMENT OF GUAM
AGANA, GUAM

EXECUTIVE ORDER NO. 78-27

STANDARDS FOR CHILD CARE FACILITIES

WHEREAS, the Social Services Rules and Regulations No. 10, Standards for Child Care Facilities, pursuant to Section 9120.7 of Chapter 2, Title X, Government Code of Guam, was approved on the 12th day of December, 1972, and

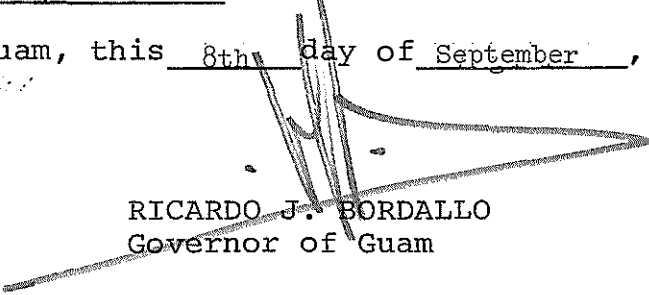
WHEREAS, these approved standards were determined to be in need of revision based on past years experience, and

WHEREAS, a public hearing was held on the revised standards, whereupon comments presented in the hearing were incorporated therein, and


WHEREAS, Chapter 2, Title X, Subchapter C-1, Government Code of Guam, established rules and regulations for child care facilities on Guam, and in accord therewith to adopt such rules and regulations,

NOW, THEREFORE, by virtue of the foregoing, the attached revised Standards "Social Services Rules and Regulations No. 10" is hereby approved and promulgated by executive order and shall be enforced effective September 8, 1978.

Dated at Agana, Guam, this 8th day of September, 1978.


RICARDO J. BORDALLO
Governor of Guam

COUNTERSIGNED:


RUDOLPH G. SABLAN
Lieutenant Governor of Guam

RECEIVED

STANDARDS FOR CHILD CARE

SECTION I - PROVISIONS:

A. PURPOSE:

The purpose of these rules and regulations is to formulate standards for child care facilities that will promote and protect the well-being of children being served.

These standards are applicable to all facilities, public or private.

B. DEFINITIONS:

- 1) DEPARTMENT means the Guam Department of Public Health and Social Services.
- 2) DIVISION means the Division of Social Services, Department of Public Health and Social Services.
- 3) LICENSE means certificate issued by the Division authorizing the operation of a child care facility as defined under the terms of the license.
- 4) CHILD CARE FACILITIES means any person or place which receives or arranges placement of one or more children who are not related to such persons, whether for gain or otherwise, apart from the parents or guardian, with or without the transfer of the right of custody, for the purpose of providing regular care or training for such child or children during the day or night, or both.
 - a) FAMILY DAY CARE HOME: A family home in which one but no more than six children are received for care and supervision in a family setting during a portion of a 24-hour day. Here children, generally of varying ages, find care for some part of the 24-hour day in the home of another family, often within their own neighborhood.
 - b) GROUP DAY CARE HOME: A home which provides family-like care for a group of seven and not more than twelve children with or without special needs (e.g. adolescents or disturbed children), during a portion of a 24-hour day. This day care program is located in a modified or extended family residence and usually is found within the neighborhood of the family needing day care services.
 - c) FOSTER FAMILY HOME: A home which provides substitute family care on a 24-hour basis for no more than six minor children under the age of eighteen who are living apart from their parents or guardians.
 - d) DAY CARE CENTER: A group care facility operated under public or private auspices serving twelve (12) or more children for a portion of a 24-hour day. Planned activities are determined by the child's age, development, special needs, family situation, and hours of care.
 - e) RESIDENTIAL TREATMENT FACILITY: A group care treatment facility staffed and equipped for professional therapy or treatment, casework, and diagnostic services for children with special emotional, behavioral, or medical problems.
- 5) CHILD CARE FACILITY STAFF:
 - a) DIRECTOR: Person having responsibility to administer the facility and to develop the total program.
 - b) STAFF MEMBERS: Child-care maintenance personnel; members of the operator's family who assist at the center, and volunteer workers.
 - c) TEACHER: Person having prime responsibility for planning and carrying out remuneration.
 - d) CHILD: Means persons under eighteen years of age.

C. AUTHORITY:

The Government Code of Guam authorizes the Department of Public Health and Social Services to adopt standards for licensing all child care facilities, to issue licenses, and to ensure that all provisions of Public Law 11-99 regarding licensing are carried out. (Government Code of Guam, Section 9120 through 9120.14). The Department may inspect home, center, institution, or place or the performance of any such service.

D. LICENSE:

No person, association, or corporation shall, without first having obtained a license from the Division, operate or conduct a child care facility, either with or without compensation.

