KENTUCKY
STANDARDS OF PRACTICE
CHILD-CARE CENTER LICENSURE

A resource for
Licensed Child Care Providers,
Child Care Surveyors
and
Technical Assistance Staff

Kentucky Child Care Standards of Practice for Licensed Providers
Introduction and Purpose

This document is intended to educate and inform child care providers, Cabinet for Health and Family Services Division of Regulated Child Care employees and child care Technical Assistance providers about the regulatory standards for licensed and certified family child care providers. The information contained in this document is not to be used as a substitute for state requirements. It is to be used in conjunction with the Kentucky Revised Statutes (KRS 199.894 to 199.8982), and the Kentucky Administrative Regulations (922 KAR 2:090, 2:100, 2:120, 2:190 and 2:280) to promote regulatory compliance, uniformity, competency and ethical practice for Cabinet employees who regulate and technical assistance staff who provide regulatory information to state approved child-care providers.

The Standard of Practice (SOP) is written in the following format: The “Title #”, “Category”, and “Title” are references to the Division of Regulated Child Care’s survey tool. The Child Care Regulation Text is the specific regulatory language found in the Kentucky Administrative Regulations governing child care. The Child Care Technical Assistance Guide is a suggested resource and example for a technical assistance provider to assist child care providers in meeting the specific requirements. The purpose of this section is to counsel technical assistance providers throughout the state on Kentucky Child Care Regulations. This section does not interpret regulation; however, it is a guideline and tool to be used as a means to coach providers consistently across the state. The “Regulated Child Care Survey Method” is the Division of Regulated Child Care’s process for surveying to determine compliance with Kentucky Administrative Regulation child care requirements.

The information contained in this document is for the explicit use by child care providers, the Cabinet for Health and Family Services**,** Division of Regulated Child Care employees and Technical Assistance providers.

Kentucky Child Care Standards of Practice for Certified Providers

Table of Contents

Category and Title for Each Child Care Regulatory Guidance	Title#	Page#
Background Checks		
1. Background Check/Left Alone/Dismissed/Relocated	5	9
2. Submit Background Check	10	10
3. Submit fingerprints	15	11
4. Out of state background checks	20	12
5. Provider pay other state fee	25	12
6. Disqualifying background check result	30	13
7. Disqualifying criteria/3 day notification	35	14
8. Termination of staff member	40	14
9. Relocation of family member	45	15
10. Electronic notification to cabinet if no review requested	50	16
11. Direct contact during informal/rehabilitative review	55	16
12. Termination/Relocation After Informal or Rehabilitative Appeal	60	17
13. Providing care during administrative hearing appeal	65	17
14. Termination/Relocation After Hearing	70	18
15. Electronic notification to cabinet after hearing	75	18
16. Restrictions for rehabilitative review	80	19
17. Employment Status	85	19
Supervision		
18. Children Supervised	90	20
19. Children Protected	95	20
20. Activity Areas/Equipment/Materials	100	21
21. Supply Storage	105	21
22. Supervision During Diapering	110	22
Staffing Requirements		
23. Cooking/Cleaning Staffing	115	22
24. Adequate Adults/Qualified Staff	120	23
25. Ratios and Group Size	125	24
26. Exceptions to Ratio/Group Size	130	25
27. Related Children	135	25
General Administration		
28. Zoning	140	26
29. Fire Marshal	145	26
30. Water/Sewage	150	27
31. Liability Insurance	155	27
32. Comply with regulations	160	28
33. Cooperate with state agency	165	28
34. Have Director	170	29
35. Allow Access	175	29
36. Plan of Correction/10 days	180	30
37. Amended Plan of Correction	185	30
38. Report to Licensee	190	31
39. Deny Applicant for Multiple Intermediate Sanctions/Failure to Pay CP	195	31
40. Revocation – Fraud, Falsification and Sanctions	200	32
41. Reports to Cabinet	205	33
42. Licensee Responsibility	210	34
43. Volunteer/Board Member Compliance	215	34
44. Resident Interference	220	35
45. Staff Conviction/Substantiation	225	35
46. Controlled Substance/Alcohol	230	36
47. Adult Resident Requirements	235	37

48. New Adult Resident Requirements	240	37
49. Staff Awake on Duty	245	38
50. Child Abuse/Neglect Report	250	38
51. Notification of Changes	255	39
52. Change of Director	260	40
53. Fatality Report	265	40
54. Notification of Center Closure	270	41
55. Abuse/Neglect Report Procedure	275	41
56. Requirements for Nontraditional Care	280	42
57. Staff Remain Awake	285	43
58. Fire Marshal/Zoning Compliance	290	43
59. Construction/Renovation Notification	295	44
60. Defined Groups	300	44
61. Person Under Investigation by DCBS	305	45
62. Sick Child Exclusion	310	46
63. Sick Child Protocol	315	46
Director Requirements		
64. Operation instruction/Regulation copy	320	47
65. Director Qualifications	325	47
66. Regulatory Compliance/Staff in Charge	330	48
67. Staff Management/Policy Development/Supervision	335	48
68. Staff Meeting	340	49
69. Staff Evaluation	345	49
70. Health, Safety, Comfort	350	49
71. Parent Notification	355	50
72. Caregiver Alone	360	50
73. Altered/Falsified Records	365	51
74. Parental/Family Involvement Activity	370	51
75. Director Educational Requirements - Type I	375	52
76. Director Educational Requirements - Type II	380	53
Employee Records		
77. Personnel File	385	54
78. Educational Requirements	390	55
79. TB Verification	395	56
80. CPR/First Aid Coverage	400	57
81. Adequate Substitute(s)	405	58
82. Training	410	59
83 Driver Requirements	415	60
Programming		
84. Program of Activities Followed	420	61
85. Practice Appropriate Self-Help Procedures	425	62
86. Electronic Viewing/Listening Devices	430	63
87. Regularity of Routines	435	63
88. Sufficient Activity Time	440	64
89. Waiting Period	445	64
90. School Age Care	450	65
91. Discipline	455	66
92. Diagnosed Special Need	460	67
93. Electronic Viewing/Listening Planned Program	465	67
94. Computer Monitoring Device	470	67
95. Weather Conditions	475	68
96. Infant/Toddler Combined with Older Children	480	69
97. Infant Sleep Position	485	70
98. Rest Time Requirement	490	70
99. Bedding/Toys in Crib	495	71

100. Two Hour Limit - Rest Time	500	71
101. Rest Period - Alternate Activity	505	72
102. Appropriate Use of Food	510	72
103. Toilet Training	515	73
Premises		
104. Inaccessible Items	520	73
105. Items Accessible Only During Activity	525	74
106. Guns/Ammunition Storage	530	74
107. Smoking Protocol	535	75
108. Premises Requirements	540	75
109. Phone Requirement	545	76
110. Fire Exits Clear	550	76
111. Carbon Monoxide Detector	555	77
112. Building Requirements	560	77
113. 35 Square Feet per Child	565	78
114. Pest Control	570	78
115. Protected Openings	575	79
116. Floors, Walls, Ceilings	580	79
117. Water Supply Requirements	585	80
118. Sewage Disposal	590	81
119. Plumbing Code	595	81
120. Solid Waste	600	82
121. Child Care Program Interference	605	82
122. Building Temperature	610	83
123. Indoor Gross Motor Space Requirements	615	83
124. Prohibited Bodies of Water	620	84
125. Infant/Toddler Indoor Space	625	84
126. Cots/Mats Location Restrictions	630	85
127. Minimum Toilet/Urinal Requirements	635	85
128. Toilet Room	640	86
129. Sink	645	86
130. Toilet	650	87
Hygienic Practices		
131. Child Personal Care/Handwashing	655	88
132. Staff Hygiene/Handwashing	660	89
133. Staff Communicable Disease	665	89
134. Diapers/Clean Clothing Supply	670	90
135. Training Chair	675	90
136. Soiled Diapers/Clothing	680	91
137. Diaper Changing Area/Surface	685	91
138. Wipes	690	92
139. Diapering Practice	695	92
140. Children's Individual Items	700	92
141. Toothbrush/Toothpaste	705	93
142. Toy Sanitation Procedure	710	93
143. First Aid Supplies	715	94
144. Medication Administration	720	95
145. Administration Record	725	96
146. Medication	730	97
Outdoor Play Area		
147. Fence Requirement	735	98
148. 60 Square Feet	740	98
149. Playground Clean	745	99
150. Playground Conditions	750	99

151. Protective Surface	755	100
152. Fences	760	101
153. Infant/Toddler Outdoor Space	765	101
154. Play Equipment	770	102
155. Sufficient Appropriate Equipment	775	102
156. Storage Space/Storage Device	780	103
157. Playpens/Play Yards	785	103
158. Crib/Mattress/Sheet	790	104
159. Individual Bed/Mat/Cot and Bedding	795	105
160. Twelve Inch Spacing	800	105
161. Cots/Mats Disinfected	805	106
162. Individual Bedding Storage	810	106
163. Toys/Furniture	815	107
164. Indoor/Outdoor Equipment	820	107
165. Toys	825	108
166. Children/Staff Seating	830	108
Transportation		
167. Maintain Records	835	109
168. Transportation Compliance	840	110
169. Requirements for Transportation Services	845	111
170. Transportation Notification/Type and Vehicle	850	112
171. Transportation Notification/Plan for Ensuring Staff Duties	855	113
172. Transportation Notification/Full Coverage Insurance	860	113
173. Transportation Notification/Policy & Procedures Regarding	865	114
174. Transportation Notification/Third Party Contracts	870	114
175. Transportation Notification/Safety Procedures - Transporting,	875	115
176. Vehicle Equipment	880	116
177. Transit/School Bus	885	116
178. Vehicle Inspection Documentation	890	116
179. Vehicle Requirements/Traffic Stop During Loading/Unloading	895	117
180. Seatbelts for Each Occupant	900	117
181. No Hazardous Materials	905	118
182. Car Seats	910	118
183. Pre-trip Inspection	915	119
184. Ratios	920	119
185. Seating	925	120
186. Child Unattended	930	120
187. Pre-arranged Plan	935	121
188. Unaccompanied Child Crossing Street	940	121
189. Vehicle Headlamps	945	121
190. Refueling	950	122
191. Driver Not In Seat	955	122
192. Children's Transportation Records	960	123
193. Hazardous Items	965	123
194. Parent Transport during Field Trip	970	123
Food Service / Food Program		
195. Milk Requirements	975	124
196. Meals Required	980	125
197. Breakfast Requirements	985	125
198. Snack Requirements	990	126
199. Drinking Water Requirement	995	127
200. Bottle Feeding	1000	128
201. Kitchen Exemption	1005	128
202. Kitchen Requirements	1010	129
203. Food Service Permit	1015	130
204. Food Preparation Utensils	1020	130

205. Refrigerator	1025	131
206. Frozen Food	1030	131
207. Food Contact Items	1035	132
208. Kitchen Equipment Clean and Sanitary	1040	132
209. Single Service Item	1045	133
210. Bottles	1050	133
211. Food Clean/Free From Spoilage	1055	134
212. Food From Approved Source	1060	135
213. Developmentally Appropriate Quantity/Additional Portions	1065	135
214. Food Protected From Contamination	1070	136
215. Bottle Preparation by Parent	1075	137
216. Bread Requirement	1080	137
217. Drinking Water Requirement	1085	138
218. Food Storage	1090	138
219. Fruits and Vegetables	1095	139
220. Potentially Hazardous Foods	1100	139
221. Individual Portion	1105	139
222. Wrapped Food	1110	140
223. Meal Schedule	1115	140
224. Sufficient Room/Eating Utensils Supplied	1120	140
225. Same Food	1125	141
226. Menu	1130	141
Children's Records		
227. Immunization	1135	142
228. Enrollment Information	1140	143
229. Documentation for Off Premise Trip	1145	144
230. Evacuation Plan	1150	145
231. Policies and Procedures	1155	146
232. Daily Attendance Records	1160	147
233. Staff Schedule	1165	147
234. Professional Development	1170	148
235. Earthquake/Tornado/Fire Drills	1175	148
236. Report Documentation	1180	149
237. Confidentiality/Maintenance/Access	1185	149
238. Orientation Procedure	1190	150
239. Fire Drills	1195	150
Posted Documentation		
240. Posting Requirements	1200	151
241. Post Adverse Action License	1205	152
242. Disaster Course of Action	1210	152
243. Daily Activities	1215	153
244. Diapering/Handwashing	1220	153
Animals		
245. Animals in the Presence of Children	1225	154
246. Parent Notification	1230	154
247. Prohibited Animals	1235	155
C.O.		
248. Secretary of State	1240	155
249. Application	1245	156

Title #	5
Category	Background Checks
Title	Background Check/Left Alone/Dismissed/Relocated
Child Care Regulation Text	**922 KAR 2:280. Section 3.** Implementation and Enforcement. (1) A person who is a child care staff member prior to January 1, 2018, shall submit to and complete background checks in accordance with this administrative regulation no later than September 30, 2018. (2) A child care staff member hired on or after April 1, 2018, shall: (a) Have completed the background checks required in accordance with this administrative regulation and found to have no disqualifying offense prior to becoming a child care staff member; or (b) 1. Have submitted to the background checks required in accordance with this administrative regulation; 2. Not be left unsupervised with a child in care pending the completion of the background checks in accordance with this administrative regulation; and 3. Be dismissed or relocated from the residence if the person is found to have a disqualifying background check result;
Guideline (s) for Child Care Technical Assistance	The National Background Check Portal (NBCP) requires that the provider have access to the KARES system on the Kentucky Online Gateway. • The provider must be able to scan and upload copies of the photo ID and print forms when completed. • All current certified family child care home providers and adult household members must complete the new background check process through the National Background Check Portal before September 30, 2018. • The Division of Child Care has developed a recommended schedule to ensure that all family child care providers complete the process between March 2018 – September 2018. • The provider must maintain on file for review the previously required Central Registry Check, Criminal Record Check and out of state check if applicable Any person (substitute, assistant) hired after April 1, 2018, must submit to the NBCP background check system prior to working in the home. Once the fingerprints have been scanned, the assistant or substitute may work in the home but cannot be alone with a child until the results of the background check are received. Questions should be submitted to: chfsdccnbcp@ky.gov
Regulated Child Care Survey Method	Surveyors should review KARES, prior to conducting an inspection. Surveyors should review staff schedules, observe and document staff names to determine who is working with the children. A staff member can be provisionally hired and work/live in the home after they have submitted to the live fingerprint scan, but may not be left unsupervised with children.

Title #	10
Category	Background Checks
Title	Submit background check
Child Care Regulation Text	**922 KAR 2:280. Section 4.** Procedures and Payments. (1) To initiate the process for obtaining background checks on a prospective child care staff member, the child care provider shall: (a) Request that the prospective child care staff member provide a copy of his or her driver's license or other government-issued photo identification and verify that the photograph clearly matches the prospective child care staff member; (b) Request that the prospective child care staff member complete and sign the: 1. DCC-500, Applicant Child Care Staff Member Waiver Agreement and Statement; and 2. DCC-501, Disclosures to Be Provided to and Signed by the Applicant Child Care Staff Member; and (c) Log on to the NBCP portal and enter the prospective child care staff member's demographic information for a check of the: 1. Child abuse and neglect central registry pursuant to 922 KAR 1:470; 2. National Crime Information Center's National Sex Offender Registry in accordance with 34 U.S.C. 20921; and 3. Sex Offender Registry established in accordance with KRS 17.500 through 17.580;
Guideline (s) for Child Care Technical Assistance	All new staff are referred to in the NBCP system as "prospective employees." To ensure the child care center has the information needed to enter a new staff in the NBCP, have each person (provider, substitute, assistant, adults) in the center or home complete the Applicant Pre-Screening form. Although not required, the child care center will need the information on this form to complete the background check on the NBCP. Make a copy of the photo ID. There is a list of acceptable forms of identification on the NBCP; i.e., driver's license, government issued photo ID, passport, etc. Also, the provider is required by the regulation to check the ID to ensure it is not fraudulent. For example: does the picture on the ID match look like the person? The Waiver Form (DCC-500) and Disclosure Form (DCC-501) must be completed and signed by each person. These are required forms. Copies of all required forms are found on the NBCP portal. Maintain copies of these on file for review and provide copies to the Cabinet if requested.
Regulated Child Care Survey Method	Surveyors should review KARES prior to conducting an inspection. Surveyors can verify the provider has initiated the process on a prospective child care staff member. No staff member or adult household member should be present in the center or home with children prior to submitting to the live fingerprint scan.

Title #	15
Category	Background Checks
Title	Submit fingerprints
Child Care Regulation Text	**922 KAR 2:280. Section 4.** Procedures and Payments. (4)(a) Upon submission of payment in accordance with subsections (2) and (3) of this section, the child care provider shall print a copy of the DCC-504, Applicant Child Care Staff Member Live Scan Fingerprinting Form, from the NBCP portal and provide the form to the child care staff member. (b) The child care staff member shall: 1. Have no more than ninety (90) calendar days from the date of payment pursuant to subsections (2) and (3) of this section to submit the child care staff member's fingerprints at an authorized collection site for NBCP; and 2. Present the DCC-504 and driver's license or other government-issued photo identification to the designated agent at an authorized collection site prior to fingerprint submission;
Guideline (s) for Child Care Technical Assistance	When setting up a prospective employee and/or adult household member on the NBCP, a live scan fingerprinting form (DCC-504) is generated on the final screen (lower left hand side of the screen.) Print the live scan fingerprinting form. This form (the DCC-504) contains the addresses and contact information for three authorized fingerprint collection sites closest to the home address of the prospective employee. To complete the background check process, each prospective employee must go to an authorized collection site to submit their fingerprints. Ensure they take the DCC-504 and photo ID with them to the collection site. Once a record is set up on the NBCP, the provider must submit their fingerprints within ninety (90) days or their record will be removed from the system.
Regulated Child Care Survey Method	Surveyors should review KARES prior to conducting an inspection. Surveyor will compare date that the fingerprints were obtained with date of payment to determine no more than ninety (90) calendar days has lapsed.

Title #	20
Category	Background Checks
Title	Out of state background checks
Child Care Regulation Text	**922 KAR 2:280. Section 5.** Checks of Other States. (1) In accordance with 45 C.F.R. 98.43(b)(3), a prospective child care staff member who resides in or has resided in another state within the last five (5) years shall: (a) Request from each state of current or prior residency, in accordance with the state's laws, policies, and procedures, with a courtesy notice to the cabinet: 1. An in-state criminal records check by: a. Means of fingerprints for the state of residence; or b. Any means accepted by a state of prior residency; 2. A check of the state's sex offender registry or repository; and 3. A check of the state-based child abuse and neglect registry and database; and (b) Direct results of the checks required in paragraph (a) of this subsection to the Department for Community Based Services, Division of Child Care, 275 East Main Street, 3C-F, Frankfort, Kentucky 40601;
Guideline (s) for Child Care Technical Assistance	DCC maintains a list of contacts by state which is linked from the DCC website. https://chfs.ky.gov/agencies/dcbs/dcc/Documents/Child%20Care%20Subsidy%20CBC%20State%20Contacts%202-13.pdf Results of out of state background checks should be uploaded into the KARES system. Maintained on file for review documentation showing the out of state background checks were submitted for processing.
Regulated Child Care Survey Method	Review and interview to determine compliance. Surveyors should review KARES prior to conducting an inspection.