1) EXCLUSIONS: No license is required for the following:

- a) To the care of a relative, friends, or neighbor's child/ren, with or without compensation, where the person furnishing such care does not regularly engage in such activity and does not advertise or hold himself out as conducting a child care facility.
- b) To parents who, on a mutually cooperative basis, exchange of one another's children.
- c) To care of children in their own home.
- d) To a hospital, clinic, or educational institution.
- e) To kindergarten or nursery schools operated by public or private elementary or secondary level school systems.
- f) To facilities operated in connection with a shopping center where children are received while parents are on the premises.
- g) To facilities operated in connection with a church where children are received while parents are on the premises.

2) APPLICATION:

a) APPLICATION FOR LICENSE:

Application for a license to operate child care facility shall be made on forms prescribed and furnished by the Division.

b) INSPECTION AND INVESTIGATION:

Upon filing of the application, the Division shall verify that the facility meets minimum standards. This will involve right of entry, inspection and investigation. The personnel qualifications of the director and other staff members will also be evaluated. This may include obtaining references in order to appraise character, temperament, and capacity to provide constructive child care.

The application study will include a written evaluation by the social worker, inspection reports concerning fire, building, and sanitation and zoning completed by appropriate staff from the Department of Public Health and Social Services, Department of Public Safety, and Department of Public Works, and Department of Land Management and may also include written reports of character references. Reports of inspection shall be kept on file by the Department.

c) LICENSE FEE:

Application for license or renewal of license of day care facilities shall include the payment of a non-refundable fee according to the following schedule:

- 1) Family Day Care-----\$5.00
- 2) Group Day Care-----\$10.00
- 3) Day Care Center-----\$25.00

d) ISSUANCE OF LICENSE:

If, upon examination, the Division is satisfied that the applicant and the facility reasonably meet the qualifications and standards prescribed for the type of facility for which application for license is made it shall issue to the applicant a non-transferrable license designating the type of facility provided for, the number of children to be served, the period of which the license is effective, and other conditions or limitations (such as age or sex of the children). The License shall be valid only with respect to the person and places specified. It shall be also subject to review when there is a change in operating policies.

The Licensee shall agree to notify the Division of any significant changes in the operation of the facility.

e) DENIAL OR TERMINATION OF LICENSE:

If the application or renewal study indicates that the operator or the facility does not meet the applicable standards, the License shall be denied or terminated. In addition, any charge of child neglect or abuse leveled against an applicant or current operator, which is substantiated by the Department's Child Protective Services Unit, shall justify denial or immediate termination of any operator's license.

If an applicant is denied a license, a letter shall be written to the applicant stating the reasons for denial.

f) PROVISIONAL LICENSE:

A Provisional License may be issued to a newly established facility or to an existing facility which is out of conformity for child care for a period not to exceed six (6) months to allow such facility reasonable time to become eligible for full license. Renewal of a provisional license shall be left to the Department's discretion.

g) RENEWAL OF LICENSE:

Application for renewal of a license shall be filed twenty (20) days prior to its expiration each year. If, upon review, the Division is satisfied that the facility continues to maintain adequate standards prescribed in these regulations, it shall renew the license.

h) SUSPENSION AND REVOCATION:

Failure to comply with any rule or regulations, or refusal to renew the license of any child care facility is reason for revocation or suspension of a permit or license by the Division.

i) HEARING:

Any person whose permit or license is denied, revoked, or suspended shall have the right to a hearing with the Director of the Department or his designate, provided such appeal is made in writing no later than twenty (20) days after receipt of the notice of denial, suspension, or revocation.

j) ADVERTISING:

A child care facility licensed by the Division may publish advertisements of the services for which it is specifically licensed. No persons, unless licensed, shall publish any advertisement soliciting a child or children for placement.

k) DISPLAYING LICENSE:

The license to operate a child care facility shall be prominently displayed at the facility.

l) PENALTIES:

The Government Code of Guam, Section 9120.12 specifies penalties for violation of the Child Welfare Services Act.

SECTION II - DAY CARE CENTERS:

A. ORGANIZATION AND ADMINISTRATION:

1) ORGANIZATION:

- a) Each licensee which is a corporation or association shall be legally organized.
- b) There shall be an internal structure which provides for an appropriate governing authority which is:

- 1) Responsible for the development and enforcement of operating policies, and procedures of child care staff employment, finances and the total organization of child care services.
- 2) Located so as to be familiar with, and accountable for, all aspects of the operation of the day nursery for and reasonably accessible to the licensing agency.

2) ADMINISTRATION:

- a) Each center shall have a written statement of operating policies and procedures. The statement shall include: name of the owner, purpose and goals of center, ages of children accepted, hours of operating, information regarding meals, maximum number of children, fees, and plan of payment, regulations regarding procedures and staff-child ratios.