Title #	25
Category	Background Checks
Title	Provider pay other state fee
Child Care Regulation Text	**922 KAR 2:280. Section 5.** Checks of Other States. (2) If the prospective child care staff member's current or prior state of residency participates in the FBI's National Fingerprint File Program, a prospective child care staff member shall be exempt from the requirements of subsection (1)(a)(1) of this Section. (3) In accordance with KRS 336.220, a child care provider shall pay any fee charged by another state for a background check as permitted pursuant to 45 C.F.R. 98.43(f) for a prospective child care staff member;
Guideline (s) for Child Care Technical Assistance	The National Fingerprint file listing is on the DCC website. https://chfs.ky.gov/agencies/dcbs/dcc/Documents/Child%20Care%20Subsidy%20CBC%20State%20Contacts%202-13.pdf
Regulated Child Care Survey Method	This is information that may be reviewed during a complaint investigation.

Title #	30
Category	Background Checks
Title	Disqualifying background check result
Child Care Regulation Text	**922 KAR 2:280. Section 6.** Disqualifying Background Check Results. (1) Unless a rehabilitative review pursuant to Section 9 of the administrative regulation determines the individual is eligible to be hired, an individual shall be ineligible to: (a) Be hired or otherwise serve as a child care staff member if the individual: 1. Meets a criterion specified in 45 C.F.R. 98.43(c); 2. Has been convicted of, or has entered an Alford plea, a plea of guilty, or a plea of nolo contendere to, a: a. A drug-related felony, and five (5) years has not elapsed since the person was fully discharged from imprisonment, probation, or parole; b. A sex or violent crime pursuant to KRS 17.165; or c. A felony offense under: (i) KRS Chapter 506, inchoate offenses; (ii) KRS Chapter 511, burglary and related offenses; (iii) KRS Chapter 515, robbery; (iv) KRS Chapter 520, escape and other offense related to custody; (v) KRS Chapter 525, riot, disorderly conduct, and related offenses; (vi) KRS Chapter 527, offense relating to firearms and weapons; (vii) KRS Chapter 529, prostitution offenses; or (viii) KRS Chapter 530, family offenses; 3. Is listed on: a. The central registry established in accordance with 922 KAR 1:470; or b. Another state's state-based child abuse and neglect registry or database; 4. Has been convicted of, or has entered an Alford plea, plea of guilty, or a plea of nolo contendere to, an offense under a criminal statute of the United States or of another state similar to an offense specified in this paragraph; 5. Has an open warrant; 6. Has a criminal background check result indicating that the individual should be approached with caution by authorities; or 7. Has a pending charge for a criminal offense specified in this paragraph; or (b) Serve as a child-care center's applicant, licensee, or director if the individual has been convicted of, or has entered an Alford plea, a plea of guilty, or a plea of nolo contendere to, a felony offense involving fraud, embezzlement, theft, or forgery. (2) An individual who has received a pardon for a disqualifying offense, has had the record expunged, or has evidenced dismissal of a warrant or disqualifying charge may serve as a child care staff member;
Guideline (s) for Child Care Technical Assistance	When the background check process is completed, the child care center will receive notification from the Cabinet if a prospective staff is eligible for hire or not eligible for hire. The child care center is notified by email when the background check is finalized and the determination will be listed on the provider's NBCP portal. Information regarding this process is found on page 3 of the Waiver (DCC-500).
Regulated Child Care Survey Method	Surveyor should review KARES, prior to conducting an inspection. Surveyor will verify an ineligible, potential child care staff member is not employed at the center unless the potential staff member is under rehabilitative review.

Title #	35
Category	Background Checks
Title	Disqualifying criteria/3 day notification
Child Care Regulation Text	**922 KAR 2:280. Section 7.** Notice of A Disqualifying Background Check Result and Appeals. (2) In addition to the cabinet's notification in accordance with subsection (1) of this section, a child care provider that receives notice from the cabinet that a prospective or current child care staff member has been determined to have a disqualifying background check result in accordance with Section 6 of this administrative regulation shall notify the child care staff member of the cabinet's determination within three (3) business days of receipt of the notice;
Guideline (s) for Child Care Technical Assistance	The Cabinet will notify the child care center if a prospective employee has been determined to be ineligible for hire. It is the responsibility of the child care center to notify the prospective employee within three (3) days upon receipt of the notification of the Cabinet. For a prospective employee who is not eligible for hire, an informal or rehabilitative review may be requested in writing by the prospective employee. The regulation does not indicate how notification should be made. Encourage the provider to maintain documentation.
Regulated Child Care Survey Method	Surveyor should review KARES for disqualifying background check. Determine the date that child care center received notification in KARES and interview the child care center provider to determine when the staff member was notified.

Title #	40
Category	Background Checks
Title	Termination of staff member
Child Care Regulation Text	**922 2:280. Section 8.** Termination or Relocation of a Child Care Staff Member upon Receipt of Notice of a Disqualifying Background Check Result. (1) If a prospective or current child care staff member has not requested an informal review or a rehabilitative review in accordance with Section 9 of this administrative regulation, the child care provider shall: (a)1. Terminate the child care staff member no later than ten (10) calendar days after receipt of notice of the cabinet's determination, including the disqualifying background check result;
Guideline (s) for Child Care Technical Assistance	The Cabinet will notify the child care center if a prospective employee has been determined to be ineligible for hire. If the prospective employee would like to request an Informal Review, directions and timelines for this process are found on page 3 of the Waiver Agreement (DCC-500). If there is no request for an Informal Review, it is the responsibility of the child care center to terminate employment of the prospective employee within ten (10) days from receipt of the notification of the Cabinet. Encourage the child care center to maintain a written record for future reference of when the notification was received from the Cabinet and details on how and when employment was terminated.
Regulated Child Care Survey Method	Review KARES to determine if there is an ineligible staff. If so, interview to determine if the staff member has requested an informal/rehabilitative review. Review documentation/KARES to determine the date of termination.

Title #	45
Category	Background Checks
Title	Relocation of family member
Child Care Regulation Text	**922 KAR 2:280. Section 8.** Termination or Relocation of a Child Care Staff Member upon Receipt of Notice of a Disqualifying Background Check Result. (1) If a prospective or current child care staff member has not requested an informal review or a rehabilitative review in accordance with Section 9 of this administrative regulation, the child care provider shall: (a) 2. Change residence of an adult household member in the child care provider's home no later than fifteen (15) calendar days after receipt of notice of the cabinet's determination, including disqualifying background check result;
Guideline (s) for Child Care Technical Assistance	The Cabinet will notify the child care center if a staff/adult in the center/home has been determined to have a disqualifying background check result. It is the responsibility of the child care center to ensure the adult household member with the disqualifying background check result changes residence no later than fifteen (15) calendar days after receipt of notice from the Cabinet or to terminate employment of a staff who is found to have a disqualifying background check result. Maintain a written record for future reference of when the notification was received from the Cabinet and details on when the adult household member completed relocation or when the staff employment was terminated. The adult in the home or staff who has been determined to have a disqualifying background check result may request an Informal Review or Rehabilitative Review. Directions and timelines for this process are found on page 3 of the Waiver Agreement (DCC-500). Until the results of the review have been determined, the adult household member may reside in the home and the staff may continue to work at the center but must be under the direct supervision of the qualified staff and may not be alone with children.
Regulated Child Care Survey Method	Review KARES to determine if there is an ineligible staff/adult in the home or center. Interview to determine if the staff member has requested an informal/rehabilitative review. Review documentation/KARES to determine the date of notification to ensure relocation occurred within specified timeframes.

Title #	50
Category	Background Checks
Title	Electronic notification to cabinet if no review requested
Child Care Regulation Text	**922 KAR 2:280. Section 8.** Termination or Relocation of a Child Care Staff Member upon Receipt of Notice of a Disqualifying Background Check Result. (1) If a prospective or current child care staff member has not requested an informal review or a rehabilitative review in accordance with Section 9 of this administrative regulation, the child care provider shall: (b) Use the NBCP to provide electronic notification to the cabinet affirming the child care staff member's dismissal or household member's change in residence within three (3) business days of termination or residence change;
Guideline (s) for Child Care Technical Assistance	The child care center is required to maintain records of staff employment and household members on the NBCP system. When employment is terminated the provider must update the NBCP system within three (3) days. When an adult household member relocates, the provider must update the NBCP system within three (3) days.
Regulated Child Care Survey Method	Review KARES to determine if there is an ineligible staff/adult in the home or center. Interview to determine if the staff member has requested an informal/rehabilitative review. Review documentation/KARES to determine the date of notification to ensure relocation or termination occurred within specified timeframes.

Title #	55
Category	Background Checks
Title	Direct contact during informal/rehabilitative review
Child Care Regulation Text	**922 KAR 2:280. Section 8.** Termination or Relocation of a Child Care Staff Member upon Receipt of Notice of a Disqualifying Background Check Result. (2)(a) If a prospective or current child care staff member requests an informal review or a rehabilitative review in accordance with Section 9 of this administrative regulation, the child care provider: 1. May retain the child care staff member pending resolution of the informal review or rehabilitative review; and 2. Shall ensure that the child care staff member: a. Is subject to direct, onsite supervision; or b. Does not have duties or proximity that involves one-on-one contact with a child in care;
Guideline (s) for Child Care Technical Assistance	If the staff member with a disqualifying background check result wishes to challenge the findings, they must submit a request for an Informal Review or a Rehabilitative Review (see page 3 of the Waiver Agreement DCC-500). If a staff member has submitted written request for an Informal Review or Rehabilitative Review, he/she may continue to work at the licensed child care center pending results of the Informal Review. Until the results of the Review have been determined, the child care center must provide direct supervision of the employee at all times and must ensure that the staff member is never alone with a child. Encourage the provider to maintain a copy of the documentation.
Regulated Child Care Survey Method	Review KARES to determine if there is an ineligible staff/adult in the home or center. Interview to determine if the staff member has requested an informal/rehabilitative review. Observe to determine if this person is alone with children and interview to determine the staff responsibilities.

Title #	60
Category	Background Checks
Title	Termination/Relocation After Informal or Rehabilitative Appeal
Child Care Regulation Text	**922 KAR 2:280. Section 8.** Termination or Relocation of a Child Care Staff Member upon Receipt of Notice of a Disqualifying Background Check Result. (2)(b) A child care provider shall terminate the child care staff member or relocate the adult household member if the: 1. Informal review upholds the cabinet's determination of a disqualifying background check result, or the rehabilitative review committee does not grant a waiver; and 2. Child care staff member does not request an administrative hearing in accordance with Section 7(5) of this administrative regulation, in which the child care provider shall terminate the child care staff member or relocate the adult household member no later than the thirty-first (31st) calendar day following written notice of the results of the informal review or rehabilitative review;
Guideline (s) for Child Care Technical Assistance	When the Informal or Rehabilitative Review is complete, the child care provider will be notified of the results. If the original finding of a disqualifying background check result is upheld, the child care staff member may request an administrative hearing, see Section 7 (5). If this is a staff member who is an adult household member, they must relocate no later than the thirty-first (31st) calendar day following notification of the results of the review. Encourage the provider to maintain a copy of the documentation.
Regulated Child Care Survey Method	Review KARES to determine if there is an ineligible staff/adult in the home or center. Interview to determine if the staff member has requested an informal/rehabilitative review. Review documentation/KARES to determine the date of notification to ensure relocation occurred within specified timeframes.

Title #	65
Category	Background Checks
Title	Providing care during administrative hearing appeal
Child Care Regulation Text	**922 KAR 2:280. Section 8.** Termination or Relocation of a Child Care Staff Member upon Receipt of Notice of a Disqualifying Background Check Result. (2)(c) If a child care staff member requests an administrative hearing in accordance with Section 7(5) of this administrative regulation to appeal the decision from an informal review or rehabilitative review, the child care provider: 1. May retain the child care staff member pending the appeal's resolution if the child care staff member: a. Remains subject to direct, onsite supervision; or b. Does not have duties or proximity that involves one-on-one contact with a child in care;
Guideline (s) for Child Care Technical Assistance	The staff member may continue to work at the child care center pending results of the hearing. Until the results of the appeal have been determined, the child care center must provide direct supervision of the staff member at all times and must ensure the staff member is never alone with a child.
Regulated Child Care Survey Method	Review KARES to determine if there is an ineligible staff/adult in the home or center and an administrative hearing is in process. Interview to determine if the staff member has requested an informal/rehabilitative review. Observe to determine if this person is alone with children and interview to determine the staff responsibilities.

Title #	70
Category	Background Checks
Title	Termination/Relocation after hearing
Child Care Regulation Text	**922 KAR 2:280. Section 8.** Termination or Relocation of a Child Care Staff Member upon Receipt of Notice of a Disqualifying Background Check Result. (2)(c) If a child care staff member requests an administrative hearing in accordance with Section 7(5) of this administrative regulation to appeal the decision from an informal review or rehabilitative review, the child care provider: 2. Shall terminate the child care staff member or relocate the adult household member no later than the thirty-first (31st) calendar day from the issuance of the final order if the child care staff member or adult household member does not prevail;
Guideline (s) for Child Care Technical Assistance	The child care staff/adult household member must be relocated or employment terminated no later than the thirty-first (31st) calendar day following notification of the results of the review (final order). The provider should update the NBCP when the action occurs.
Regulated Child Care Survey Method	Review KARES to determine if there is an ineligible staff/adult in the home or center and an administrative hearing has concluded. Interview, observe and review documentation to determine if this person is employed or still residing in the home or center.

Title #	75
Category	Background Checks
Title	Electronic notification to cabinet after hearing
Child Care Regulation Text	**922 KAR 2:280. Section 8.** Termination or Relocation of a Child Care Staff Member upon Receipt of Notice of a Disqualifying Background Check Result. (2)(d) Using the NBCP, the child care provider shall provide electronic notification to the cabinet affirming the individual's dismissal or relocation within three (3) business days of the termination or relocation;
Guideline (s) for Child Care Technical Assistance	The child care provider is required to maintain records of staff employment on the NBCP system.
Regulated Child Care Survey Method	Review KARES to determine that the record is updated within three (3) business days.

Title #	80
Category	Background Checks
Title	Restrictions for rehabilitative review
Child Care Regulation Text	**922 KAR 2:280. Section 9.** Rehabilitative Review. (2)(b) If a prospective or current child care staff member requests a rehabilitative review, the child care staff member: 1. May be retained by the child care provider pending the rehabilitative review; and 2. Shall be subject to restrictions and termination or relocation in accordance with Section 8 of this administrative regulation;
Guideline (s) for Child Care Technical Assistance	The staff member may continue to work at the child care center pending results of review and the child care center must provide direct supervision of the employee by a qualified staff at all times and must ensure the staff member is never alone with a child.
Regulated Child Care Survey Method	Review KARES to determine if there is an ineligible staff/adult in the home or center and a rehabilitative review is in process. Interview, observe and review documentation to determine if this person is unsupervised with children.

Title #	85
Category	Background Checks
Title	Employment Status
Child Care Regulation Text	**922 KAR 2:280. Section 11.** Status of Employment. (1) A child care provider shall maintain the employment or residential status of each child care staff member who has submitted to a fingerprint-based criminal background check by reporting the status using the NBCP web-based system;
Guideline (s) for Child Care Technical Assistance	The National Background Check Portal (NBCP) requires that the child care center have access to the KARES system on the Kentucky Online Gateway (KOG). It is the responsibility of the child care center to maintain accurate records of staff who are employed in the child care center as well as adults who live in the household (if applicable) on their NBCP portal at all times.
Regulated Child Care Survey Method	Interview to determine current staff/adult in the home or center. Review KARES to determine accuracy.

Title #	90
Category	Supervision
Title	Children Supervised
Child Care Regulation Text	**922 KAR 2:120 - Section 2.** Child Care Services (3)(a) Each center shall maintain a child-care program that assures each child will be: 1. Provided with adequate supervision at all times by a qualified staff person who ensures the child is: a. Within scope of vision and range of voice; or b. For a school-age child, within scope of vision or range of voice; and
Guideline (s) for Child Care Technical Assistance	A qualified staff must be present with and providing supervision of each child at all times. Supervision is an "action word." "Range of voice" refers to the child being able to hear the adult's speaking voice and the adult being able to hear the child's speaking voice. Video monitors, baby monitors, and walkie-talkies may not be used to extend the "scope of vision" or "range of voice" requirement.
Regulated Child Care Survey Method	Observe for adequate supervision at all times while in a child care center. Observe to determine whether there is adequate light at nap time to view children as they sleep.

Title #	95
Category	Supervision
Title	Children Protected
Child Care Regulation Text	**922 KAR 2:120. Section 2.** Child Care Services. (3)(a) Each center shall maintain a child-care program that ensures each child will be: 2. Protected from abuse or neglect;
Guideline (s) for Child Care Technical Assistance	DCBS (Protection & Permanency) determines abuse and/or neglect through investigation. Definitions of Abuse Physical Abuse: This is infliction of injury, other than by accidental means, on a child by another person. Forms of physical abuse may be: hitting, biting, beating, shoving, burning, pulling of hair, or other non-accidental methods of causing bodily harm to a child would be covered under this definition. Sexual abuse: Refers to sexual assault or exploitation of a minor by an adult, or between two children when one of the children is significantly older or there is a significant power differential between the children, or when coercion is used. Often included in this definition is touching of the breast, genitals, or buttocks of a child, penetration of the anus or vagina with an object, fellatio (oral sex on a male), cunnilingus (oral sex on a female), prostitution, exploitation or involvement of a child in pornography.

Title #	100
Category	Supervision
Title	Activity Areas/Equipment/Materials
Child Care Regulation Text	**922 KAR 2:120. Section 3.** General Requirements. (2) Activity areas, equipment, and materials shall be arranged so that the child's activity can be given adequate supervision by staff;
Guideline (s) for Child Care Technical Assistance	Adequate supervision is defined as supervision at all times by a qualified staff person who: Ensures the child is within scope of vision and range of voice; or for a school-age child, within scope of vision or range of voice. Program spaces should be designed with visibility that allows constant unobtrusive adult supervision. Staff supervising school age children should know the whereabouts of every child at all times.
Regulated Child Care Survey Method	Observe the layout of the room to assure that all areas are visible to supervising staff. Interview may be necessary to determine how the room is used (for example, children may not be allowed in certain areas if a staff is not present). Ask staff where supplies are stored and how they access them when needed. Staff should be able to observe all children while changing diapers. Determine if staff is able to access diaper changing supplies in the diaper changing area.

Title #	105
Category	Supervision
Title	Supply Storage
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (30) Supplies shall be stored so that the adult can reach them without leaving a child unattended;
Guideline (s) for Child Care Technical Assistance	Supervision must be provided at all times. Staff cannot leave the children unattended for any length of time to retrieve supplies or to run errands. For example: centers who store bottles for infants in a refrigerator located in another room of the building must have a system in place to retrieve the bottles as needed without requiring the infant room staff to leave children unattended or out of ratio to retrieve bottles.
Regulated Child Care Survey Method	Observe to determine if supplies are stored outside the classroom. Interview staff to determine how items are accessed.