In addition, operators are required to develop and record policies pertaining to personnel practices.

- b) The number of children per staff member, excluding staff for cooking and maintenance, shall not exceed:

Five (5) children under one (1) year of age
Eight (8) children age one (1) year to two (2) years of age
Ten (10) children age two (2) to three (3) years of age
Fifteen (15) children age three (3) to four (4) years of age
Twenty (20) children age four (4) to five (5) years of age
Twenty-five (25) children age five (5) and up

- 1) No group of children shall be left without adult supervision at any time. There shall be sufficient staff to assure that at least one staff person shall be within sight and sound of each child in the nursery at all times.
 - 2) There shall be provision for overlap of staff of different shifts so that continuity of care is assured.
 - 3) There shall be sufficient auxiliary help for housekeeping duties, cooking, laundering, etc., so that the primary work of the aides can be devoted to child care when children are present.
- c) Each center shall keep the following records where the children are housed:
 - 1) Statement of operational policies.
 - 2) List of current staff, including ages, training experience, and health records.
 - 3) Daily schedule
 - 4) Daily menu
 - 5) Emergency information:
 - a) Where parents can be located
 - b) Name of family physician
 - c) Written consent to call another physician if necessary
 - 6) Roster of enrolled children
 - 7) Daily attendance record by name and age
 - 8) Completed application form each child
 - 9) Child's health record showing date of last physical examination, list and dates of inoculations and vaccinations and developmental history.
 - 10) Sanitation, building, and fire permits.

3) PERSONNEL:

A) STAFF MEMBERS:

There shall be sufficient number of qualified staff to carry out the program of child care center.

- 1) Staff members shall be of good character and equipped by education, training and/or experience for the work that are required to do.
 - a) Physical Health. Each staff member in contact with the children must have a health certificate and a physical examination from a licensed physician indicating that the individual is free from communicable disease, uncorrected auditory and visual problems, and any speech impediments which would handicap him in the care of children, and is in good health. This health certificate and physical examination certificate shall be renewed annually and shall be kept on file in the facility.
 - b) All staff members shall have a physical examination and a valid health certificate as provided by subchapter C-1 of Chapter VI of the Government Code of Guam. Operators of child care centers must obtain a valid health permit as required by Subchapter C of Chapter IV, Government Code of Guam. Volunteers are required to have a valid health certificate and physical examination when providing services.
 - c) Emotional Health. Center operators shall be responsible in ensuring that their staff members are free of serious emotional problems. They must also demonstrate evidence of ability to deal effectively with practical problems of daily living and of child care.
- 2) The selection of the staff to provide care for the children shall be governed by the following points:
 - a) The impact and importance this person will have on the child.
 - b) The ability of the person to respect the individual child's uniqueness and level adjustment.
 - c) The ability to work harmoniously with parents and other coworkers.
- 3) Qualifications of Director
 - a) Director shall be at least 21 years of age.
 - b) Director shall have education and experience which will provide the knowledge and skill necessary to carry out an effective program of good child care set forth in these regulations.

The combination of education and experience can be met in one of the following ways:

- 1) Graduation from high school plus the completion of twelve (12) semester units in early childhood development plus completion of three units in administration and/or staff relation and four years of child care experience in a day care nursery or in a comparable group child care program; or
- 2) Graduation from high school plus one year in junior college plus the courses listed above and three years experience as listed above; or
- 3) Graduation from high school plus two years in an accredited college or junior college plus completion of the courses listed above and two years experience as listed above; or
- 4) Graduation from an accredited college of the courses listed above and one year experience as listed above.

c) Qualifying Experience and Training

- 1) Experience shall be verified; references shall be favorable to the applicant. The experience must have been full time (at least three hours per day for a minimum of 100 days in a calendar year) as a paid or volunteer staff member under these regulations.
- 2) The twelve (12) semester units in Early Childhood Developmental may be obtained as a part of either high school or college course or under the instruction of a qualified teacher as extra-curricular credits. They shall include the following areas:
 - a) Developmental characteristics and individual differences and inter-relationship of physical, emotional, intellectual and social growth.
 - b) Symptoms of physical or emotional disturbances.
 - c) Patterns of family living.
 - d) Methods of meeting emotional needs of children.
 - e) Methods of providing stimulation for cognitive growth.
 - f) Methods of recording children's growth and development.

4) Qualifications of Assistant Director:

An Assistant Director shall have one of the following combination of education and experience:

- a) A high school education plus twelve (12) semester units of Early Childhood Development, plus three semester units in administration and/or staff relations and under the direction of a qualified instructor at least three years experience in a day nursery or comparable group child care program; or
- b) Graduation from high school plus one year in junior college plus the courses listed above and two years experience as listed above; or
- c) Graduation from high school plus two years in junior college plus the courses listed above plus one year experience as listed above; or
- d) Graduation from college or accredited school of nursing.

5) Exemptions:

Centers currently licensed are exempted from the foregoing regulations, regarding qualifications of director and assistant director, for a period up to but not beyond 1981.

6) General Requirement:

- a) Responsibilities of Director: There shall be a responsible director in charge of the nursery at all times it is in operation. To be in charge means that (except for programs lasting more than eight hours) the director is normally on the premises, available to staff, parents and children. It precludes outside employment which intereferes with these duties. The director may be counted in the staff-child ratio only at times he is devoting full time to care of children.
- b) Assistant Director is an individual at least 21 years of age who meets the personnel requirements for all staff as set forth in Section II, A, 3, and the education requirements herein defined.
- c) Substitute for the Director:
 - 1) When the Director is required to be absent temporarily from the nursery, arrangements shall be made for another staff member at least 21 years of age to act as substitute.

B. DIRECTOR:

- 1) The Director shall be responsible for:
 - a) The over-all administration of the center.

- b) Setting up written personnel policies for all staff.
- c) Hiring of staff.
- d) Designating staff responsibilities.
- e) Arranging for health supervision of children.

C. ADMISSIONS:

- 1) The center shall require a report of a physical examination of each child by a licensed physician. Such examination shall be current within 90 days prior to admission.
- 2) The center shall require verification of the child's birthdate and shall keep on file evidence that the date has been verified.
- 3) At least one parent or guardian shall be interviewed prior to the child's admission to the center. The personal interview is to secure pertinent information on the child's over-all behavior and to acquaint the parents with the center's policies.
- 4) Each center shall secure written permission from parents or guardians before taking children on excursions.

D. CARE OF CHILDREN:

1) Health:

- a) Operators of child care facilities shall provide good physical care and help child grow and develop physically, mentally, emotionally, and spiritually at his own pace.
- b) Written medical reports and health information shall be on file for each child, including report of a current and annual physical examination, immunization records, pertinent information regarding any particular health problems, or any specific instructions regarding care or feeding for the child.
 - 1. All children attending a child care facility shall, unless excluded due to medical contradictions or religious affiliation, have received vaccinations against Poliomyelites, Diptheria, Tetanus, Pertussia (Whooping Cough), Measles, Rubella, and Mumps prior to admittance to such facility. (Smallpox and Typhoid immunizations are no longer required, per Communicable Disease Control).
 - 2. Exceptions and Exemptions:
 - a) Conditional admissions may be granted provided:
 - 1) The date of each appointment and name of the physician or health institution providing the vaccination must be place in the child's health folder.
 - 2) A child shall have a maximum of two (2) weeks from time of admission to obtain inoculation against measles, mumps, DTP/TD and Rubella.
 - 3) A child with partial immunizations shall have 30 days from the the date when the subsequent immunization(s) becomes due to obtain each subsequent dose(s).
 - 4) Failure to complete the vaccinations as outlined above shall result in the expulsion of the child until such time as the child is in compliance.
 - c) There shall be a daily inspection of each child upon arrival at the center.
 - d) Any child showing signs of illness must be isolated from other children until arrangement can be made for his care.

- e) The regulations of the Department of Public Health on communicable disease shall be followed where children show symptoms of communicable disease.
- f) No medication shall be given without the signed consent of a parent and special drugs shall be given only when prescribed for a child by a physician.
- g) First aid supplies shall be kept on hand.
- h) There shall be one regular staff who is trained in first aid.
- i) Centers caring for children through mealtime shall provide adequate nutritious food appropriate to the age of the child at normal meal time intervals.

2) Program:

- a) There shall be a well-balanced daily program appropriate to each child's age. Sufficient equipment and individual supplies shall be available to assure the healthy, physical, mental, and spiritual development of the child.
- b) Centers shall have a framework for activities that is predictable but not rigid. Programs should be well-planned but opportunity must be presented for the child to do some things on his own initiative.
- c) Children must be supervised at all times whether their activity is planned or optional.
- d) Play materials and equipment shall be carefully selected and presented to stimulate interest and learning and to enhance different aspects of the child's development, language, coordination, imagination, cooperation.

E. PHYSICAL PLANT:

1) Location and Premises:

- a) Centers shall not be located where excessive noise, odors, dust, smoke, or traffic would interfere with children's comfort and safety.
- b) Centers shall be clean and sanitary with proper means of refuse disposal in accordance with Title X, Chapter VI, Subchapter C, Government Code of Guam.
- c) Centers shall have proper disposal of sewage with all plumbing outlets connected to an approved sub-surface sewage disposal system or a sewer system.
- d) The building shall have a sunny exposure, be well-lighted, airy and well-ventilated.