Title #	110
Category	Supervision
Title	Supervision During Diapering
Child Care Regulation Text	**922 KAR 2:120. Section 10.** Toilet, Diapering, and Toiletry Requirements. (10) When a child is diapered, the child shall: (a) Not be left unattended;
Guideline (s) for Child Care Technical Assistance	Once staff has placed a child on a changing surface, they must remain attentive to the child throughout the diaper changing process. Diapering supplies (diapers, cream, wipes, gloves, etc.) should have been gathered prior to placing the child on the diaper changing surface.
Regulated Child Care Survey Method	Observe a diaper change. Ensure staffs do not step away from the child being diapered.

Title #	115
Category	Staffing Requirements
Title	Cooking/Cleaning Staff
Child Care Regulation Text	**922 KAR 2:090. Section 10.** Director Requirements and Responsibilities. (1) A director shall: (k) Assure that additional staff are available during cooking and cleaning hours, if necessary, to maintain staff-to-child ratios pursuant to 922 KAR 2:120;
Guideline (s) for Child Care Technical Assistance	To ensure the understanding that the direct supervision of children is the most important activity in the center; no other duties can interfere with direct supervision of the children. Staff/child ratios shall be maintained at all times by qualified staff members. Ratios are checked at the time of meal preparation and during cleaning times to ensure enough qualified staff are present to maintain staff/child ratios in all areas.
Regulated Child Care Survey Method	Observe to ensure staff/child ratios are maintained. Review staffs' schedules and children's attendance records to verify staff/child ratio compliance at all times. Observe and interview staff to obtain information about who prepares the meals and/or cleans. Staff may be counted in the ratio if they are serving children and present in the room.

Title #	120
Category	Staffing Requirements
Title	Adequate Adults/Qualified Staff
Child Care Regulation Text	**922 KAR 2:090. Section 11.** Staff Requirements. (10) The minimum number of adult workers in a child-care center shall be sufficient to ensure that: (a) Minimum staff-to-child ratios in accordance with 922 KAR 2:120 are followed; (b) Each staff person under eighteen (18) years of age and each student trainee are under the direct supervision of a qualified staff person who meets the requirements of this section; and (c) Unless providing care with a qualified staff person, a person under the age of eighteen (18) shall not be counted as staff for the staff-to-child ratio;
Guideline (s) for Child Care Technical Assistance	Staff/child ratios shall be maintained at all times by qualified staff members. See ratio chart at 922 KAR 2:120 Section 2. (2). The center can employ or have a volunteer who is under 18 years old. Any underage caregiver must be with a qualified adult staff at all times. An employee who is under 18 years old can be counted in staff/child ratios if they are under the direct supervision of a qualified adult staff. Note: A person under 18 years of age can meet the documentation requirements of a qualified staff but must still be under the direct supervision of a qualified adult staff person.
Regulated Child Care Survey Method	Interview staff and review staff schedules and children's attendance records for staff/child ratio compliance if not observed. Review of staff files will verify age and qualifications of each staff. An underage caregiver (under age 18) can only be counted in the staff/child ratio if there is a qualified staff present with the underage caregiver.

Title #	125
Category	Staffing Requirements
Title	Ratios and Group Size
Child Care Regulation Text	**922 KAR 2:120. Section 2.** Child Care Services. (2) Minimum staff-to-child ratios and group size for an operating child-care center shall be maintained as follows: Age of Children Ratio Maximum Group Size* • Infant one (1) staff for five (5) children ten (10) • Toddler twelve (12) to twenty-four (24) months one (1) staff for six (6) children twelve (12) • Toddler twenty-four (24) to thirty-six (36) months one (1) staff for ten (10) children twenty (20) • Preschool-age three (3) to four (4) years one (1) staff for twelve (12) children twenty-four (24) • Preschool-age four (4) to five (5) years one (1) staff for fourteen (14) children twenty-eight (28) • School-age five (5) to seven (7) years one (1) staff for fifteen (15) children thirty (30) • School-age seven (7) and older one (1) staff for twenty-five (25) children (for before and after school) thirty (30) / one (1) staff for twenty (20) children (full day of care) thirty (30) *Maximum Group Size shall be applicable only to Type I child-care centers. (b) The age of the youngest child in the group shall determine the: 1. Staff-to-child ratio; and 2. Maximum group size;
Guideline (s) for Child Care Technical Assistance	To protect children from harm, maintaining staff to child ratio and maximum group size can lower stress levels, improve verbal interactions, improve child development and the quality of care given as well as improve direct interaction between adults and children. Ratios and maximum group size must be maintained at all times by qualified staff members, including: a) Opening and closing b) Naptime c) Meals; and d) Outdoor play Minimum staff/child ratio is the number of qualified staff persons needed to supervise a certain number of children in a specific group. Regardless of the number of staff present to work with a group of children, the maximum group size establishes the total number of children that can be present and cared for as a group. There is no exemption from this regulation due to staff absence or unexpected attendance/drop-in.
Regulated Child Care Survey Method	Check for both minimum staff/child ratio and maximum group size. Interview to determine who is responsible for a specific group of children if not observed during inspection. Review staff schedules and attendance records in addition to observing at the time of the survey. Interview to determine the age and the name of the youngest child in the group. This can be verified by reviewing the date of birth within the child's file. Staff/child ratios shall be maintained at all times by qualified staff members.

Title #	130
Category	Staffing Requirements
Title	Exceptions to Ratio/Group Size
Child Care Regulation Text	**922 KAR 2:120. Section 2.** Child Care Services. (2) Minimum staff-to-child ratios and group size for an operating child-care center shall be maintained as follows: (c) This subsection and subsection (9) of this section shall not apply during traditional school hours to a center: 1. Providing early childhood education to mixed-age groups of children whose ages range from two and one-half (2 1/2) years to six (6) years; and 2. Accredited by or affiliated with a nationally-recognized education association that has criteria for group size and staff-to-child ratios contrary to the requirements of this subsection;
Guideline (s) for Child Care Technical Assistance	Staff/child ratios shall be maintained at all times by qualified staff members (see KAR 2:090 Section 11 definition of qualified staff). EXEMPTION: The licensed program is exempt during traditional schools hours if it is accredited or affiliated with an association that has a staff/child ratio that is different to what is listed in 922 KAR 2:120 Section 2(2).
Regulated Child Care Survey Method	Interview and review appropriate written documentation from a nationally-recognized education association to support any minimum staff/child ratio discrepancy.

Title #	135
Category	Staffing Requirements
Title	Related Children
Child Care Regulation Text	**922 KAR 2:120. Section 2.** Child Care Services. (2) Minimum staff-to-child ratios and group size for an operating child-care center shall be maintained as follows: (d) If a child related to the director, employee, or person under the supervision of the licensee is receiving care in the center, the child shall be included in the staff-to-child ratio;
Guideline (s) for Child Care Technical Assistance	Related children as defined in 922 KAR 2:120 Section 1(13) include: (a) Child; (b) Grandchild; (c) Niece; (d) Nephew; (e) Sibling; (f) Stepchild; or (g) Child in legal custody If a related child is receiving care, then the child will have a designated staff person and be included in a specific group and must be included in staff/child ratio.
Regulated Child Care Survey Method	Observe to ensure each child is assigned to a group. Interview to determine information about the child. Review the child's file and related staff person's file to verify. All children that are receiving care are included in the staff/child ratio.
Title #	140

Category	General Administration
Title	Zoning
Child Care Regulation Text	**922 KAR 2:090. Section 6.** License Issuance. (8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall: (a) Provide written documentation from the local authority showing compliance with local zoning requirements;
Guideline (s) for Child Care Technical Assistance	A child care provider must obtain zoning approval from the local zoning board or entity. All conditions specified by the local zoning authority must be met before the Division of Regulated Child Care issues a license. Exemptions from the zoning requirements and documentation do not need to be verified for centers operating in public schools.
Regulated Child Care Survey Method	Review of zoning documents is applicable during a change of location, increase of capacity, initial, post preliminary and renewal inspections. Documentation review is necessary to assure local zoning requirements are met and/or maintained.

Title #	145
Category	General Administration
Title	Fire Marshall
Child Care Regulation Text	**922 KAR 2:090. Section 6.** License Issuance. (8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall: (b) Be approved by the Office of the State Fire Marshal or designee;
Guideline (s) for Child Care Technical Assistance	A written report from the Office of the State Fire Marshal will indicate if the building has deficiencies or was satisfactory at the time of inspection. Prior to opening, the child care center must be inspected by the Building Code Inspector or the State Fire Marshal Office. Any deficiencies indicated on this report must be corrected and a new report issued prior to the preliminary license inspection conducted by the Cabinet. In addition, this report should indicate if the child care center has been approved for night time care (if applicable.) The State Fire Marshal Office will inspect the child care center periodically. These inspection reports must be maintained on file at the child care center for review during each licensure inspection.
Regulated Child Care Survey Method	Review of documentation is necessary to assure compliance is maintained. A report from the Office of the State Fire Marshal should be reviewed during a change of location, increase of capacity/space, initial, post preliminary and renewal inspections.

Title #	150

Category	General Administration
Title	Water/Sewage
Child Care Regulation Text	**922 KAR 2:090. Section 6.** License Issuance. (8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall: (c) Have an approved water and sewage system in accordance with local, county, and state laws;
Guideline (s) for Child Care Technical Assistance	A view of a recent bill from the local water and/or sewage agency will verify that the child care center is receiving services from an approved source. If the child care center has a septic system, they must obtain approval from the local Health Department that the system is large enough for the capacity of the child care center. If the child care center has well water or a water cistern, this must also be approved by the Health Department.
Regulated Child Care Survey Method	Review written documents to verify approved water/sewer source and to ensure alternative water supplies (cistern and well systems) and septic systems are inspected and approved according to requirements.

Title #	155
Category	General Administration
Title	Liability Insurance
Child Care Regulation Text	**922 KAR 2:090. Section 6.** License Issuance. (8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall: (d) Provide written proof of liability insurance coverage of at least $100,000 per occurrence;
Guideline (s) for Child Care Technical Assistance	The documentation from the insurance carrier should include the address of the child care center, the amount per occurrence and the effective dates (both start and end dates.) The dates need to be current, indicating that the policy is in effect and must indicate that liability insurance is included in the coverage.
Regulated Child Care Survey Method	Review written documentation to verify liability insurance is current and has at least $100,000 coverage per occurrence.

Title #	160

Category	General Administration
Title	Comply with regulations
Child Care Regulation Text	**922 KAR 2:090. Section 6.** License Issuance. (8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall: (e) Comply with provisions of this administrative regulation, 922 KAR 2:120, 922 KAR 2:280;
Guideline (s) for Child Care Technical Assistance	All regulatory requirements shall be met in order to obtain and maintain a license. A post preliminary inspection will be conducted approximately three (3) months after issuance of a preliminary license. Once a regular license is issued, an annual inspection will be conducted to ensure ongoing compliance.
Regulated Child Care Survey Method	Interview, review documentation and observe to determine compliance.

Title #	165
Category	General Administration
Title	Cooperate with state agency
Child Care Regulation Text	**922 KAR 2:090. Section 6.** License Issuance. (8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall: (f) Cooperate with the cabinet, the cabinet's designee, or another agency with regulatory authority during: 1. An investigation of an alleged complaint, including an allegation of child abuse or neglect pursuant to KRS 620.030(4); and 2. Unannounced inspections;
Guideline (s) for Child Care Technical Assistance	State agencies are authorized to conduct on-site inspections or investigations of each child care center at any time. The child care center (including all staff) must cooperate with the state agency during an inspection or investigation.
Regulated Child Care Survey Method	Interview and review documentation to ensure compliance. A state agency can request to view and/or copy documents, observe the center's (licensed) premises, review video recordings and interview all persons employed by the licensed center, including the licensee. If the state agency designee is denied access to documents, the center's premises or the opportunity to interview, this can be interpreted as being uncooperative.

Title #	170
Category	General Administration
Title	Have Director
Child Care Regulation Text	**922 KAR 2:090. Section 6.** License Issuance. (8) To qualify for a preliminary license, or maintain a regular license, a child-care center shall: (g) Have a director who meets the requirements listed in Section 10 of this administrative regulation;
Guideline (s) for Child Care Technical Assistance	If the director is fired or resigns, the licensee must designate an interim director until another director can be hired. The interim director must meet the same qualifications as a director. This change in staff requires the name and qualifications of the interim director be reported to the Division of Regulated Child Care within seven (7) days. Notification may be made by emailing chfsoigrccportal@ky.gov.
Regulated Child Care Survey Method	Assess the data in KICCS to determine the named director. Interview staff to verify the information. Review documentation to assure compliance. Prior to citing this violation, check with the compliance analyst to determine if a change of director has been requested.

Title #	175
Category	General Administration
Title	Allow Access
Child Care Regulation Text	**922 KAR 2:090. Section 6.** License Issuance. (9) A child-care center shall allow the cabinet or its designee, another agency with regulatory authority, and a parent of an enrolled child unannounced access to the child-care center during the hours of operation;
Guideline (s) for Child Care Technical Assistance	Parents are not required to give prior notice in order to gain access to their enrolled child during operating hours. Cabinet designees are not required to give prior notice to enter the center during operating hours. The center should not deny access. The safety of each child is important so it may be necessary for the staff to implement a system to accompany parents and guardians as they move through the building. Hint: The director should maintain a copy of the floor plan on file for review. This is helpful when establishing what is licensed space, what space should be surveyed, where children should be cared for, etc.
Regulated Child Care Survey Method	Observe and interview to determine compliance. This is cited if a cabinet agency (example: DRCC/DCBS), or a parent of a child enrolled is denied access to the child care center during hours of operation.

Title #	180

Category	General Administration
Title	Plan of Correction/15 days
Child Care Regulation Text	**922 KAR 2:090. Section 14.** Statement of Deficiency and Corrective Action Plans. (2) Except for a violation posing an immediate threat as handled in accordance with KRS 199.896(5) (c), a child-care center shall submit a written corrective action plan to the cabinet or its designee within fifteen (15) calendar days of the date of the statement of deficiency to eliminate or correct the regulatory violation;
Guideline (s) for Child Care Technical Assistance	A statement of deficiency (SOD) identifies the administrative regulation and a statement of how the regulation was violated. The cabinet forwards the SOD to the licensed child-care center if violations existed during an inspection or investigation. A corrective action plan or plan of correction (POC) is written, signed by a center designee and submitted to the cabinet or designee within fifteen (15) days of receipt of the SOD. The completed POC may be mailed, e-mailed, faxed or hand delivered to the regional Division of Regulated Child Care office. It is recommended that the POC be completed on the KICCS Provider Portal.
Regulated Child Care Survey Method	Review documentation in KICCS to determine if the POC was submitted within fifteen (15) calendar days. (POC can be submitted outside of the KICCS Portal) Failure to return the POC timely results in an additional regulatory violation.

Title #	185
Category	General Administration
Title	Amended Plan of Correction
Child Care Regulation Text	**922 KAR 2:090. Section 14.** Statement of Deficiency and Corrective Action Plans. (6) A child-care center notified of the unacceptability of its plan shall: (a) Within fifteen (15) calendar days of the notification's date, submit an amended plan;
Guideline (s) for Child Care Technical Assistance	The Division of Regulated Child Care (DRCC) will return to the child care center the original Plan of Correction (POC) along with a letter detailing the reasons the POC is unacceptable. The child care center shall submit an amended POC within (10) calendar days of the letter. The child care center will return the entire copy of the POC along with the revisions and required documentation to DRCC. If additional assistance is needed with corrections to ensure compliance or coaching on how to write an acceptable POC, the child care center should contact the local Child Care Aware office. The amended POC may be mailed, e-mailed, faxed or hand delivered to the regional DRCC office. If the POC was completed on the KICCS Provider Portal, corrections may be submitted through the portal.
Regulated Child Care Survey Method	Review documentation in KICCS to verify an amended POC has been submitted by the due date. (Amended POC can be submitted outside the KICCS portal) If not, the center should be cited for failure to submit an amended plan timely.

Title #	190
Category	General Administration
Title	Report to Licensee
Child Care Regulation Text	**922 KAR 2:090. Section 11.** Staff Requirements. (2)(b) An individual described in Section 6(4) of this administrative regulation shall report to the licensee if the individual: 1. Meets a disqualifying criterion or has a disqualifying background check result as specified in 922 KAR 2:280; 2. Is the subject of a cabinet child abuse or neglect investigation; or 3. Is determined by a physician to have a health condition that renders the person unable to care for children;
Guideline (s) for Child Care Technical Assistance	Each staff who is convicted of or entered an Alford or guilty plea to a violent crime/sex crime/drug felony (and five years have not elapsed since discharged from imprisonment, probation or parole regarding the drug felony), a subject of cabinet child abuse and/or neglect investigation, or found by the cabinet or a court to have abused or neglected a child must report this to the licensee regardless of where the alleged incident occurred. The child care center is not required to have a doctor's statement on file for every staff.
Regulated Child Care Survey Method	Interview and review documentation to determine compliance.

Title #	195
Category	General Administration
Title	Deny Applicant for Multiple Directed Plans of Correction/Failure to Pay CP
Child Care Regulation Text	**922 KAR 2:090. Section 16.** Basis for Denial, Suspension or Revocation. (4) Unless an applicant for a license meets requirements of Section 6(5) of this administrative regulation, the cabinet shall deny an applicant for a preliminary or regular license if: (k) The applicant has been the subject of more than two (2) directed plans of correction during a three (3) year period; or (l) The applicant has failed to comply with payment provisions in accordance with 922 KAR 2:190;
Guideline (s) for Child Care Technical Assistance	Questions regarding this regulation should be directed to 502-564-7962.
Regulated Child Care Survey Method	This is a DRCC central office procedure.

Title #	200
Category	General Administration
Title	Revocation – Fraud, Falsification and Sanctions
Child Care Regulation Text	**922 KAR 2:090. Section 16.** Basis for Denial, Suspension or Revocation. (5) A child-care center's license shall be revoked if: (c) The licensee is discontinued or disqualified from participation in: 1. The Child Care Assistance Program as a result of an intentional program violation in accordance with 922 KAR 2:020; 2. A governmental assistance program as a result of fraud, abuse, or criminal conviction related to that program; (d) The licensee fails to meet a condition of, or violates a requirement of a directed plan of correction pursuant to Section 15 of this administrative regulation; (e) The applicant or licensee knowingly misrepresents or submits false information on a form required by the cabinet; (f) The licensee is the subject of more than two (2) directed plans of correction during a three (3) year period; or (g) The licensee has failed to comply with payment provisions in accordance with 922 KAR 2:190;
Guideline (s) for Child Care Technical Assistance	All questions regarding this regulation should be directed to the Division of Regulated Child Care Central Office at (502) 564-7962.
Regulated Child Care Survey Method	This is a DRCC central office procedure.

Title #	205
Category	General Administration
Title	Reports to Cabinet
Child Care Regulation Text	**922 KAR 2:090. Section 12.** Reports. (1) The following shall be reported to the cabinet or designee and other agencies specified in this section within twenty-four (24) hours from the time of discovery: (a) Communicable disease, which shall also be reported to the local health department pursuant to KRS 214.010; (b) An accident or injury to a child that requires medical care initiated by the child-care center or the child's parent; (c) An incident that results in legal action by or against the child-care center that: 1. Affects a child or staff person; or 2. Includes the center's discontinuation or disqualification from a governmental assistance program due to fraud, abuse, or criminal conviction related to that program; (d) An incident involving fire or other emergency, including a vehicular accident when the center is transporting a child receiving child care services; (e) A report of child abuse or neglect that: 1. Has been accepted by the cabinet in accordance with 922 KAR 1:330; and 2. Names a director, employee, volunteer, or person with supervisory or disciplinary control over, or having unsupervised contact with a child in care as the alleged perpetrator; or (f) An individual specified in Section 6(4) of this administrative regulation meeting a disqualifying criterion or background check result pursuant to 922 KAR 2:280;
Guideline (s) for Child Care Technical Assistance	A list of all local health departments and their contact information can be found on the Kentucky Department for Public Health webpage. **https://chfs.ky.gov/agencies/dph/dafm/Local%20Health%20Department%20Information/AlphaLHDListing.pdf** It is important to check with the local health department to verify which communicable diseases require reporting. Medical care is care administered by a licensed or certified health care professional. Legal action refers to both criminal and civil actions (lawsuits), as well as fraud and abuse of a governmental assistance program resulting in discontinuation or disqualification. An incident involving fire or other emergency, including vehicular accidents, is defined as any time the child care center needs to call 911 or similar emergency services. Any allegation of suspected abuse or neglect involving a director, employee, volunteer or person who would be present at the child care center when the children are in care must be reported. Licensed child care centers should make a report of suspected abuse or neglect to DCBS at 1 (877) 597- 2331. In case of an emergency, dial 911 first. Non-emergency reports may be made online at: https://prd.chfs.ky.gov/ReportAbuse/home.aspx After notification to DCBS, the child care center should notify their local Division of Regulated Child Care office to report the incident of abuse or neglect. Notification can be made by phone, fax, email, mail, or may be a hand delivered written statement. All of the above must be reported to the cabinet or the Division of Regulated Child Care within twenty for (24) hours from the time of discovery.
Regulated Child Care Survey Method	Interview and review documentation to ensure reports were made within 24 hours of discovery.

Title #	210
Category	General Administration
Title	Licensee Responsibility
Child Care Regulation Text	**922 KAR 2:090. Section 8.** General. (1) A licensee shall be responsible for the operation of the child-care center pursuant to this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280;
Guideline (s) for Child Care Technical Assistance	This regulation places the responsibility of meeting the minimum regulatory requirements on the licensee.
Regulated Child Care Survey Method	The surveyor should seek guidance prior to citing a violation.

Title #	215
Category	General Administration
Title	Volunteer/Board Member Compliance
Child Care Regulation Text	**922 KAR 2:090. Section 8.** General. (3) A volunteer or board member shall comply with the policies and procedures of the child-care center;
Guideline (s) for Child Care Technical Assistance	It is the responsibility of the child care center to maintain for review copies of all background checks for any person who has supervisory control over or unsupervised contact with a child. A volunteer is an individual who takes part in the planned activity, interacts with the children, performs a recurring function for the child care center, and may/may not have supervisory/disciplinary control of a child, depending on the child care center volunteer policy. A visitor is an individual who observes or presents a part of a planned activity, has supervised interaction with the children and has no supervisory/disciplinary control of a child enrolled and would not require background checks (exception is their child). A visitor has an infrequent primarily non-recurring presence at the center as follows: • Family members who come to the center for a family involvement activity are considered visitors. • Visitors may not be left alone with children, supervise children or discipline children in accordance with 922 KAR 2:090 Section 6(4) and section three of this administrative regulation.
Regulated Child Care Survey Method	Review documentation, interview and observe to determine compliance.

Title #	220
Category	General Administration
Title	Resident Interference
Child Care Regulation Text	**922 KAR 2:090. Section 8.** General. (5) An activity of a person living in a child-care center that is a dwelling unit shall not interfere with the child-care center program;
Guideline (s) for Child Care Technical Assistance	If the child care center is located in a home, the people residing in the home cannot interfere with or impair the child care center activities.
Regulated Child Care Survey Method	Observe to ensure there is no interference from a person living in the dwelling unit during the center's operating hours.

Title #	225
Category	General Administration
Title	Staff Conviction/Substantiation
Child Care Regulation Text	**922 KAR 2:090. Section 11.** Staff Requirements. (2)(a) A child-care center shall not employ a person: 1. With a disqualifying background check result in accordance with 922 KAR 2:280; or 2. Determined by a physician to have a health condition that renders the person unable to care for children;
Guideline (s) for Child Care Technical Assistance	The child care center will be notified of any disqualifying background check result. Refer to 922 KAR 2:280 Section 7 and Section 8. It is the responsibility of the child care center to ensure staff are physically and mentally able to care for children.
Regulated Child Care Survey Method	Review the NBCP. Observe and document the adults present in the center. Review staff files and staff schedule to ensure compliance. Review documentation and interview to determine if a person's health condition interferes with the care of children.

Title #	230
Category	General Administration
Title	Controlled Substance/Alcohol
Child Care Regulation Text	**922 KAR 2:090. Section 11.** Staff Requirements. (11) Except for medication as prescribed by a physician, a controlled substance shall not be permitted on the premises during hours of operation. (12) Alcohol shall: (a) Not be consumed by any person on the licensed child-care center's premises during hours of operation; and (b) Be kept out of reach and sight of a child in care;
Guideline (s) for Child Care Technical Assistance	Only medication prescribed by a health professional and in the original bottle shall be permitted. If a controlled substance prescribed by a physician or alcohol is present on the premises, they must be kept away from the children in a locked area in accordance with 922 KAR 2:120 7(6)(a). Alcoholic beverages shall not be consumed on the premises during the hours of operation.
Regulated Child Care Survey Method	Record, review, observe and interview to ensure the controlled substance(s) was prescribed to the individual or that alcohol was consumed on the premises during the center's operating hours.

Title #	235
Category	General Administration
Title	Adult Resident Requirements
Child Care Regulation Text	**922 KAR 2:090. Section 11.** Staff Requirements. (14) For each adult residing at a Type II child-care center, the results of the following shall be maintained on file at the center: (a) Background checks conducted in accordance with 922 KAR 2:280; and (b) A copy of negative tuberculin results or a health professional's statement documenting that the adult is free of tuberculosis. Every two (2) years, the adult shall provide negative tuberculin results or health professional's statement documenting that the adult is free of tuberculosis;
Guideline (s) for Child Care Technical Assistance	The child care center must ensure that each adult (18 years or older) who resides at a Type II child care center has completed background check results from NBCP and from previous state(s) of residence for the last five years (if applicable). In addition each adult must have a negative TB result or health professional's statement documenting that the adult is free from tuberculosis. Residing is defined as "to dwell permanently or for a reoccurring or considerable amount of time." If there is a college student home for summer or a semester that would be a considerable amount of time, and the student would be required to have the background checks and TB results. If the provider has relatives in for a few days, they would be considered visitors and would not require background checks and TB results.
Regulated Child Care Survey Method	Observe and interview the person in charge to determine who resides in the home. Review documentation to ensure compliance.

Title #	240
Category	General Administration
Title	New Adult Resident Requirements
Child Care Regulation Text	**922 KAR 2:090. Section 11.** Staff Requirements. (15) If a new adult begins residing in a Type II child-care center, the adult shall submit to background and health checks within thirty (30) calendar days of residence within the household;
Guideline (s) for Child Care Technical Assistance	The child care center shall complete the background check through NBCP. Maintain TB skin test results on file for review.
Regulated Child Care Survey Method	Interview the person in charge to determine who resides in the home. Review documentation to ensure compliance.

Title #	245
Category	General Administration
Title	Staff Awake on Duty
Child Care Regulation Text	**922 KAR 2:090. Section 11.** Staff Requirements. (13) Each staff person shall remain awake while on duty except as specified in 922 KAR 2:120, Section 2(11) (f);
Guideline (s) for Child Care Technical Assistance	All child care center staff must remain awake while on duty.
Regulated Child Care Survey Method	Observe, interview and/or review of video surveillance to ensure compliance.

Title #	250
Category	General Administration
Title	Child Abuse/Neglect Report
Child Care Regulation Text	**922 KAR 2:090. Section 12.** Reports. (2) An incident of child abuse or neglect shall be reported to the cabinet pursuant to KRS 620.030;
Guideline (s) for Child Care Technical Assistance	Child care staff should be instructed to report all suspected abuse or neglect of a child to a local law enforcement agency or the Kentucky State Police; the cabinet or its designated representative; the Commonwealth's attorney or the county attorney. Information should be readily available to staff outlining what information may be needed to complete the report and what number they should call to report the alleged incident. Licensed child care centers should make a report of suspected abuse or neglect to DCBS at 1 (877) 597- 2331. In case of an emergency, dial 911 first. Non-emergency reports may be made online at: https://prd.chfs.ky.gov/ReportAbuse/home.aspx After notification to DCBS, the child care center should notify their local Division of Regulated Child Care office to report the incident of abuse or neglect. Notification can be made by phone, fax, and e-mail or may be a hand delivered written statement. https://chfs.ky.gov/agencies/dcbs/Documents/PlacingAComplaint.pdf
Regulated Child Care Survey Method	Interview and review file information to ensure compliance. KRS 620.030 requires anyone who suspects child abuse or neglect to contact the cabinet (DCBS) and/or law enforcement and child care centers cannot have a policy that states staff must inform management prior to making a report of child abuse/neglect in accordance with the law for mandatory reporting.

Title #	255
Category	General Administration
Title	Notification of Changes
Child Care Regulation Text	**922 KAR 2:090. Section 12.** Reports. (4)(a) Written notification of the following shall be: 1. Made to the cabinet, in writing, to allow for approval before implementation: a. Change of ownership; b. Change of location; c. Increase in capacity; d. Change in hours of operation; e. Change of services in the following categories: (i) Infant; (ii) Toddler; (iii) Preschool-age; (iv) School-age; (v) Nontraditional hours; or (vi) Transportation; or f. Addition to or reduction of the square footage of a child-care center's premises;
Guideline (s) for Child Care Technical Assistance	Some of the listed changes may require an inspection by the Division of Regulated Child Care prior to implementation. All requests should be submitted by e-mail at chfsoigrccportal@ky.gov. A child care center is not in compliance if any of the listed changes are implemented prior to approval by the Division of Regulated Child Care. The child care center should maintain a copy of the floor plan on file for review
Regulated Child Care Survey Method	Review the child care center's information in KICCS to note the services provided, capacity, and hours of operation. Observe and interview to determine compliance.

Title #	260
Category	General Administration
Title	Change of Director
Child Care Regulation Text	**922 KAR 2:090. Section 12.** Reports. (3) A licensee shall report to the cabinet within one (1) week: (a) Any resignation, termination, or change of director; and (b) The name of the acting director who satisfies the requirement of Section 10 of this administrative regulation;
Guideline (s) for Child Care Technical Assistance	Every child care center must have a director. If the director is fired or resigns, the licensee must designate an interim director (who meets the qualifications of a director) until another director is hired. The name of the interim director must be reported to the Division of Regulated Child Care (DRCC) within one (1) week. Notification may be made via e-mail at chfsoigrccportal@ky.gov.
Regulated Child Care Survey Method	Review the child care center's director information in KICCS. Interview to determine changes. Prior to citing this violation, the surveyor should check with the central office compliance analyst to assure that a change of director request has not been submitted.

Title #	265
Category	General Administration
Title	Fatality Report
Child Care Regulation Text	**922 KAR 2:090. Section 12.** Reports. (5) The death of a child in care shall be reported to the cabinet within one (1) hour;
Guideline (s) for Child Care Technical Assistance	Notification can be made by phone, fax, e-mail, or a hand delivered written statement to the regional Division of Regulated Child Care office.
Regulated Child Care Survey Method	Review of documentation and interview to ensure compliance.

Title #	270
Category	General Administration
Title	Notification of Center Closure
Child Care Regulation Text	**922 KAR 2:090. Section 12.** Reports. (6) The cabinet and the parent of a child enrolled in a child-care center shall receive notice as soon as practicable, and prior to, a child-care center's temporary or permanent closure;
Guideline (s) for Child Care Technical Assistance	The Division of Regulated Child Care (DRCC) defines temporary closure as any time a provider makes a conscious decision that they will not operate during their reported hours. This does not include times when all children leave prior to the normal closing times or arrive later than the normal opening hours. Notification to the cabinet can be made by phone, fax, e-mail, mail or hand delivered to the regional DRCC office. Include the date/time the child care center closed and when the center is expected to re-open and accept students. Notification to the regional DRCC office does not satisfy any responsibility to notify Child Care Assistance Program agencies, etc.
Regulated Child Care Survey Method	Review documentation and interview to determine compliance.

Title #	275
Category	General Administration
Title	Abuse/Neglect Report Procedure
Child Care Regulation Text	**922 KAR 2:120. Section 2.** Child Care Services. (3)(b) The program shall include: 1. A procedure to ensure compliance with and inform child care staff of the laws of the Commonwealth pertaining to child abuse or neglect set forth in KRS 620.030;
Guideline (s) for Child Care Technical Assistance	The child care center must have a procedure to inform child care staff of the laws pertaining to child abuse and neglect. The procedure might include: • a written orientation training policy • ongoing training on the identification of abuse/neglect • phone numbers and names of reporting agencies posted by each phone • written materials regarding the requirements • staff reporting procedures There must be clear evidence that a procedure is in place and being implemented.
Regulated Child Care Survey Method	Review of documentation and interview to determine the child care center has a policy/procedure that addresses the reporting of child abuse/neglect. KRS 620.030 requires anyone who suspects child abuse or neglect to report these allegations to the cabinet or law enforcement.

Title #	280
Category	General Administration
Title	Requirements for Nontraditional Care
Child Care Regulation Text	**922 KAR 2:120. Section 2.** Child Care Services. (11) If nontraditional hours of care are provided: (a) Including time spent in school, a child shall not be permitted to spend more than sixteen (16) hours in the child-care center during one (1) twenty-four (24) hour period; (b) At least one (1) staff member shall be assigned responsibility for each sleeping room; (c) A child present for an extended period of time during waking hours shall receive a program of well-balanced and constructive activity that is developmentally appropriate for the child; (d) A child sleeping three (3) hours or more shall sleep in: 1. Pajamas; or 2. A nightgown; (e) If a child attends school from the child-care center, the child shall be offered breakfast;
Guideline (s) for Child Care Technical Assistance	Daily attendance records will verify the number of hours a child has been in care. During nighttime care, one (1) staff member must be awake and in each room where children are sleeping. No child may be left unattended. The daily schedule must include the planned activities from the time the center opens until it closes. Include activities during non-traditional hours. For example: evening activities might include dinner, outside play, story time, table toys, clean up, change clothes, bed time, and center closing time. The child care center should ensure that each child who is sleeping three (3) hours or more has pajamas or a night gown. A child who attends school from the child care center (prior to 5 a.m.) must be offered breakfast before they leave for school.
Regulated Child Care Survey Method	Review daily attendance records to determine the number of hours children are in care. Interview, if not observed, staff about sleeping arrangements, dress and breakfast. Nontraditional hours of care are defined by regulation as 7p.m. through 5 a.m., Monday through Friday or 7 p.m. on Friday until 5 a.m. on Monday A child who attends school from the child care center must be offered breakfast if nontraditional hours of care are provided (prior to 5 a.m.)

Title #	285
Category	General Administration
Title	Staff Remain Awake
Child Care Regulation Text	**922 KAR 2:120. Section 2.** Child Care Services. (11) If nontraditional hours of care are provided: (f) Staff shall: 1. If employed by a Type I child-care center, remain awake while on duty; or 2. If employed by or is the operator of a Type II child-care center, remain awake until every child in care is asleep;
Guideline (s) for Child Care Technical Assistance	Non-traditional hours means any hours between: (a)7pm through 5am Monday – Friday (b)7pm on Friday – 5am on Monday
Regulated Child Care Survey Method	Review operating hours and schedule of activities. Interview staff to determine night-time procedures if not observed during inspection. Staff must remain awake while on duty during nontraditional hours in a Type I child care center. Staff of a Type II child care center must remain awake until every child in care is asleep.

Title #	290
Category	General Administration
Title	Fire Marshal/Zoning Compliance
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (2) A child-care center shall be in compliance with the State Fire Marshal and the local zoning laws;
Guideline (s) for Child Care Technical Assistance	A representative of the State Fire Marshal Office will conduct on-site inspections of the child care center. The child care center should maintain a copy of the inspection form for review by Division of Regulated Child Care. A document from the local zoning authority must be obtained prior to licensure. The child care center must always be in compliance with any special requirements indicated on the zoning document, i.e., there may be a conditional use permit for the property requiring specific fencing, hours of operation, number of parking places or, a limit on the number of employees.
Regulated Child Care Survey Method	Review documentation and/or interview to ensure compliance. Observe operations to ensure compliance with zoning conditions. Public schools are not required to have zoning approval.

Title #	295
Category	General Administration
Title	Construction/Renovation Notification
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (19) The Department of Housing, Buildings and Construction, State Fire Marshal's Office, and cabinet shall be contacted concerning a planned new building, addition, or major renovation prior to construction;
Guideline (s) for Child Care Technical Assistance	Notify the regional Division of Regulated Child Care Office at chfsoigrccportal@ky.gov about planned changes, construction, and renovations. Staff should take precautions to ensure that children are safe while construction is underway. Before moving children into newly constructed or renovated areas, there must be an inspection of the construction or renovation by the Department of Housing, Buildings, and Construction, and the child care facility must notify Division of Regulated Child Care who will conduct an inspection. The director should maintain a copy of the floor plan on file for review. This is helpful when establishing what is licensed space, what space is being added or changed, and what space should be surveyed, etc.
Regulated Child Care Survey Method	Review documentation and/or interview to ensure compliance. Observe operations to ensure compliance with zoning conditions. Public schools are not required to have zoning approval.

Title #	300
Category	General Administration
Title	Defined Groups
Child Care Regulation Text	**922 KAR 2:120. Section 2.** Child Care Services. (2) Minimum staff-to-child ratios and group size for an operating child-care center shall be maintained as follows: (a) In a Type I child-care center, a group size shall: 1. Be separately maintained in a defined area unique to the group; and 2. Have specific staff assigned to, and responsible for, the group;
Guideline (s) for Child Care Technical Assistance	A defined area must have an identifiable boundary that is developmentally recognizable to the group. In addition, the supplies and furnishings should be appropriate for the group that is cared for in each area. Each group must have a specific staff assigned to the group. For example: if two (2) groups exist in a large room, each group must have a staff assigned to their group.
Regulated Child Care Survey Method	Observe and interview to determine who is responsible for a specific group of children if not observed during inspection.

Title #	305
Category	General Administration
Title	Person Under Investigation by DCBS
Child Care Regulation Text	**922 KAR 2:090. Section 8.** General. (7) If a director, employee, volunteer, or any person with supervisory or disciplinary control over, or having unsupervised contact with a child in care is named as the alleged perpetrator in a child abuse or neglect report accepted by the cabinet in accordance with 922 KAR 1:330, the individual shall be removed from direct contact with a child in care: (a) For the duration of the assessment or investigation; and (b) Pending completion of the administrative appeal process for a cabinet substantiation of child abuse or neglect in accordance with 922 KAR 1:320 or 922 KAR 1:480;
Guideline (s) for Child Care Technical Assistance	The child care center shall ensure the alleged perpetrator has no direct contact with a child in care. For most centers this means the person should not be allowed on the premises during the hours of operation. There may be work that can be completed by this person in a remote area of the building or at another location that would not require the alleged perpetrator to be in contact with the children. If the allegation is substantiated, the perpetrator may choose to appeal the finding. During the time of appeal, the alleged perpetrator will not be allowed to have direct contact with a child in care. If the finding of substantiation is upheld, the person must not be present at the center during the hours of operation. If the appeal results in an unsubstantiated finding, the person may resume their normal duties at the child care center.
Regulated Child Care Survey Method	Interview the Department for Community Based Services (DCBS) worker and/or review the DPP 115 to verify the alleged perpetrator. Observe persons present at the center to determine if the alleged perpetrator is present. Document the role of the alleged perpetrator. Interview to determine if the director is aware the person is named as an alleged perpetrator. Determine the individual's job duties while the investigation is ongoing or pending the outcome of the appeal process. Surveyors should contact DCBS to ask for written notification of the finding.