2) Outdoor Space:

There shall be adequate outdoor space available. The play area shall be free of litter, glass, nails, and other obvious hazards. The play area shall be on the premises adjacent to the indoor area. It shall be fenced or protected with the entire area easily supervised. It shall be fenced if adjacent to a street or other hazard. A space equal to at least 75 square feet per child is recommended.

3) Building Used for Day Care Centers:

It shall be the responsibility of the operator to meet the following standards which conform to the construction standards of the current local ordinances.

Adherence to the latest editions of the following shall be required. Uniform plumbing code; uniform building code, uniform mechanical codes, national electrical code, and Guam Prevention Code.

a) New Construction:

Plans for any new buildings and alterations of existing buildings of day care centers shall be submitted to the Territorial Planning Commission, Department of Land Management, Building Permit Section, Department of Public Works, Bureau of Environmental Health and Consumer Protection, Department of Public Health and Social Services, before any work is carried out.

b) Existing Buildings:

- 1) Setbacks of buildings shall conform to the zoning law, Title XVIII.
- 2) Corridors with dead ends are permitted when the dead end does not exceed 20 feet in length.
- 3) Stairways serving as occupant load of more than fifty (50) shall not be less in width than 44 inches. Also stairways serving an occupant load of fifty (50) or less may be 36 inches wide.
- 4) The rise of each step in a stairway shall not exceed seven and one half inches ($7\frac{1}{2}$ ") and the run shall not be less than ten inches (10").
- 5) In every building, four or more stories in height, one stairway shall be extended to the roof surface, unless the roof has a slope greater than four in twelve.
- 6) The slope of a ramp shall not exceed one foot in ten feet.
- 7) A ramp with slop exceeding one foot in 10 feet shall have handrails as required for stairways.
- 8) The surface of ramps shall be roughened or shall be on nonslip materials.
- 9) Exit doors shall swing in the direction of exit travel when serving an occupant of fifty.
- 10) Every required exit doorway shall be the size as to permit the installation of a door not less than three feet (3') in width and not less than six feet eight inches (6' 8") in height.
- 11) Revolving, sliding and overhead doors shall not be used as required exits.

c) Exits:

- 1) Exits is a continuous and unobstructed egress to a public way.
- 2) Exits shall be arranged that it is possible to go either direction from any point of a corridor to a separate exit.

d) Electrical Circuits:

- 1) Electrical circuits shall be maintained with proper fuse protection and shall be installed in accordance with the National Electrical Code.
- 2) Extension cords shall not exceed 10 feet in length and shall not extend from one room to another, nor shall they be stapled or nailed or otherwise permanently fastened to walls, floors, ceilings, or be run under rugs.

e) Capacity and Occupancy:

- 1) For day time care, there shall be a minimum of 35 square feet per child of indoor area, excluding bathroom, kitchen, closet space, and hallways.
- 2) For night time care, there shall be a minimum of 50 square feet per child of indoor area, excluding bathroom, kitchen, closet space and hallways.
- 3) Separate cots shall be provided or, in lieu, thereof, if floor is carpeted either mats or pads may be used. Cots, mats, or pads shall be placed at least two feet apart.
- 4) A lanai which has a roof, is protected from rain, and provides for safe activity, may be counted as indoor or outdoor space.
- 5) An isolation room must be available.

f) Toilet Facilities:

- 1) There shall be a minimum of one toilet and one basin conveniently located for every fifteen (15) children. Facilities shall be separated for each sex.
- 2) Water closets and wash basin shall be of suitable height and size and so equipped as to be readily accessible to the children.
- 3) Soap and individual towels shall be provided.
- 4) The sewage disposal system shall conform with Title X, Chapter VI, Subchapter R, Government Code of Guam.

g) Water Supply:

- 1) The water supply shall be adequate and of safe sanitary quality.
- 2) Adequate and approved drinking facilities shall be provided.

h) Kitchen Facilities:

- 1) All kitchen facilities shall be in conformance with Title I, Chapter IV, Subchapter E, Government Code of Guam.

i) Health Cleanliness and Safety:

- 1) Adequate artificial lighting shall be provided in all indoor area.
- 2) Gates at the head of stairs and handrails on stairways shall be provided.
- 3) All poisons and dangerous chemicals shall be stored in a safe location and out of reach of children.
- 4) Separate towels, washclothes, and drinking cups shall be provided for each child.
- 5) Both indoor and outdoor areas shall be adequately protected and maintained against flies, roaches, mosquitoes, and rodents.
- 6) Standard first aid equipment shall be properly maintained and stored in the inside area in a central location, accessible to all staff members and out of reach of the children.
- 7) All areas, facilities, and equipment shall be kept in a neat, clean, and sanitary condition.
- 8) Cots and mats shall be cleaned, disinfected and aired daily.