Title #	310
Category	General Administration
Title	Sick Child Exclusion
Child Care Regulation Text	**922 KAR 2:120. Section 7.** First Aid and Medicine. (2) A child showing signs of an illness or condition that may be communicable shall not be admitted to the regular child-care program;
Guideline (s) for Child Care Technical Assistance	Health checks should be performed upon arrival of each child. A health check can be as simple as greeting the child upon arrival and assessing their well-being. Staff should be well informed of the child care center's policy on child illness and communicable disease to ensure they follow the correct protocol in determining if a child is too ill to remain at the child care center.
Regulated Child Care Survey Method	Interview and/or review documentation to determine the center's sick child protocol if not observed during inspection. If a child must be isolated from other children in another area, such as the director's office, make sure that the child is not left unsupervised.

Title #	315
Category	General Administration
Title	Sick Child Protocol
Child Care Regulation Text	**922 KAR 2:120. Section 7.** First Aid and Medicine. (3) If a child becomes ill while at the child-care center: (a) The child shall be placed in a supervised area isolated from the rest of the children; (b) The parent shall be contacted immediately; and (c) Arrangements shall be made to remove the child from the child-care center as soon as practicable;
Guideline (s) for Child Care Technical Assistance	The child care center should determine if it is acceptable for the child to remain in the classroom until an authorized person can come to the child care center for pick up. Many times the child may need to be moved to another area to avoid further contamination of the classroom. It is the responsibility of the child care center to continue to monitor the child's health. The child care center should be prepared to request the assistance of emergency medical personnel if they determine that the child's health is at risk.
Regulated Child Care Survey Method	Interview and/or review documentation to determine the center's sick child protocol if not observed during inspection. If a child must be isolated from other children in another area, such as the director's office, make sure that the child is not left unsupervised.

Title #	320
Category	Director Requirements
Title	Operation instruction/Regulation copy
Child Care Regulation Text	**922 KAR 2:090. Section 8.** General. (2) Child-care center staff shall be: (a) Instructed by the child-care center's director regarding requirements for operation; and (b) Provided with a copy of this administrative regulation, 922 KAR 2:120, and 922 KAR 2:280;
Guideline (s) for Child Care Technical Assistance	It is the responsibility of the director to ensure that each staff person at the child care center is instructed on the child care regulations. In addition, the director must ensure that each person has access to a copy of 922 KAR 2:090 and 922 KAR 2:120 and 922 KAR 2:280. There are many ways to meet the regulation. For example: 1) staff may attend a regulation training; 2) regulatory review may be included on the agenda for a staff meeting; or 3) training on regulations may be included in the new-hire orientation for the center. To ensure that staff has a complete copy of the regulations, staff may be provided a copy of the regulations in their personnel packet. Copies of the regulations may be left in each classroom or staff break room.
Regulated Child Care Survey Method	Interview and/or review documentation to determine compliance.

Title #	325
Category	Director Requirements
Title	Director Qualifications
Child Care Regulation Text	**922 KAR 2:090. Section 10.** Director Requirements and Responsibilities. (1) A director shall: (a) Be at least twenty-one (21) years of age; (b) Have a high school diploma, a general equivalency diploma (GED), or qualifying documentation from a comparable educational entity; (c) Not be employed in a position other than an onsite child care director, or director of multiple facilities, during the hours the child-care center is in operation;
Guideline (s) for Child Care Technical Assistance	Verification of age can be a copy of their driver's license. Centers that have the same FEIN may employ the same director who would oversee the operation of multiple child care centers. The leader of an organization (i.e., the principal of a school or president of the organization) may serve as the director of a child care center as long as the job description includes the duties of a child care center director.
Regulated Child Care Survey Method	Review of documentation and interview to determine compliance. If the director's information is contrary to the qualifications for director, discuss with DRCC management.

Title #	330
Category	Director Requirements
Title	Regulatory Compliance/Staff in Charge
Child Care Regulation Text	**922 KAR 2:090. Section 10.** Director Requirements and Responsibilities. (1) A director shall: (d) Ensure: 1. Compliance with 922 KAR 2:120, 922 KAR 2:280, and this administrative regulation; and 2. The designation of one (1) adult staff person in charge to carry out the director's duties if the director is not present in the child-care center during operating hours. The director shall be responsible for the actions of the designee during the director's absence;
Guideline (s) for Child Care Technical Assistance	If the director is going to be away from the child care center, they must appoint one adult staff to be in charge that is able to carry out the duties of the director during the hours of operation. This person should have access to all records, policies/procedures, etc.
Regulated Child Care Survey Method	The director is responsible for regulatory compliance and for designating an adult staff in charge during their absence. Interview to determine whether the director has designated one adult staff person as being in charge when the director is not present in the child care center. Interview to determine whether the designee has access to all records, policies/procedures, etc.

Title #	335
Category	Director Requirements
Title	Staff Management/Policy Development/Supervision
Child Care Regulation Text	**922 KAR 2:090. Section 10.** Director Requirements and Responsibilities. (1) A director shall: (e) Manage the staff in their individual job descriptions; (f) Assure the development, implementation, and monitoring of child-care center plans, policies, and procedures; (g) Supervise staff conduct to ensure implementation of program policies and procedures;
Guideline (s) for Child Care Technical Assistance	The director must develop child care center plans, policies and procedures. Examples might include: a plan for caring for the children during the renovation of several classrooms; policies on suitable staff attire; procedures for loading the bus for a field trip. The director must share the information with the staff and then supervise the staff to ensure implementation of the plans, policies and procedures. This may be done through ongoing training, observation of classrooms or review.
Regulated Child Care Survey Method	Review documentation, interview and observe to ensure compliance.

Title #	340
Category	Director Requirements
Title	Staff Meeting
Child Care Regulation Text	**922 KAR 2:090. Section 10.** Director Requirements and Responsibilities. (1) A director shall: (i) Conduct, manage, and document in writing recurring staff meetings;
Guideline (s) for Child Care Technical Assistance	A sign in roster that includes the date of the meeting, the topics to be addressed and the names of the staff in attendance would provide written verification that a meeting was conducted. It would be acceptable for a director to meet with staff individually in place of a group staff meeting.
Regulated Child Care Survey Method	Review documentation and interview to determine compliance.

Title #	345
Category	Director Requirements
Title	Staff Evaluation
Child Care Regulation Text	**922 KAR 2:090. Section 10.** Director Requirements and Responsibilities. (1) A director shall: (j) Assess each staff person's interaction with children in care and classroom performance through an annual written performance evaluation;
Guideline (s) for Child Care Technical Assistance	This requirement will ensure that directors take an active approach to assessment (more than just giving a good score because lesson plans are submitted for review on a timely basis.) Observing a staff person's interaction with the children will ensure the policies and procedures are being implemented appropriately in the classroom setting and in the care of the child.
Regulated Child Care Survey Method	Review documentation and interview to determine compliance. Annual is last full calendar year.

Title #	350
Category	Director Requirements
Title	Health, Safety, Comfort
Child Care Regulation Text	**922 KAR 2:090. Section 10.** Director Requirements and Responsibilities. (1) A director shall: (l) Assure the health, safety, and comfort of each child;
Guideline (s) for Child Care Technical Assistance	The director is ultimately responsible to ensure that each child is cared for in a way that protects the child's health and ensures safety and comfort at all times.
Regulated Child Care Survey Method	Observation, record review, and interview determine whether health, safety and comfort are met.

Title #	355
Category	Director Requirements
Title	Parent Notification
Child Care Regulation Text	**922 KAR 2:090. Section 10.** Director Requirements and Responsibilities. (1) A director shall: (m) Notify the parent immediately of an accident or incident requiring medical treatment of a child;
Guideline (s) for Child Care Technical Assistance	"Medical treatment" refers to care administered by a licensed or certified health care professional. The director must ensure that a parent is notified immediately when their child requires medical treatment. If the parent and emergency contacts are unable to be reached, it is good practice to document each attempt to contact. Inability to reach the parent should not delay the director from obtaining medical treatment for the child.
Regulated Child Care Survey Method	Interview and review documentation to determine compliance. Medical treatment of a child is treatment or assessment by a health care professional, not first aid administered by staff. Surveyors should determine whether the center has notified the parent of an accident or incident requiring medical treatment through record review and interview.

Title #	360
Category	Director Requirements
Title	Caregiver Alone
Child Care Regulation Text	**922 KAR 2:090. Section 10.** Director Requirements and Responsibilities. (1) A director shall: (n) Ensure that a person acting as a caregiver of a child in care shall not be left alone with a child, if the licensee has not received the results of the background checks as described in 922 KAR 2:280;
Guideline (s) for Child Care Technical Assistance	922 KAR 2:280 requires completed background checks through the NBCP.
Regulated Child Care Survey Method	Review KARES and out-of-state background checks, if applicable. Observe and interview to determine compliance.

Title #	365
Category	Director Requirements
Title	Altered/Falsified Records
Child Care Regulation Text	**922 KAR 2:090. Section 10.** Director Requirements and Responsibilities. (1) A director shall: (o) Ensure each mandatory record specified in Section 9 of this administrative regulation has not been altered or falsified;
Guideline (s) for Child Care Technical Assistance	Section 9 includes: all children's records, all staff records including training and background checks, an evacuation plan, monthly and quarterly drills, transportation services, and attendance records. Altering a document might include writing a staff member's name on a TB skin test that really belongs to another staff. Falsifying a document would include recording fire drills that were not conducted, or signing a parent's name on a daily attendance record.
Regulated Child Care Survey Method	Review documentation and interview to determine compliance.

Title #	370
Category	Director Requirements
Title	Parental/Family Involvement Activity
Child Care Regulation Text	**922 KAR 2:090. Section 10.** Director Requirements and Responsibilities. (1) A director shall: (p) Coordinate at least one (1) annual activity involving parental or family participation;
Guideline (s) for Child Care Technical Assistance	The director should keep documentation to verify that an activity was conducted, i.e., photos, invitations, agendas. These documents may also serve as marketing items to new families who would like to learn more about the child care center. The child care center can determine what type of annual activity would work best for their families, parents and children. For example: a child care center who cares for children of working parents would want to plan something after work or on weekends to avoid having a parent take off work to attend. Family and parent events could include an Open House, a reading night, a cookout, a playground clean-up day, or a holiday party.
Regulated Child Care Survey Method	Review documentation and interview to determine compliance.

Title #	375
Category	Director Requirements
Title	Director Educational Requirements – Type I
Child Care Regulation Text	**922 KAR 2:090. Section 10.** Director Requirements and Responsibilities. (2) The director of a Type I child-care center shall meet one (1) of the following educational requirements: (a) Master's degree in education or child development field (b) Bachelor's degree in education or child development field; (c) Master's degree or a bachelor's degree in a field other than education or child development, including a degree in pastoral care and counseling, plus twelve (12) clock hours of child development training; (d) Associate degree in Early Childhood Education and Development; (e) Associate degree in a field other than Early Childhood Education and Development, plus twelve (12) clock hours of child development training, and two (2) years of verifiable full-time paid experience working directly with children; (f) A Director's Credential in Early Childhood Development and one (1) year of verifiable full-time paid experience working directly with children in: 1. A school-based program following Department of Education guidelines; 2. An early childhood development program, such as Head Start; or 3. A licensed or certified child care program; (g) Child development associate plus one (1) year of verifiable full-time paid experience working directly with children in: 1. A school-based program following Department of Education guidelines; 2. An early childhood development program (head start); or 3. A licensed or certified child-care program; or (h) Three (3) years of verifiable full-time paid experience working directly with children in: 1. A school-based program following Department of Education guidelines; 2. An early childhood development program, such as Head Start; or 3. A licensed or certified child-care program;
Guideline (s) for Child Care Technical Assistance	Regarding degrees in Early Childhood and Development: Often degrees submitted for review are awarded as, "Bachelor of Arts" and fail to indicate that the degree is actually in Early Childhood Education and Development. If that is the case, attach transcripts from the university to verify the course of study. If the director does not have a degree in Early Childhood and Development include a copy of the degree, high school diploma, Kentucky Director's Credential, or CDA for review, along with additional qualifying documents. A copy of the ECE-TRIS staff training record can be submitted for verification of approved child development training. When submitting verification of work experience, it is important that the following information is included on each letter that is submitted: • The staff worked in a paid position directly with children. • Include the first and last day of employment. • The document will need a signature along with a phone number for verification. • Include the name of the facility where the staff person worked along with the license number of the facility. (Note: This information will be verified through Division of Regulated Child Care files and by phone.) For those who were previously approved as a director of a facility, required documentation is submitted for approval each time you are named /qualified as the director of a facility. Simply mailing a letter stating you were previously approved will no longer satisfy the requirement. All educational documentation in a foreign language shall be translated to English prior to submission.
Regulated Child Care Survey Method	Review documentation and interview to determine compliance.

Title #	380
Category	Director Requirements
Title	Director Educational Requirements - Type II
Child Care Regulation Text	**922 KAR 2:090. Section 10.** Director Requirements and Responsibilities. (3) The director of a Type II child-care center shall: (a) Meet the requirements in subsection (2) of this section; or (b) Meet two (2) of the following: 1. Have twelve (12) hours of orientation and child development training; 2. Have one (1) year of verifiable full-time paid experience working directly with children in: a. A school-based program following Department of Education guidelines; b. An early childhood development program, such as Head Start; or c. A licensed or certified child-care program; or 3. Obtain six (6) additional hours of training in child day care program administration;
Guideline (s) for Child Care Technical Assistance	Regarding degrees in Early Childhood and Development: Often degrees submitted for review are awarded as, "Bachelor of Arts" and fail to indicate that the degree is actually in Early Childhood Education and Development. If that is the case, attach transcripts from the university to verify the course of study. If the director does not have a degree in Early Childhood and Development include a copy of the degree, high school diploma, Kentucky Director's Credential, or CDA for review, along with additional qualifying documents. A copy of the ECE-TRIS staff training record can be submitted for verification of approved child development training. When submitting verification of work experience, it is important that the following information is included on each letter that is submitted: • The staff worked in a paid position directly with children. • Include the first and last day of employment. • The document will need a signature along with a phone number for verification. • Include the name of the facility where the staff person worked along with the license number of the facility. (Note: This information will be verified through Division of Regulated Child Care files and by phone.) For those who were previously approved as a director of a facility, required documentation is submitted for approval each time you are named /qualified as the director of a facility. Simply mailing a letter stating you were previously approved will no longer satisfy the requirement. All educational documentation in a foreign language shall be translated to English prior to submission.
Regulated Child Care Survey Method	Review documentation and interview to determine compliance.

Title #	385
Category	Employee Records
Title	Personnel File
Child Care Regulation Text	**922 KAR 2:090. Section 9.** Records. (1) A child-care center shall maintain: (e) A current personnel file for each child-care center staff person to include: 1. Name, address, date of birth, and date of employment 2. Proof of educational qualifications; 3. Record of annual performance evaluation; 4. Documentation of compliance with tuberculosis screening in accordance with Section 11(1)(b) of this administrative regulation; and 5. The results of background checks conducted in accordance with 922 KAR 2:280;
Guideline (s) for Child Care Technical Assistance	The child care center must have a system to maintain the documentation that qualifies each staff. Some people chose a binder system while others like files in a drawer. The system used to store personnel files is up to each center; however, if a surveyor requests records for a particular staff and the center is unable to present an organized packet of records, the center has failed to maintain a personnel file. The information listed in this section is required for each staff, regardless of age, even high school age staff. An ECE-TRIS report shall be presented for review to verify the required training hours.
Regulated Child Care Survey Method	Review documentation to ensure required documents are available in the file. Request all personnel files including files for substitutes and volunteers. Each personnel file must contain the required documentation.

Title #	390
Category	Employee Records
Title	Educational Requirements
Child Care Regulation Text	**922 KAR 2:090. Section 11.** Staff Requirements. (1) Child-care center staff: (a) Hired after January 1, 2009, who have supervisory power over a minor and are not enrolled in secondary education, shall have a: 1. High school diploma: 2. GED or qualifying documentation from a comparable educational entity; or 3. Commonwealth Child Care Credential as described in 922 KAR 2:250;
Guideline (s) for Child Care Technical Assistance	The first day a staff is at work, the child care center must have verification of education. A copy of a diploma or a transcript from a high school showing the date of graduation would be acceptable. The GED document must indicate that the person had passing scores and was awarded a GED. (People who are currently enrolled in GED classes would not qualify). The certificate that verifies the applicant completed the Commonwealth Child Care Credential (CCCC) is acceptable. Any degree or a transcript that contains a high school graduation date provided from a university would be acceptable. If a high school age student is employed, the center shall maintain a copy of their last report card or a letter from a school official verifying their current enrollment. Staff who fail to meet the educational requirement and are currently employed (employment began prior to 1/1/09) at a child care center may continue employment at that child care center. However, there is no system to “grandfather in” staff who choose to leave one child care center and seek employment at another center and fail to have a high school diploma, GED, or CCCC.
Regulated Child Care Survey Method	Review education documentation to determine compliance. A certificate of completion of high school is acceptable documentation from a comparable educational entity. Educational documentation (HS diploma, GED, CCCC or other qualifying documentation) must be provided for review for any staff member who is not enrolled in high school and was hired after 1/1/09. Any degree or a transcript that contains a high school graduation date provided from a university would be acceptable.

Title #	395
Category	Employee Records
Title	TB Verification
Child Care Regulation Text	**922 KAR 2:090. Section 11.** Staff Requirements. (1) Child-care center staff: (b) Shall provide, prior to employment and every two (2) years thereafter: 1. A statement from a health professional that the individual is free of active tuberculosis; or 2. A copy of negative tuberculin results;
Guideline (s) for Child Care Technical Assistance	The first day a staff is at work, a TB Skin Test or health professional's statement must be on file for review. A variety of forms may be used to meet this regulation. A date must be included and the document is only good for two years. 1) A written note from a health care professional stating that the individual is free from active tuberculosis. 2) The Risk Assessment from the Health Department in lieu of TB results. 3) A written record that shows the TB skin test was administered and the date it was read. 4) The results of an X-Ray verifying that no TB is present.
Regulated Child Care Survey Method	Review date of assessment/health professional's statement or date of negative TB skin test results to determine compliance.

Title #	400
Category	Employee Records
Title	CPR/First Aid Coverage
Child Care Regulation Text	**922 KAR 2:090. Section 11.** Staff Requirements. (3) For a child-care center licensed for infant, toddler, or preschool-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills: (a) Infant and child cardiopulmonary resuscitation; and (b) Infant and child first aid. (4) For a child-care center licensed for school-age children, at least one (1) person on duty and present with the children shall be currently certified by a cabinet-approved training agency in the following skills: (a) Adult cardiopulmonary resuscitation; and (b) First aid;
Guideline (s) for Child Care Technical Assistance	The child care center must have staff approved for CPR and first aid on duty and present with the children at all times. • Certification in Infant and child CPR and first aid is required for all infant, toddlers or preschool-age children. • Certification in adult CPR and first aid is required for any program that cares for school age children. A school age child is any child at least 4 years of age and enrolled in school (this does not include Head Start or Pre-K). When a group leaves the premises for a walk to the park or a field trip, a CPR and first aid certified staff must be present with these children. In addition, there must be a CPR and first aid certified staff present at the child care center as well for the children who did not leave the premises. Training Sources for CPR and first aid: • American Red Cross • American Heart Association • American CPR Training (previously known as American Environmental Health and Safety) National Safety Council • American Safety and Health Institute • MEDIC First Aid **No online courses are approved**
Regulated Child Care Survey Method	Review records to ensure current certification compliance. Compliance must be maintained during field trips and when transporting children. **No online courses are approved.**

Title #	405
Category	Employee Records
Title	Adequate Substitute(s)
Child Care Regulation Text	**922 KAR 2:090. Section 11.** Staff Requirements. (6) Child-care centers shall have available in case of need: (a) One (1) qualified substitute staff person for a Type II child-care center; or (b) Two (2) qualified substitute staff persons for a Type I child-care center. (7) Each qualified substitute staff person shall: (a) Meet the staff requirements of this administrative regulation; and (b) Provide the required documentation to verify compliance with this administrative regulation;
Guideline (s) for Child Care Technical Assistance	A qualified substitute would meet the same qualifications as a staff, for example: education, TB skin test/health professional statement, all background checks, orientation and training. In addition, for a substitute working alone in a child care center or home, CPR and first aid certification would be required. Child care centers that have shift work or staff who work on a part-time basis may be able to develop a staff schedule that shows these part-time or shift staff would be available in case of need and could be used as substitute staff at the child care center. In some programs there may be ample staff scheduled to allow for a director to serve as a substitute in case of need.
Regulated Child Care Survey Method	Review of documentation and interview to determine compliance. The qualified substitute must contain: Proof of educational qualifications; Record of annual performance evaluation; Documentation of tuberculosis screening; and, The results of background checks conducted in accordance with 922 KAR 2:280. Substitutes are also required to complete annual training hours if they supervised children alone

Title #	410
Category	Employee Records
Title	Training
Child Care Regulation Text	**922 KAR 2:090. Section 11.** Staff Requirements. (16) In accordance with KRS 199.896(15) and (16), a staff person with supervisory authority over a child shall complete the following: (a) Six (6) hours of cabinet-approved orientation within the first three (3) months of employment; (b) Nine (9) hours of cabinet-approved early care and education training within the first year of employment, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training; and (c) Fifteen (15) hours of cabinet-approved early care and education training during each subsequent year of employment, including one and one-half (1 ½) hours of cabinet-approved pediatric abusive head trauma training completed once every five (5) years. (17) A staff person's compliance with training requirements of this section shall be verified through the cabinet-designated database maintained pursuant to 922 KAR 2:240;
Guideline (s) for Child Care Technical Assistance	Staff with supervisory control may or may not include cooks, janitors, van drivers, some administrative staff, etc. To avoid confusion, identify on the personnel packet if the staff has supervisory control or unsupervised contact with a child in care. Orientation training, a 6-hour course, is required for all child care staff working with children. Orientation training must be taken in the first three months of employment and may be taken online or in person. The online class (ECOOL) may be taken at: https://www.hdilearning.org/course/early-childhood-orientation-online-ecool/ If a staff has previously taken orientation training, review the ECE-TRIS record to ensure that it appears on that record. Completed orientation training (recently taken or many years ago) counts as six (6) hours of training during the staff person's first year of employment. Also required for the first year of employment is nine (9) additional hours of training. This includes the required one and one-half hours of pediatric abusive head trauma (PAHT) training. This class is presented online or can be taken in person. PAHT is now available online at https://www.training.eku.edu/abusiveheadtraumacpWBT The PAHT training must be taken once every 5 years and will count toward annual training hours. Training hours are calculated from exact hire date to exact hire date. College course work from an accredited institution will be acceptable if the course content includes early care and education. Course work should be entered into ECE-TRIS database. Division of Child Care policy states that one 3-hour college course is equivalent to forty-five (45) hours of training and may be used in its place.
Regulated Child Care Survey Method	Review documentation and interview to determine compliance. Training is only required for staff who supervise children. This may or may not include administrative staff, cooks, etc.

Title #	415
Category	Employee Records
Title	Driver Requirements
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (18) A driver of a vehicle transporting a child for a center shall: (a) Be at least twenty-one (21) years old; (b) Complete: 1. The background checks as described in 922 KAR 2:280; and 2. An annual check of the: a. Kentucky driver history records in accordance with KRS 186.018; or b. Driver history records through the state transportation agency that issued the driver's license; (c) Hold a current driver's license which has not been suspended or revoked during the last five (5) years; and (d) Not caused an accident which resulted in the death of a person;
Guideline (s) for Child Care Technical Assistance	An approved source for a driver's history record is the Kentucky Department of Transportation. The driver's record can be found online at: https://dhr.ky.gov/
Regulated Child Care Survey Method	Interview to determine who drives the vehicle(s). Review the files for these individuals to assure compliance. The driver's record can be found online at: https://dhr.ky.gov/DHRWeb

Title #	420
Category	Programming
Title	Program of Activities Followed
Child Care Regulation Text	**922 KAR 2:120. Section 2.** Child Care Services. (4) The child-care center shall provide a daily planned program: (a) Posted in writing in a conspicuous location with each age group and followed; (b) Of activities that are individualized and developmentally appropriate for each child served; (c) That provides experience to promote the individual child's physical, emotional, social, and intellectual growth and well-being; and (d) Unless the child-care center is a before- or after-school program that operates part day or less, that offers a variety of creative activities including the following: 1. Art or music; 2. Math or numbers; 3. Dramatic play; 4. Stories and books; 5. Science or nature; 6. Block building or stacking; 7. Tactile or sensory activity; 8. Multi-cultural exposure; 9. Indoor or outdoor play in which a child makes use of both small and large muscles; 10. A balance of active and quiet play, including group and individual activity; 11. An opportunity for a child to: a. Have some free choice of activities; b. If desired, play apart from the group at times;
Guideline (s) for Child Care Technical Assistance	Activities need to be available to the children throughout the day. Examples include: *Art - paint, brushes, markers, chalk, crayons, colored pencils scissors, paper of various colors, play dough**,** clay, and glue sticks *Music – recorded music, musical instruments, and singing/dancing *Math or numbers – counting, sequencing, comparison, sorting, and writing numbers *Dramatic play – pretend play; i.e., housekeeping area with a kitchen set complete with pretend food, pots, pans, table, chairs and dishes; a nursery set where the children can care for their baby dolls; a puppet theatre; store; dress up; doctor's office; restaurant; veterinarian's office. Stories and books - selection of developmentally appropriate books; felt boards; books on tape; interactive story telling. Science or nature – activities and materials used to encourage exploration, experimentation, and observation. Learning areas typically include magnets, scales, magnifying glasses, living objects. Block building or stacking – this includes wooden blocks, foam blocks, cardboard hollow blocks Tactile or sensory – sand and water table, different textures, discovery box. Multi-cultural exposure - dolls with a variety of skin tones, songs and dances from another country, count to ten (10) in a new language, menus that features foods from another country.
Regulated Child Care Survey Method	During the inspection, review the written planned program and then observe the actual programming provided to the children. Observe to determine if it is developmentally appropriate for the children served.

Title #	425
Category	Programming
Title	Practice Appropriate Self-Help Procedures
Child Care Regulation Text	**922 KAR 2:120. Section 2.** Child Care Services. (4) The child-care center shall provide a daily planned program: (d) Unless the child-care center is a before- or after-school program that operates part day or less, that offers a variety of creative activities including the following: 11. An opportunity for a child to: c. Practice developmentally appropriate self-help procedures in respect to: (i) Clothing; (ii) Toileting; (iii) Hand-washing; and (iv) Eating;
Guideline (s) for Child Care Technical Assistance	Staff should plan adequate time for activities based on the age and development level of the children in their class. Basic skills such as putting on one's coat, fastening pants or a belt after toileting, using the soap and paper towel dispenser when hand washing, and learning to use utensils during meals or holding their own bottle are important skills that must be practiced and developed over time. Staff should be ready to assist and encourage the child as needed when learning new skills.
Regulated Child Care Survey Method	Review the written planned program and observe the materials, toys and equipment in each area to verify self-help procedures can be practiced. Self-help procedures can be observed during restroom breaks and at mealtime.

Title #	430
Category	Programming
Title	Electronic Viewing/Listening Devices
Child Care Regulation Text	**922 KAR 2:120. Section 2.** Child Care Services. (4) The child-care center shall provide a daily planned program: (d) Unless the child-care center is a before- or after-school program that operates part day or less, that offers a variety of creative activities including the following: 12. Use of electronic viewing and listening devices if the: a. Material is appropriate to the child using the equipment; b. Material does not include any violence, adult content viewing, or inappropriate language; c. Viewing or individual listening is limited to two (2) hours per day; d. Viewing or listening is discussed with parents prior to viewing or listening; and e. Viewing or listening is designed as an educational tool. (5) A child who does not wish to use the electronic devices during the planned program shall be offered other appropriate activities;
Guideline (s) for Child Care Technical Assistance	Background music during nap is not considered in the two (2) hour individualized listening or viewing time. The viewing or listening activity must be designed as an educational tool and should be reflected on the daily lesson plan. The child care center should implement a procedure to inform parents of their plans to use video and audio equipment. This may be done in writing in the enrollment paperwork, a parent handbook, or newsletter.
Regulated Child Care Survey Method	Observe the viewing or listening material to determine compliance. Be attentive to music playing in the room and to children using headphones, if written documentation is not available. Interview staff to determine parents' awareness of the use of viewing and listening material. Background music during nap is not considered in the two (2) hour individualized listening or viewing time.

Title #	435
Category	Programming
Title	Regularity of Routines
Child Care Regulation Text	**922 KAR 2:120. Section 2.** Child Care Services. (6) Regularity of routines shall be implemented to afford the child familiarity with the daily schedule of activity;
Guideline (s) for Child Care Technical Assistance	Children are most comfortable and the program will be most successful when the staff and children know what comes next. The expectation is that a daily schedule is posted and followed in accordance with 922 KAR 2:090 Section 8. The child care center should have ample staff on duty to avoid moving children throughout the day and disrupting their routines.
Regulated Child Care Survey Method	Observe planned schedules and children's response during transitions. If children appear confused about what will come next, then they are not familiar with the schedule.

	This does not include planned, special activities, i.e., field trips, special guest(s), or changes due to weather. Interviews may determine regularity of routines.

Title #	440
Category	Programming
Title	Sufficient Activity Time
Child Care Regulation Text	**922 KAR 2:120. Section 2.** Child Care Services. (7) Sufficient time shall be allowed for an activity so that a child may progress at their own developmental rate;
Guideline (s) for Child Care Technical Assistance	Children need ample time to work at their own pace. This includes lessons at the table, self-help skills (i.e., eating) and discovery activities
Regulated Child Care Survey Method	Observe activity and mealtime to ensure the time allotted is appropriate for each child.

Title #	445
Category	Programming
Title	Waiting Period
Child Care Regulation Text	**922 KAR 2:120. Section 2.** Child Care Services. (8) A child shall not be required to stand or sit for a prolonged period of time: (a) During an activity; (b) While waiting for an activity to start; or (c) As discipline;
Guideline (s) for Child Care Technical Assistance	Regular routines during transition will avoid confusion among the children and help things move quickly. Staff should establish routines and work as a team to eliminate the time waiting. Staff should work with smaller groups of children to expedite waiting in line to go outdoors, waiting at the table for lunch to be served or waiting in line at the bathroom.
Regulated Child Care Survey Method	If a child is confined and/or restricted from activity, observe and document the length of time, the activity in the room and the child's behavior.

Title #	450
Category	Programming
Title	School Age Care
Child Care Regulation Text	**922 KAR 2:120. Section 2.** Child Care Services. (9) If school-age care is provided: (a) A separate area or room shall be provided in a Type I child-care center; and (b) Each child shall be provided a snack after school;
Guideline (s) for Child Care Technical Assistance	Each school-age child shall be provided a snack after school. There must be enough food available for each child in the group, and the food should be accessible to the children. The regulations require a separate area in a Type I center, but this does not have to be a separate room. School-age and preschool age children may be in the same room.
Regulated Child Care Survey Method	Observe and/or interview to determine the location of the school-age area. School-age and preschool age children may be combined in the same room; however, a school-age area must be maintained.

Title #	455
Category	Programming
Title	Discipline
Child Care Regulation Text	**922 KAR 2:120. Section 2.** Child Care Services. (10) A child shall not be subjected to: (a) Corporal physical discipline pursuant to KRS 199.896(18); (b) Loud, profane, threatening, frightening, humiliating, or abusive language; or (c) Discipline that is associated with: 1. Rest; 2. Toileting; or 3. Food;
Guideline (s) for Child Care Technical Assistance	Discipline is not punishment. Discipline means to teach and guide. KRS 199.896(18) defines corporal punishment as the deliberate infliction of physical pain which does not include spontaneous physical contact that is intended to protect a child from immediate danger. The child care center must ensure that no one physically hurts a child in care. This includes pinching, hitting, swatting, thumping, smacking, spanking, etc. Children should not be restrained in high chairs or cribs as a means of discipline. Staff should use kind encouraging words toward a child. Yelling at a child or using threatening curse words while trying to frighten a child is inappropriate behavior. It is never acceptable to use harsh words toward a child. In addition, staff must be cordial to one another in front of the children. It is unacceptable for staff to curse or argue with each other in the presence of a child. Making a child rest or stay awake is inappropriate discipline. Bullying a child who is learning to use the toilet or not allowing an older child to use the toilet when needed is inappropriate behavior. Withholding food or forcing food on a child is inappropriate behavior.
Regulated Child Care Survey Method	Review the written discipline policy and observe staff to determine implementation. According to KRS 199.896(18), corporal physical discipline refers to intent to inflict physical pain. Consult with management before citing corporal physical discipline.

Title #	460
Category	Programming
Title	Diagnosed Special Need
Child Care Regulation Text	**922 KAR 2:120. Section 2.** Child Care Services. (12) (a) Care for a child with a special need shall be consistent with the nature of the need as documented by the child's health professional. (b) A child may include a person eighteen (18) years of age if the person has a special need for which child care is required;
Guideline (s) for Child Care Technical Assistance	The child care center must obtain written information regarding a child with special needs and keep that documentation on file. This information could be provided by a therapist, physician, or other health professional. The child care center staff should be aware of a child's documented special needs and should ensure those needs are met while the child is at the child care center.
Regulated Child Care Survey Method	Observe the care provided to a child with special needs and review the child's file to determine compliance with a health professional's recommendations.

Title #	465
Category	Programming
Title	Electronic Viewing/Listening Planned Program
Child Care Regulation Text	**922 KAR 2:120. Section 3.** General Requirements. (1) Electronic viewing and listening devices shall only be used in the center as a part of the child's planned program of activity described in Section 2(4) of this administrative regulation;
Guideline (s) for Child Care Technical Assistance	Electronic viewing and listening devices may be used in the classroom setting; however, the child care center staff must incorporate this in the planned program of activity on a written lesson plan.
Regulated Child Care Survey Method	Review the planned program of activity to verify that an electronic device is used as a part of the center's programming.

Title #	470
Category	Programming
Title	Computer Monitoring Device
Child Care Regulation Text	**922 KAR 2:120. Section 3.** General Requirements. (3) Computer equipment shall be equipped with a monitoring device which limits access by a child to items inappropriate for a child to view or hear;
Guideline (s) for Child Care Technical Assistance	All computer equipment must have a working monitoring device.
Regulated Child Care Survey Method	Interview to determine what monitoring device is used for computer equipment, if not determined by observation.

Title #	475
Category	Programming
Title	Weather Conditions
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (17) Outdoor activity shall be restricted based upon: (a) Temperature; (b) Weather conditions; or (c) Weather alerts, advisories, and warnings issued by the National Weather Service;
Guideline (s) for Child Care Technical Assistance	The child care center should ensure that children are safe and comfortable when outdoors. Children should be dressed appropriately for the weather conditions. There is no approved range indicating high and low appropriate temperatures for outdoor play. Observe the behavior of the children to determine if they are comfortable outdoors. Shade, ground cover and location will differ from center to center which may affect the child comfort level. If a weather advisory is issued, follow the instructions of the advisory when determining when and for how long to go outside. If the National Weather Service lists specific hours for the advisory, then the children could still go outside during the non-restricted hours.
Regulated Child Care Survey Method	Review local weather reports to determine if restrictions exist for outdoor activity. Review the planned program of activities for compliance, if not observed.

Title #	480
Category	Programming
Title	Infant/Toddler Combined with Older Children
Child Care Regulation Text	**922 KAR 2:120. Section 5.** Infant and Toddler Play Requirements. (2) Except in accordance with subsection (3) of this section or Section 2(2)(c) of this administrative regulation, an infant or toddler under 24 months of age shall not participate in an activity with an older child for no more than one (1) hour per day. (3) If a toddler is developmentally appropriate for a transition to a preschool age group, a toddler may participate in an activity with an older child for more than one (1) hour per day if: (a) Space for the toddler is available in the preschool-age group; (b) The staff-to-child ratios and group sizes are maintained based on the age of the youngest child; (c) The center has a procedure for listing a transitioning toddler on attendance records, including a specific day and time the toddler is with either age group; and (d) The child care center has obtained the signature and approval of the toddler's parent on the toddler's transition plan;
Guideline (s) for Child Care Technical Assistance	The director must ensure each child is placed in a room that is developmentally appropriate. During transition from one room to another, maintain documentation that includes attendance and parent's authorization. Staff to child ratio and group size is based on the age of the youngest child.
Regulated Child Care Survey Method	Review the planned program and daily schedule to verify compliance if not observed during inspection. Infants and toddlers under twenty-four (24) months of age can be combined all day. However, infants and toddlers under twenty-four (24) months of age can only be combined with older children for no more than one (1) hour per day except as allowed in transition. Early Head Start is one program that mixes age groups from birth to 3 years. These programs are approved to operate in this manner, however must still meet the requirements of the regulation. The children may be in the same classroom but kept in separate areas and function as separate groups. Interview to determine if the center has transitioning toddlers, if not observed. Review the center's procedures and the transitioning toddler's file for documentation compliance. Review attendance records to assure that transitioning toddlers are accounted for appropriately.

Title #	485
Category	Programming
Title	Infant Sleep Position
Child Care Regulation Text	**922 KAR 2:120. Section 6.** Sleeping and Napping Requirements. (1) An infant shall sleep or nap on the infant's back unless the infant's health professional signs a waiver that states the infant requires an alternate sleeping position;
Guideline (s) for Child Care Technical Assistance	If an alternate sleeping position is required, a health professional must sign a waiver indicating the position and any additional instructions regarding positioning. The waiver or written request from the health professional should be kept on file for review. Older infants who can roll over on their own should be allowed to do so.
Regulated Child Care Survey Method	If a sleeping infant is observed in a position other than on the infant's back, interview staff and review the child's file to determine if the child is of age to roll over on its own or a health professional's waiver was provided. If infants are asleep in swings or other devices, observe and interview to determine how long the child is/was asleep in the equipment.