- 9) Toilet, lavatory, and bathing facilities including floor areas, and kitchen floors, shall be scrubbed daily.
- 10) Cleaning equipment and supplies shall be stored in locked closets or cabinets.
- 11) No other enterprise shall be conducted on the premises during hours while the child care center is in operation.
- 12) Telephone or other suitable means of transportation or communication for emergency purposes shall be provided.
- 13) A fire extinguisher agent must be provided in each center.
- 14) For more than 50 children an automatic fire extinguishers, fire alarm or detection system must be provided.
- 15) A three-fourth inch outside faucet shall be provided.

SECTION III - FAMILY DAY CARE AND GROUP DAY CARE HOMES:

A. DEFINITION:

- 1) Family Day Care Home is a family home in which one, but not more than six children are provided care, apart from their parents or guardians.
 - a) With or without charging a fee during any part of a twenty-four hour day.
 - b) Where the relationship of a child and family day care parents is not by blood or marriage.
- 2) Group Day Care Home offers family-life care in an extended or modified family residence. It utilizes one or several employees and provides care for up to twelve (12) children of varying ages.

B. GROUP OF CHILDREN:

- 1) Family Day Care Home:
 - a) Infancy through six years. No more than two children under two and no more than five in total, including family day care mother's own children under fourteen (14) years of age.
 - b) Three through fourteen years. No more than six children, including the family day care mother's own children under fourteen years old.
- 2) Group Day Care Home:
 - a) Group day care home may range up to twelve children, but the child-staff ratio will be the same as those established for Day Care Centers (See Section II, 2B).

C. RECORDS:

- 1) All records shall be held confidential and shall be available on demand to a duly authorized official of the department.
- 2) Family Day Care and Group Day Care Homes should maintain the following records:
 - a) Completed application for each child.
 - b) Daily attendance records.
 - c) Emergency information.

1. Address and telephone number of parents and other adults responsible for the child's care.
 2. Name of family physician, his telephone number and address.
 3. Written consent to call another physician when the family physician cannot be contacted.
- d) A health record on each child shall include the following information:
1. Physical examination report current within 90 days prior to admission.
 2. Immunization Records

Prior to attendance all children must present satisfactory evidence that they have received vaccinations against diphtheria, pertussia (whooping cough), tetanus, poliomyelitis, measles (Rubeola), rubella (German Measles) and mumps.

a. Exception and Exemptions:

1. Conditional admissions may be granted provided:
 - a) The date of each appointment and name of the physician or health institution providing the vaccination must be placed in the child's health folder.
 - b) A child shall have a maximum of two weeks from time of admission to obtain inoculations against measles, mumps, DTP/TD and rubella.
 - c) A child with partial immunizations shall have 30 days from the date when the subsequent immunization(s) becomes due to obtain each subsequent dose(s).
 - d) Failure to complete the vaccinations as outlined above shall result in the expulsion of the child as in compliance.
- b. Exemptions from the immunization requirement shall be granted upon receipt of a:
 1. Written certification by a physician that a medical contraindication to receipt of a specific vaccination exists.
 2. Written certification by a parent or legal guardian that such vaccinations would be contrary to their religious beliefs.
3. Any medical health problems, including restrictions and allergies.
4. Chest X-ray and tuberculin test.

D. CARE OF CHILDREN:

- 1) The family care and group care parents shall require that a child in a child care facility have a physical examination at least annually.
- 2) There shall be a daily health inspection of each child upon arrival at the home.
- 3) A child who becomes ill after he had arrived at the home shall be separated from the rest of the group but within call of an adult, until the parents call for him.
- 4) Specific instructions obtained from a physician for the feeding and care of children with special problems shall be written on their records and followed.

5) Under no circumstances should a day care mother give medication of any kind unless prescribed by a physician.

a) Should she accept this responsibility, the medication shall be kept in the original container bearing the prescription label which shows the date filled, physician's directions for use, the physician's name, and the child's name.

b) Medication shall be kept out of reach of the children and returned to parents when no longer needed.

E. DAY CARE HOMES CARING FOR CHILDREN THROUGH MEALTIME SHALL PROVIDE:

1) Nutritious food appropriate to the age of the child.

2) Nutritious snacks between meals.

F. DAILY PROGRAM:

There shall be a well-balanced daily program including rest period appropriate to each child's age, regular meal hours, and recreation including supervised outdoor activity.

G. SAFETY AND HYGIENE:

Every day care facility should be responsible for seeing that children are cared for in a building that is structurally sound, free from fire hazards, and maintained in a sanitary condition.