Title #	490
Category	Programming
Title	Rest Time Requirement
Child Care Regulation Text	**922 KAR 2:120. Section 6.** Sleeping and Napping Requirements. (2) Rest time shall be provided for each child who is not school-age and who is in care for more than four (4) hour;
Guideline (s) for Child Care Technical Assistance	For all non-school-age children who attend care more than 4 hours in a day, a rest time is required. This includes part time preschool programs that have extended day programs that run longer than 4 hours.
Regulated Child Care Survey Method	Observe, review records and/or interview to determine the age of the children. Review the daily schedule and the children's attendance sheet to determine compliance.

Title #	495
Category	Programming
Title	Bedding/Toys in Crib
Child Care Regulation Text	**922 KAR 2:120. Section 6.** Sleeping and Napping Requirements. (3) Rest time shall include adequate space specified by the child's age as follows: (a) For an infant: 3. No loose bedding, such as a bumper or a blanket; and 4. No toys or other items except the infant's pacifier;
Guideline (s) for Child Care Technical Assistance	This regulation prohibits loose bedding but does not prohibit blankets. If a blanket is required, the blanket must not be loose and must be tucked. A "sleep sack" would be acceptable. The regulation also states no toys or other items except for the infant's pacifier in the specified space. The infant's pacifier must not be attached to a clip. Cuddly blankets are not allowed. Bumper pads and pillows must not be used in a crib. Mobiles are not recommended.
Regulated Child Care Survey Method	Observe whether loose bedding is used for infants; if an infant uses a blanket, it should not be loose prior to the infant going to sleep. Bedding includes the sheet. Observe to determine if items are in the crib.

Title #	500
Category	Programming
Title	Two Hour Limit - Rest Time
Child Care Regulation Text	**922 KAR 2:120. Section 6.** Sleeping and Napping Requirements. (4) Rest time shall not exceed two (2) hours for a preschool-age child unless the child is attending the child-care center during nontraditional hours;
Guideline (s) for Child Care Technical Assistance	This requirement is specific to preschool age children and does not include infants and toddlers who may rest longer, as needed, or to school age children who are not required to have a rest period but may rest as needed. Non-traditional hours are: 7 p.m. through 5 a.m. Monday through Friday; Or 7 p.m. on Friday until 5 a.m. on Monday.
Regulated Child Care Survey Method	Observe and/or review the daily schedule to ensure compliance

Title #	505
Category	Programming
Title	Rest Period – Alternate Activity
Child Care Regulation Text	**922 KAR 2:120. Section 6.** Sleeping and Napping Requirements. (5) A child who does not sleep shall be permitted to play quietly and shall be visually supervised;
Guideline (s) for Child Care Technical Assistance	The child care center should provide the opportunity for rest and sleep during a regular naptime, but cannot require that a child sleep. For children who do not fall asleep, quiet activities must be provided for play. All children must be supervised.
Regulated Child Care Survey Method	Observe and interview to determine compliance.

Title #	510
Category	Programming
Title	Appropriate Use of Food
Child Care Regulation Text	**922 KAR 2:120. Section 9.** Food and Meal Requirements. (2) Food shall not be: (a) Used for reward; (b) Used for discipline; (c) Withheld until all other foods are consumed; or (d) Served while viewing electronic devices;
Guideline (s) for Child Care Technical Assistance	Meals are a time to focus on good nutrition with opportunity to learn feeding skills, table manners, and good choices. Food may not be used as a reward. For example, candy may not be given to everyone who lines up quickly or as a reward for behavior at the end of the day. In addition, treats may not be used to reward children who are learning to toilet train. Food cannot be used for discipline. For example, a second serving of food cannot be withheld from a child who forgets to use his indoor speaking voice. Food cannot be withheld until all other foods are consumed. For example, Seconds of chicken nuggets cannot be withheld from a child who refuses to try his green beans. Electronic devices including the television should not be played during mealtimes. Also the child care center cannot serve snacks and treats while the children are watching television.
Regulated Child Care Survey Method	Observe and interview to determine compliance.

Title #	515
Category	Programming
Title	Toilet Training
Child Care Regulation Text	**922 KAR 2:120. Section 10.** Toilet, Diapering, and Toiletry Requirements. (5) Toilet training shall be coordinated with the child's parent;
Guideline (s) for Child Care Technical Assistance	A sequential plan should be developed and implemented in a joint effort between child care staff and parents to ensure success.
Regulated Child Care Survey Method	Interview staff to determine the child's parent agrees with toilet training.

Title #	520
Category	Premises
Title	Inaccessible Items
Child Care Regulation Text	**922 KAR 2:120. Section 3.** General Requirements. (7) The following shall be inaccessible to a child in care: (a) Toxic cleaning supplies, poisons, and insecticides; (b) Matches, cigarettes, lighters, and flammable liquids; and (c) Personal belongings and medications of staff;
Guideline (s) for Child Care Technical Assistance	For an infant or toddler, a cabinet or shelf out of their reach may be an acceptable way to store most items. The system for storage will vary based on the age and developmental level of the group.
Regulated Child Care Survey Method	Observe and/or interview to ensure compliance. Inaccessible is determined by the age of the children in the area at any time.

Title #	525
Category	Premises
Title	Items Accessible Only During Activity
Child Care Regulation Text	**922 KAR 2:120. Section 3.** General Requirements. (8) The following shall be inaccessible to a child in care unless under direct supervision and part of planned program of instruction: (a) Knives and sharp objects; (b) Litter and rubbish; (c) Bar soap; and (d) Plastic bags not used for personal belongings;
Guideline (s) for Child Care Technical Assistance	Staff must ensure that knives, sharp objects, and plastic bags are used under direct supervision, and then stored out of the reach of the children at the conclusion of the program of instruction. Children should be closely supervised when gathering and handling litter and rubbish. Plastic bags may be used for storage of personal belongings, but staff should monitor to ensure that the bags and belongings are secure and not accessible to the children.
Regulated Child Care Survey Method	Observe and interview to determine compliance.

Title #	530
Category	Premises
Title	Guns/Ammunition Storage
Child Care Regulation Text	**922 KAR 2:120. Section 3.** General Requirements. (9) In accordance with KRS 527.070 (1), firearms and ammunition shall be stored separately in a locked area outside of the designated child care area;
Guideline (s) for Child Care Technical Assistance	All firearms (i.e., guns, stun guns, bb guns, and air rifles) and ammunition must be in a locked area (stored separately) and kept away from the areas where children are provided care.
Regulated Child Care Survey Method	Observe and interview to determine compliance.

Title #	535
Category	Premises
Title	Smoking Protocol
Child Care Regulation Text	**922 KAR 2:120. Section 3.** General Requirements. (10) Smoking or vaping shall: (a) Be permitted in accordance with local ordinances; (b) Be allowed only in outside designated areas; and (c) Not be permitted in the presence of a child;
Guideline (s) for Child Care Technical Assistance	Smoking/vaping ordinances vary in each community. It is the responsibility of the child care center to know the laws regarding smoking/vaping in the community to ensure the child care center policy is in compliance. Smoking/vaping must never be allowed indoors. There should be no lingering odor of smoke/vapor in the child care center. The director must ensure that the "designated smoking/vaping area" cannot be viewed by the children in care.
Regulated Child Care Survey Method	Observe, and interview to determine the location of the designated smoking area. Review local ordinances.

Title #	540
Category	Premises
Title	Premises Requirements
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (1) The premises shall be: (a) Suitable for the purpose intended; (b) Kept clean and in good repair;
Guideline (s) for Child Care Technical Assistance	Equipment malfunction and damage to the interior or exterior of the building should be corrected or repaired immediately, or the child care center may be required to close temporarily until repairs can be completed. If the child care center uses a building that was originally occupied for another purpose, structural changes may be needed to ensure that the building is clean, in good repair, and suitable for children. The Department of Housing, Building, and Construction should be contacted if structural changes are made.
Regulated Child Care Survey Method	Observe to ensure compliance.

Title #	545
Category	Premises
Title	Phone Requirement
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (1) The premises shall be: (c) Equipped with: 1. A working telephone accessible to a room used by a child; and 2. A list of emergency numbers posted by the telephone or maintained in the telephone's contact, including numbers for the: a. Police; b. Fire station; c. Emergency medical care and rescue squad; and d. Poison control center;
Guideline (s) for Child Care Technical Assistance	Magic Jack phones, cell phones, and phones that are part of a fax machine system may meet the regulatory requirement. 911 meets this regulation. Record the local non-emergency numbers as well.
Regulated Child Care Survey Method	Observe and interview to ensure compliance during all hours of operation

Title #	550
Category	Premises
Title	Fire Exits Clear
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (3) Fire and emergency exits shall be kept clear of debris;
Guideline (s) for Child Care Technical Assistance	Hallways and stairwells must be clear. Items should not be stored in a manner that would block an exit from the building.
Regulated Child Care Survey Method	Observe to ensure compliance.

Title #	555
Category	Premises
Title	Carbon Monoxide Detector
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (4) A working carbon monoxide detector shall be required in a licensed child-care center that is in a home if the home: (a) Uses fuel burning appliances; or (b) Has an attached garage;
Guideline (s) for Child Care Technical Assistance	If the child care center is in a building that has an attached garage or wood/gas appliances (stove, hot water heater, etc.), a working carbon monoxide detector is required. Test the detector regularly to ensure it is in working order.
Regulated Child Care Survey Method	Observe and interview to ensure compliance

Title #	560
Category	Premises
Title	Building Requirements
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (5) The building shall be constructed to ensure the: (a) Building is: 1. Dry; 2. Ventilated; and 3. Well lit, including clean light fixtures that are: a. In good repair in all areas; and b. Shielded or have shatter-proof bulbs installed; and (b) Following are protected: 1.Windows; 2. Doors; 3. Stoves; 4. Heaters; 5. Furnaces; 6. Pipes; and 7. Stairs;
Guideline (s) for Child Care Technical Assistance	Care should be taken to cover exposed glass light bulbs with a protective shield or covering. Shatter resistant bulbs are a good substitute for glass bulbs. Bulbs that are no longer working should be replaced.
Regulated Child Care Survey Method	Observe to determine compliance.

Title #	565
Category	Premises
Title	35 Square Feet per Child
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (6) Exclusive of the kitchen, bathroom, hallway, and storage area, there shall be a minimum of thirty-five (35) square feet of space per child;
Guideline (s) for Child Care Technical Assistance	When determining the capacity of child care center, rooms used for care will be measured. Each room will have a capacity based on the dimension of the room. The capacity determined by Division of Regulated Child Care (DRCC) may be lower than that given by the State Fire Marshal. When determining the capacity of the room, remember that this is space used for care and play. To calculate square footage, multiply the length of the room by the width. Then divide this number by 35 to determine the capacity of the room. There are areas of a room that would not be included in the capacity of the room. If there is a large desk, file cabinet or locked cabinet in the room that children are not allowed access to, this space would be subtracted from the room capacity. Kitchens, cafeterias, bathrooms, hallways and storage areas are not measured by DRCC and are not included in the capacity. Indoor gross motor play areas are dedicated spaces and will not be included in the maximum capacity.
Regulated Child Care Survey Method	Measure all child care areas (except the kitchen, bathroom, hallway and storage areas) to determine a capacity for each room. If the capacity has been determined, and it seems the space is too crowded, re-measure the area. Each classroom should be measured during an initial inspection or whenever necessary to determine the maximum number of children for each classroom. The teacher's desk or other equipment not used by the children is not included. When determining the area of the room, do not round up for the number of children. Document the room measurements and room capacity on the diagram to remain with the inspection information and for future use.

Title #	570
Category	Premises
Title	Pest Control
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (7) Measures shall be utilized to control the presence of: (a) Rodents; (b) Flies; (c) Roaches; and (d) Other vermin;
Guideline (s) for Child Care Technical Assistance	Control measures are considered effective if there is no evidence of rodents or bugs. Per 922 KAR 2:120 section 3, a child care center cannot use poison bait in any area that could possibly be accessible to a child in care.
Regulated Child Care Survey Method	Observe to see if any pests are present. If evidence of pests is determined, interview staff to determine what pest control measures are taken and view any supporting documentation.

Title #	575
Category	Premises
Title	Protected Openings
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (8) An opening to the outside shall be effectively protected against the entrance of vermin by: (a) Self-closing doors; (b) Closed windows; (c) Screening; (d) Controlled air current; or (e) Other effective means;
Guideline (s) for Child Care Technical Assistance	Measures must be taken to protect and prevent vermin from entering through openings including an uncovered vent or chimney.
Regulated Child Care Survey Method	Observe to see if openings are protected in one of the manners described. Windows that are not open are not required to have screens. Windows used for ventilation must be screened.

Title #	580
Category	Premises
Title	Floors, Walls, Ceilings
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (9) Floors, walls, and ceilings shall be smooth, in good repair, and constructed to be easily cleaned;
Guideline (s) for Child Care Technical Assistance	Flooring should not be cracked or damaged. Walls should be free of holes. The ceilings should be smooth and finished. An open ceiling with exposed pipes that cannot be easily cleaned or exposed insulation may not be acceptable.
Regulated Child Care Survey Method	Observe to ensure compliance.

Title #	585
Category	Premises
Title	Water Supply Requirements
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (10) The water supply shall be: (a) Potable; (b) Protected from contamination; (c) Adequate in quality and volume; (d) Under sufficient pressure to permit unrestricted use; and (e) Obtained from an approved public water supply or a source approved by the local health department. (11) Groundwater supplies for a child-care center caring for: (a) More than twenty-five (25) children shall meet the specifications of the Energy and Environment Cabinet, Division of Water, established in KRS Chapter 151 and 401 KAR Chapter 8, as applicable; (b) Twenty-five (25) children or less shall secure approval from the: 1. Energy and Environment Cabinet; or 2. Local health department;
Guideline (s) for Child Care Technical Assistance	Water supplied from a public/municipal water company is assumed acceptable. A center with more than twenty-five children must have approval from the Energy and Environment Cabinet Division of Water if the water is supplied from a groundwater source (other than a public/municipal water company). A center with twenty-five (25) children or less must have the approval of the Cabinet for Environmental and Public Protection Division of Water or local health department. Water used for hand washing, cooking, and cleaning must be clean and must run freely from the faucet.
Regulated Child Care Survey Method	Interview and review documentation to determine the water supply. If a child care center's water supply is from a public/municipal water company, it can be assumed that it is acceptable. If a center has a cistern or uses well water, documentation from the local Health Department or Cabinet for Energy and Environment's Division of Water must be viewed to assure the water supply is acceptable. Review the documentation to determine if this is a one-time approval or if the water supply must be approved periodically.

Title #	590
Category	Premises
Title	Sewage Disposal
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (12) Sewage shall be properly disposed by a method approved by the: (a) Energy and Environment Cabinet; or (b) Cabinet;
Guideline (s) for Child Care Technical Assistance	The use of a public/municipal sewage disposal is assumed acceptable. The use of a septic system must have approval from the Cabinet for Environmental and Public Protection or the Cabinet for Health and Family Services. There should be no evidence of sewage on the premises. Any problem with the system must be addressed immediately and may require the center to close during repairs.
Regulated Child Care Survey Method	Interview to determine the method used for sewage disposal. If the center has a septic system, review for approval from the Cabinet for Health and Family Services or Cabinet for Energy and Environment. Often this approval will influence the maximum capacity of the child care center.

Title #	595
Category	Premises
Title	Plumbing Code
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (13) All plumbing shall comply with the State Plumbing Code established in KRS Chapter 318;
Guideline (s) for Child Care Technical Assistance	The best way to obtain information is to check with the local Health Department. Any time there is a plan to make a change to the plumbing in the building, the child care center should contact the Health Department to see if an inspection or permit is required. If the child care center plans to add a sink for hand washing or an additional toilet, contact the Health Department. Existing buildings are assumed to be in compliance unless changes are made to the plumbing. Portable sinks do not comply with the code.
Regulated Child Care Survey Method	Existing buildings are assumed to be in compliance. New construction is required to be inspected prior to approval by the Public Protection Cabinet Division of Plumbing so documentation is not needed by Division of Regulated Child Care. Interview to ensure new plumbing was installed by a licensed plumber.

Title #	600
Category	Premises
Title	Solid Waste
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (14) Solid waste shall be kept in a suitable receptacle in accordance with local, county and state law, as governed by KRS 211.350 to 211.380;
Guideline (s) for Child Care Technical Assistance	Some rural areas may have septic systems. Septic systems are designed for a specific size/capacity and may no longer be adequate when a child care center is added. If the child care center has a septic system, be sure they contact the local Health Department to ensure the system is approved for use.
Regulated Child Care Survey Method	Observe and interview to ensure compliance. These statutes address sewage disposal. The Health Department approves septic systems.

Title #	605
Category	Premises
Title	Child Care Program Interference
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (15) If a portion of the building is used for a purpose other than child care: (a) Necessary provisions shall be made to avoid interference with the child-care program; and (b) A separate restroom shall be provided for use only by those using the building for its child care purpose;
Guideline (s) for Child Care Technical Assistance	Many child care centers are located in shared spaces like churches and share open areas, gyms, cafeterias, etc. with groups who may be present for weekly activities. The child care center staff should work with the church to ensure that the activities of the church do not interfere with the safety, regular programming, and activities of the children. The bathrooms used by the child care center should be separate from the bathrooms used by the other business, organization or family members and their guests. If the center has a limited number of bathrooms available for use in the child care space, steps can be taken to ensure the bathrooms are “separate.” Some options might include: • Designate which bathroom will be reserved for use by the child care center by posting a sign on the door of the bathroom. • If the bathrooms have to be shared by several groups, staff might devise a schedule that allows different groups to use the bathroom at scheduled times of the day. • When a bathroom is in use by the child care center’s children, the staff would prohibit others from entering the bathroom until the child care center’s children have left the area. This would ensure the bathroom is separate from use by others.

Title #	610
Category	Premises
Title	Building Temperature
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (16) The temperature of the inside area of the premises shall be sixty-five (65) to eighty-two (82) degrees Fahrenheit;
Guideline (s) for Child Care Technical Assistance	Thermostats should be monitored to ensure that required temperatures are maintained. When heating and cooling equipment is in disrepair, the child care center will need to suspend care temporarily if required indoor temperatures cannot be maintained. If the child care center needs to close for repairs, notify the local Division of Regulated Child Care office.
Regulated Child Care Survey Method	A thermometer can be used to measure the temperature of a room/area that appears too hot or cold.

Title #	615
Category	Premises
Title	Indoor Gross Motor Space Requirements
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (22) If a child-care center does not have access to an outdoor play area, an indoor space shall: (a) Be used as a play area; (b) Have a minimum of sixty (60) square feet per child, separate from and in addition to the thirty-five (35) square feet minimum pursuant to subsection (6) of this section; (c) Include equipment for gross motor skills; and (d) Have a protective surface of at least two (2) inches thick around equipment intended for climbing;
Guideline (s) for Child Care Technical Assistance	An outdoor space is not required. An indoor space may meet the regulatory requirement if it is a suitable, dedicated space.
Regulated Child Care Survey Method	Observe the child care center for an outdoor gross motor area/playground. The indoor gross motor area is not counted in the square footage used to determine the maximum capacity of the center. If the indoor gross motor space is in lieu of an outdoor play area, a two (2) inch thick protective surface is required around indoor climbing equipment. If the center has both an indoor and outdoor gross motor area, safety concerns in the indoor area should be addressed elsewhere.