H. DISCIPLINE:

There shall be no punishment or discipline which may in any way injure or harm a child physically or emotionally.

I. CLOTHING AND PERSONAL SUPPLIES:

1) A change of clothing shall be kept for emergency.

2) Each child in a day care facility shall be provided with individual towels, combs, toothbrushes and other necessary toilet articles.

J. RELIGION:

The religious faith of each child shall be respected.

K. REQUIREMENT FOR FAMILY DAY CARE AND GROUP DAY CARE PROGRAM:

1) The day care mother should like and understand children and be capable of giving them affection and security and of deriving satisfaction from caring for them. At the same time, she has to appreciate that her relationship with the child must not be so intense as to involve the child too closely or to threaten the child's mother.

2) The relationship in the day care family should create favorable atmosphere for children. Generally, a family with two parents is desirable, particularly for children who have no father in their homes.

In certain situations, however, widows, unmarried mothers, and single women are able to offer needed service.

3) The family should have the personal characteristics that will ensure continuity of care throughout a child's need in the home.

4) The day care mother should not be so young as to lack maturity, nor so old as to lack the energy and flexibility necessary to care for young children. She must also be flexible enough to meet the needs of individual children as they may change during the time she is caring for them.

- 5) The day care mother should be capable of handling an emergency promptly and intelligently.
- 6) All members of the family should have good health. A physical examination of each member of the family should be required to certify that he is free from a physical or mental illness detrimental to a child, including evidence that there is no tuberculosis infection or other communicable disease.
- 7) In general, the family should have sufficient income to cover its basic needs. The desire to earn supplementary income, however, is a sound motive for a day care mother. Families who have low income or who are receiving public assistance but who have other qualifications, may be used.

L. LOCATION OF DAY CARE HOMES:

Family day care home should be in or near the neighborhood in which the families needing the service reside.

M. HOUSING:

- 1) The physical facilities of homes used for day care should be compatible with the standards of the neighborhood in which the children live; provide adequate space for daily activities of young children and present no hazards to their health or safety.
- 2) There shall be easy accessibility to adequate outdoor space. It shall be fenced or otherwise protected, safe and well-drained with sunny and shady areas.
- 3) The dwelling should conform to local sanitation, building and zoning regulations.
- 4) There shall be a minimum of 35 square feet per child of indoor areas, excluding bathroom, kitchen, cupboard space and hallways.
- 5) There shall be a minimum of 75 square feet per child of outdoor space.

N. SLEEPING ARRANGEMENTS:

Each child should have an individual bed or cot, kept in clean and sanitary condition at all times.

O. PLAY SPACE AND MATERIALS:

In addition to play space indoors or outdoors, there should be sufficient play materials and equipments for indoor and outdoor activities to stimulate the activity and imagination play suitable to the age of the children.

SECTION IV - FOSTER FAMILY HOME AND GROUP CARE HOME:

A. DEFINITION:

- 1) A Foster Family Home is a home which provides substitute family care for a planned period for a child when his own family cannot care for him for temporary or extended period.
- 2) A Group Care Home is a single dwelling in which there is ongoing family life and where a couple either live in their own home or are employed as staff in a home. Group Day Care has as its primary purpose of providing care and training on a 24 hour basis for a group of children with special needs who cannot accept the close relationship but can relate to a family as part of a group, and whose experience of a family life can in this way be enhanced.
- 3) Foster parents means any person who gives care and maintenance to a child in placement.

B. NUMBER OF CHILDREN TO BE CARED:

- 1) Foster Family Home:
 - a) Care is provided for not more than six children, including foster parents' own children.

- b) There shall be no more than two children under the age of two years including foster parents' own children.

2) Group Home Care:

A Group Home Care may care for seven to twelve children generally from varying ages over three years. It can be used for a specifically composed group of four to eight children. It should be available for children with special needs, i.e. adolescents and seriously disturbed children.

C. RECORDS:

- 1) Each foster family home or group care home shall keep the following records:

- a) Completed application forms of each child.
- b) Emergency Information
 - 1. Address and telephone number of parents.
 - 2. Written consent to take child to physician or hospital when needed.
- c) Health Record
 - 1. Physical examination report
 - 2. Immunization Records

Prior to attendance all children must present satisfactory evidence that they have received vaccinations against diptheria, pertussis (Whooping cough) tetanus, poliomyelitis, measles, (Rubeola), rubella (German Measles) and mumps.

- a) Exceptions and Exemptions

- 1. Conditional admissions may be granted provided:
 - a. The date of each appointment and name of physician or health institution providing the vaccination must be placed in the child's health folder.
 - b. A child shall have a maximum of two (2) weeks from time of admission to obtain inoculations against measles, mumps, DTP/TD and Rubella.
 - c. A child with partial immunizations shall have 30 days from the date when the subsequent immunization(s) becomes due to obtain each subsequent dose(s).
- 2. Exemptions from the immunization requirement shall be granted upon receipt of a:
 - a. Written certification by a physician that a medical contraindication to receipt of a specific vaccination exists.
 - b. Written certification by a parent or legal guardian that such vaccinations would be contrary to their religious beliefs.

- d) Any medical health problems including restrictions and allergies.
- e) Chest X-rays or tuberculin test.

- 2) All records shall be health confidential and shall be available on demand to a duly authorized official of the department.

D. CARE OF CHILDREN:

- 1) Child in placement shall be treated like any other child in the home.
- 2) Diet shall be adequate for growth and good nutrition.
- 3) Clothing shall be kept clean and in proper condition of repair and shall be of appropriate size.
- 4) Individual towels, combs, and toothbrushes and other necessary toilet articles will be provided.
- 5) Severe illness, serious accident or death of the child shall be reported immediately to the Division and/or the child's parents or person responsible for the child.
- 6) A well-balanced daily program including time for rest appropriate to his age, regular meal hours, and recreation shall be provided.
- 7) A child in placement shall be provided the opportunity to participate in appropriate social and recreational activities of the community.
- 8) A child in placement shall not be required to do work in the home other than simple home duties which do not interfere with school, health, and necessary recreation and which are shared with any children in the home.
- 9) There shall be no unduly harsh punishment or discipline which may in any way injure or harm a foster child's physical or emotional welfare.
- 10) The religious faith of each child shall be protected.

D. REQUIREMENT FOR FOSTER PARENTS AND PARENTS OF GROUP HOMES:

1) Personal Qualities:

Foster parents should be selected on the basis of having personal characteristics and relationships which will make it possible for them to undertake and perform the responsibilities entailed in caring for children particularly those who have their own parents in providing continuity of care, and in working with a social agency.

- a) They can give a feeling of caring about others and being responsive to them.
- b) They are able to give affection and care to a child in order to meet his needs.
- c) They have the capacity to be giving without expectation of immediate returns.
- d) They have worked out a satisfactory and stable marital relationship without severe problems in their sexual identification, or in their relationship with each other.
- e) They are able to maintain meaningful relationships free from chronic severe conflict, with members of their own families and with persons outside the family.
- f) They have emotional stability and are able to function adequately in relation to family responsibilities and employment as indicated both currently and in the history of the family.
- g) They have a reputable character, values and ethical standards conducive to the well-being of children.
- h) They give evidence of flexibility and modifiability in their expectations, attitudes and behavior in relationship with child's own parents and with the agency, without any marked tendency to be overpossessive.
- i) They have a stable income sufficient for maintenance of the family without supplementation of the board payment.

- 2) Employment of the foster mother must not interfere with providing family life and meeting the other needs of the child.
- 3) Applicants for family foster home must refrain from actively pursuing adoption during the time foster children are placed in their home.
- 4) Health:
 - a) Information should be obtained regarding health history of both parents including a written statement from a physician regarding their general health, specific illness or disabilities, and written reports of chest x-rays.
 - b) It should be determined that other adults or children in the household do not present hazards to a foster child through communicable disease or other illness.
 - c) Annual physical examination is required.
- 5) Religion:

The home should provide opportunities for spiritual development and make it possible for a child to have satisfying religious experiences through an appropriate religious affiliation in the community which does not conflict with the religious preference of his parents.

F. HOUSING (SECTION II-D WILL BE USED AS GUIDE, WHEN APPLICABLE):

- 1) Physical facilities of the home should present no hazards to the safety of any child in placement.
- 2) Physical standards should be of a degree of comfort sufficient to insure the well-being of the family and its self-respect in the community in which it resides.

G. LOCATION:

Homes should be located where school, church, recreational, and other community facilities are reasonably accessible.

H. SLEEPING ARRANGEMENTS:

- 1) Sleeping arrangements should be such that a separate bed can be provided for each child.
- 2) There should be sufficient sleeping space so that neither foster family's own children or child in placement share the bedroom of any adult.
- 3) Sleeping rooms should not be shared by children of opposite sexes.
- 4) Except for infants, sleeping arrangements should be such that a space is provided within the sleeping room for the child's personal possession and for a reasonable degree of privacy.

I. CONTACT WITH THE HOME:

The home shall be subject to visits by the Division or its authorized agent at any time or in any manner as it deems necessary to protect the welfare of children in placement.

SECTION V - SEPARABILITY:

If any phrases, clauses, sentence, section, subsection, provision or part of these regulations or its applicable to any person or circumstance, if for any reason held to be unconstitutional or invalid, the remaining portions of these regulations, or the application of these regulations to other persons or circumstances shall not be affected.