Title #	620
Category	Premises
Title	Prohibited Bodies of Water
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (27) Bodies of water that shall not be utilized include: (a) Portable wading pools; (b) Natural bodies of water; and (c) Unfiltered, non-disinfected containers;
Guideline (s) for Child Care Technical Assistance	Although water play is a popular activity, the child care center must not allow children to play in portable wading pools (baby pools), or natural bodies of water, i.e., ponds, puddles, streams or rivers. If a plastic container for sensory or water play is used, it must be disinfected after each use.
Regulated Child Care Survey Method	Observe and interview to determine compliance.

Title #	625
Category	Premises
Title	Infant/Toddler Indoor Space
Child Care Regulation Text	**922 KAR 2:120. Section 5.** Infant and Toddler Play Requirements. (1) Inside areas for infants and toddlers under twenty-four (24) months of age shall: (a) Be separate from an area used by an older child; (b) Not be an exit or entrance; and (c) Have adequate crawling space for an infant or toddler away from general traffic patterns of the center;
Guideline (s) for Child Care Technical Assistance	These inside areas must be defined and out of the child care center's general traffic pattern, i.e., not a walk-through to another room or entrance/exit to the kitchen, bathroom, office, closet or laundry. If this inside area used for care contains a door that opens to outdoors, it is only acceptable for parents of the children enrolled in that class to use that door to enter or exit the classroom.
Regulated Child Care Survey Method	Observe and interview staff to ensure an exit/entrance is not used by parents, staff and/or children to routinely to enter and exit the building. Infant and toddler rooms may have an entrance/exit to the outside. The entrance and exit may be used by parents of infants and toddlers as long as a defined entrance area is maintained and the parents are not walking through the classroom to drop off an older child.

Title #	630
Category	Premises
Title	Cots/Mats Location Restrictions
Child Care Regulation Text	**922 KAR 2:120. Section 6.** Sleeping and Napping Requirements. (7) If cots or mats are used, floors shall be free from: (a) Drafts; (b) Liquid substances; (c) Dirt; and (d) Dampness;
Guideline (s) for Child Care Technical Assistance	The floors where the cots and mats are used should be clean, dry, and free from drafts.
Regulated Child Care Survey Method	Observe and/or Interview staff to determine where nap cots or mats are used. Observe this area to assure compliance.

Title #	635
Category	Premises
Title	Minimum Toilet/Urinal Requirements
Child Care Regulation Text	**922 KAR 2:120. Section 10.** Toilet, Diapering, and Toiletry Requirements. (1) A child-care center shall have a minimum of one (1) toilet and one (1) lavatory for each twenty (20) children. Urinals may be substituted for up to one-half (1/2) of the number of toilets required for a male toilet room;
Guideline (s) for Child Care Technical Assistance	The toilets and sinks must all be in working order to count toward capacity. If the child care center requests an addition of space or capacity to the license, additional toilets, urinals, and sinks may be needed to meet the needs of the increase in the number of children.
Regulated Child Care Survey Method	Observe the number of toilets/urinals and sinks available. There must be enough for the maximum capacity of a center. A sink and toilet will service twenty (20) children; a sink and urinal will service ten (10) children.

Title #	640
Category	Premises
Title	Toilet Room
Child Care Regulation Text	**922 KAR 2:120. Section 10.** Toilet, Diapering, and Toiletry Requirements. (2) A toilet room shall: (a) 1. Be provided for each gender; or 2. A plan shall be implemented to use the same toilet room at separate times; (b) Have a supply of toilet paper; and (c) Be cleaned and disinfected daily;
Guideline (s) for Child Care Technical Assistance	Male and female preschool age children may share a bathroom with multiple stalls that would allow for privacy for each child. However, this situation would not be suitable for school age children. Each bathroom must have a supply of toilet paper available for use and must be cleaned and disinfected daily.
Regulated Child Care Survey Method	Observe to ensure compliance. Interview to determine how both genders use the same toilet room. If the toilet room is observed unclean and a plan to clean the toilet room daily has been established, then the violation should be noted elsewhere.

Title #	645
Category	Premises
Title	Sink
Child Care Regulation Text	**922 KAR 2:120. Section 10.** Toilet, Diapering, and Toiletry Requirements. (3) A sink shall be: (a) Located in or immediately adjacent to toilet rooms; (b) Equipped with hot and cold running water that allows for hand washing; (c) Equipped with hot water at a minimum temperature of ninety (90) degrees Fahrenheit and a maximum of one hundred twenty (120) degrees Fahrenheit; (d) Equipped with liquid soap; (e) Equipped with hand-drying blower or single use disposable hand drying material; (f) Equipped with an easily cleanable waste receptacle; and (g) Immediately adjacent to a changing area used for infants and toddlers;
Guideline (s) for Child Care Technical Assistance	After toileting and/or diapering, a staff or child should be able to move directly to the sink for hand washing without touching anything, i.e., a door knob or gate. Liquid soap is required. Bar soap is not acceptable. A trash can must be available for disposal of paper towels or diapers.
Regulated Child Care Survey Method	Observe to determine compliance. After toileting, a staff or child should be able to move directly to the sink for hand washing without touching anything. Measure the temperature of the water to determine compliance.

Title #	650
Category	Premises
Title	Toilet
Child Care Regulation Text	**922 KAR 2:120. Section 10.** Toilet, Diapering, and Toiletry Requirements. (4) Each toilet shall: (a) Be kept in clean condition; (b) Be kept in good repair; (c) Be in a lighted room; and (d) Have ventilation to outside air;
Guideline (s) for Child Care Technical Assistance	• Drips and spills should be cleaned up immediately. • The bathroom should be free of odor. • The toilet should flush easily and completely. • The bathroom should be well lit. • The bathroom should have a screened window or working ventilation system that is connected to an outside air source.
Regulated Child Care Survey Method	Observe to assure compliance. If a child has just used the toilet and made a mess or did not flush, observe to see that staff check the cleanliness in a timely fashion. Ventilation to outside air can be a screened window that is able to be opened.

Title #	655
Category	Hygienic Practices
Title	Child Personal Care/Handwashing
Child Care Regulation Text	**922 KAR 2:120. Section 3.** General Requirements. (4) A child shall: (a) Be helped with personal care and cleanliness based upon their developmental skills; (b) Wash his or her hands with liquid soap and warm running water: 1. a. Upon arrival at the center; or b. Within thirty (30) minutes of arrival for school-age children; 2. Before and after eating or handling food; 3. After toileting or diaper change; 4. After handling animals; 5. After touching an item or an area of the body soiled with body fluids or wastes; and 6. After outdoor or indoor play time; and (c) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (b) of this subsection. The child shall wash the child's hands as soon as practicable once liquid soap and warm running water are available;
Guideline (s) for Child Care Technical Assistance	It is important that children have the opportunity to practice and develop self-help skills such as hand washing. Child care staff must supervise and assist each child as needed. Baby wipes may substitute for hand washing for infants (up to twelve months of age) instead of the use of liquid soap and running water. Other than infants under 12 months of age, baby wipes and hand sanitizer would substitute for washing hands with liquid soap and running water when those are not readily available. For example, when assisting a child who wipes his nose while playing outdoors, hand sanitizer may be used. Upon re-entry to the building, both would wash their hands with soap and warm running water. Children who attend school age programs must wash their hands within 30 minutes of arrival.
Regulated Child Care Survey Method	Observe and interview to determine compliance.

Title #	660
Category	Hygienic Practices
Title	Staff Hygiene/Handwashing
Child Care Regulation Text	**922 KAR 2:120. Section 3.** General Requirements. (5) Staff shall: (a) Maintain personal cleanliness; (b) Conform to hygienic practices while on duty; (c) Wash their hands with liquid soap and running water: 1. Upon arrival at the center; 2. After toileting or assisting a child in toileting; 3. Before and after diapering each child; 4. After wiping or blowing a child's or own nose; 5. After handling animals; 6. After caring for a sick child; 7. Before and after feeding a child or eating; 8. Before dispensing medication; 9. After smoking or vaping; and 10. If possible, before administering first aid; and (d) Use hand sanitizer or hand-sanitizing wipes if liquid soap and warm running water are not available in accordance with paragraph (c) of this subsection. The staff shall wash the staff's hands as soon as practicable once liquid soap and warm running water are available;
Guideline (s) for Child Care Technical Assistance	A staff person who works in classrooms where water is not available must have a plan that will allow them access to a sink for hand washing.
Regulated Child Care Survey Method	Observe to determine compliance.

Title #	665
Category	Hygienic Practices
Title	Staff Communicable Disease
Child Care Regulation Text	**922 KAR 2:120. Section 3.** General Requirements. (6) A staff person suspected of being infected with a communicable disease shall: (a) Not perform duties that may allow for the transmission of the disease until the infectious condition can no longer be transmitted; and (b) Provide a statement from a health professional, if requested;
Guideline (s) for Child Care Technical Assistance	Information on communicable diseases can be found at: http://nrckids.org/files/appendix/AppendixA.pdf
Regulated Child Care Survey Method	Observe to ensure that staff are not performing duties that may result in transmitting an infectious disease.

Title #	670
Category	Hygienic Practices
Title	Diapers/Clean Clothing Supply
Child Care Regulation Text	**922 KAR 2:120. Section 10.** Toilet, Diapering, and Toiletry Requirements. (6) An adequate quantity of freshly laundered or disposable diapers and clean clothing shall be available;
Guideline (s) for Child Care Technical Assistance	It would be unacceptable for a center to leave a child in a soiled diaper or wet clothing while waiting for a parent to come to the center with extra clothes and diapers.
Regulated Child Care Survey Method	Observe and/or interview to ensure that the child care center has a supply of clean clothing and clean/disposable diapers available. The center may have a policy requiring parents to provide extra clothing for their child but this does not negate the child care center's responsibility to have additional clothing for a child if the parent did not provide any.

Title #	675
Category	Hygienic Practices
Title	Training Chair
Child Care Regulation Text	**922 KAR 2:120. Section 10.** Toilet, Diapering, and Toiletry Requirements. (7) If a toilet training chair is used, the chair shall be: (a) Used over a surface that is impervious to moisture; (b) Out of reach of other toilets or toilet training chairs; (c) Emptied promptly; and (d) Disinfected after each use;
Guideline (s) for Child Care Technical Assistance	Impervious is defined as unable to be penetrated. The toilet training chair should be placed on a surface that is waterproof, smooth, and easily cleanable. Do not place the toilet training chair on a carpeted surface. http://nrckids.org/CFOC/Database/5.4.1.7
Regulated Child Care Survey Method	Observe to ensure compliance. Impervious is defined as unable to be penetrated.

Title #	680
Category	Hygienic Practices
Title	Soiled Diapers/Clothing
Child Care Regulation Text	**922 KAR 2:120. Section 10.** Toilet, Diapering, and Toiletry Requirements. (8) Diapers or clothing shall be: (a) Changed when soiled or wet; (b) Stored in a covered container temporarily; and (c) Washed or disposed of at least once a day;
Guideline (s) for Child Care Technical Assistance	If cloth diapers are used, a container with a tight fitting lid lined with a plastic bag should be used to store the soiled diapers. The soiled cloth diapers must be stored separately from soiled clothes and other waste. At the end of the day, the plastic bag of soiled diapers can be tied and sent home for laundering. The diaper container should be cleaned and disinfected daily.
Regulated Child Care Survey Method	Observe and/or interview to determine compliance.

Title #	685
Category	Hygienic Practices
Title	Diaper Changing Area/Surface
Child Care Regulation Text	**922 KAR 2:120. Section 10.** Toilet, Diapering, and Toiletry Requirements. (10) When a child is diapered, the child shall: (b) Be placed on a surface that is: 1. Clean; 2. Padded; 3. Free of holes, rips, tears, or other damage; 4. Nonabsorbent; 5. Easily cleaned; and 6. Free of any items not used for diaper changing;
Guideline (s) for Child Care Technical Assistance	Only items required for diapering a child such as wipes and diapers may be stored in the diaper changing area. All other items are prohibited in the diaper changing area. Larger and older children may be changed on a suitable mat on the floor, or they may stand over a surface that is impervious to moisture, i.e., in a bathroom over a tiled floor.
Regulated Child Care Survey Method	Observe and/or interview to determine compliance.

Title #	690
Category	Hygienic Practices
Title	Wipes
Child Care Regulation Text	**922 KAR 2:120. Section 10.** Toilet, Diapering, and Toiletry Requirements. (11) Unless allergic, individual disposable washcloths shall be used to thoroughly clean the affected area of the child;
Guideline (s) for Child Care Technical Assistance	If allergic, a clean wet wash cloth may be used to clean a child during diapering. Staff must be careful to use the cloth only once and store the used cloth in a container lined with a plastic bag that is stored separately from other wet or soiled items. The child care center may supply the cloths and launder them on site. The center may require the parent to provide clean cloths daily and laundering the used cloths.
Regulated Child Care Survey Method	Observe a diaper change, when possible, to ensure compliance. Review of records should support the use of washcloths due to allergy issues. A doctor statement/parent statement would be acceptable.

Title #	695
Category	Hygienic Practices
Title	Diapering Practice
Child Care Regulation Text	**922 KAR 2:120. Section 10.** Toilet, Diapering, and Toiletry Requirements. (12) Staff shall disinfect the diapering surface after each child is diapered. (13) If staff wears disposable gloves, the gloves shall be changed and disposed after each child is diapered;
Guideline (s) for Child Care Technical Assistance	Disinfecting is the process of destroying or inactivating germs on an inanimate object. Bleach and water (diluted 1/4 - 3/4 C of bleach to one gallon of cool water) is a popular disinfectant for child care centers. Staff need to follow the directions for disinfecting found on the label for whatever product is selected for use.
Regulated Child Care Survey Method	Observe and interview to determine compliance.

Title #	700
Category	Hygienic Practices
Title	Children's Individual Items
Child Care Regulation Text	**922 KAR 2:120. Section 10.** Toilet, Diapering, and Toiletry Requirements. (14) Combs, towels or washcloths, brushes, and toothbrushes used by a child shall be: (a) Individually stored in separate containers; and (b) Plainly labeled with the child's name;
Guideline (s) for Child Care Technical Assistance	A system must be in place to ensure children's personal belongings do not touch those of another child's. A plastic bag, shoebox, or baby wipes container labeled with the child's name are appropriate containers for personal items.
Regulated Child Care Survey Method	Observe and interview to determine compliance.

Title #	705
Category	Hygienic Practices
Title	Toothbrush/Toothpaste
Child Care Regulation Text	**922 KAR 2:120. Section 10.** Toilet, Diapering, and Toiletry Requirements. (15) Toothbrushes shall be: (a) Individually identified; (b) Allowed to air dry; and (c) Protected from contamination. (16) Toothpaste used by multiple children shall be dispensed onto an intermediate surface, such as waxed paper, to avoid cross contamination;
Guideline (s) for Child Care Technical Assistance	A system must be in place to ensure each child's personal toothbrush does not touch another child's. A plastic bag or container labeled with the child's name are appropriate containers for personal items. After use, the toothbrush should be allowed to air dry.
Regulated Child Care Survey Method	Observe and interview to determine compliance.

Title #	710
Category	Hygienic Practices
Title	Toy Sanitation Procedure
Child Care Regulation Text	**922 KAR 2:120. Section 11.** Toys and Furnishings. (4) A toy or another item that is considered a mouth contact surface by a child not toilet trained shall be sanitized daily by: (a) 1. Scrubbing in warm, soapy water using a brush to reach into crevices; 2. Rinsing in clean water; 3. Submerging in a sanitizing solution for at least two (2) minutes; and 4. Air dried; or (b) Cleaning in a dishwasher if the toy or other item is dishwasher safe;
Guideline (s) for Child Care Technical Assistance	Staff may use small buckets to clean the toys, i.e., one bucket of soapy water, one bucket of clean water for rinsing, and one bucket with a sanitizing solution.
Regulated Child Care Survey Method	Interview staff to determine how they sanitize the toys and mouth contact surfaces in the infant and toddler rooms to assess whether or not the procedure used by the center meets the requirements.

Title #	715
Category	First Aid/Medication
Title	First Aid Supplies
Child Care Regulation Text	**922 KAR 2:120. Section 7.** First Aid and Medicine. (1) First aid supplies shall: (a) Be available to provide prompt and proper first aid treatment; (b) Be stored out of reach of a child; (c) Be periodically inventoried to ensure the supplies have not expired; (d) If reusable, be: 1. Sanitized; and 2. Maintained in a sanitary manner; and (e) Include: 1. Liquid soap; 2. Adhesive bandages; 3. Sterile gauze; 4. Medical tape; 5. Scissors; 6. A thermometer; 7. Flashlight; 8. Cold pack; 9. First aid book; 10. Disposable gloves; and 11. A cardiopulmonary resuscitation mouthpiece protector;
Guideline (s) for Child Care Technical Assistance	Staff should make a list of required items and inventory the first aid items periodically (as often as needed) to ensure the items are complete and ready for use. For child care centers that transport children, all required first aid supplies must also be stored on the vehicle, inventoried and kept in clean condition.
Regulated Child Care Survey Method	The first aid supplies do not have to be contained in a “first aid kit” and are not required to be locked. Interview to determine when supplies are inventoried. Observe reusable items are stored in a sanitary manner and interview to determine sanitation process. Observe first aid supplies to ensure compliance. Make sure the flashlight is workable (often the batteries are “dead”).

Title #	720
Category	First Aid/Medication
Title	Medication Administration
Child Care Regulation Text	**922 KAR 2:120. Section 7.** First Aid and Medicine. (4) Prescription and nonprescription medication shall be administered to a child in care: (a)1. With a written request of the child's parent or the child's prescribing health professional; and 2. According to the directions or instructions on the medication's label; or (b) For epinephrine, in accordance with KRS 199.8951 and 311.646;
Guideline (s) for Child Care Technical Assistance	Prior to administering medication, the child care center must obtain written permission from the child's parent or prescribing health professional. The child care center should check the medication label to ensure the written request for medication administration matches the instructions on the medication label. The medication shall be in the original container and labeled with the child's name.
Regulated Child Care Survey Method	Observe and interview to determine whether medication is administered at the center. Review the center's policy on medication administration. Rescue medications (inhalers, EPI pens, diabetic meds, etc.) as well as sunscreen and diaper ointment can be given with a blanket permission form. All other medications require daily written permission. The parent cannot authorize medication to be administered contrary to the label instructions.

Title #	725
Category	First Aid/Medication
Title	Administration Record
Child Care Regulation Text	**922 KAR 2:120. Section 7.** First Aid and Medicine. (5) The child-care center shall keep a written record of the administration of medication, including: (a) Time of each dosage; (b) Date; (c) Amount; (d) Name of staff person giving the medication; (e) Name of the child; and (f) Name of the medication;
Guideline (s) for Child Care Technical Assistance	A chart or log for each child is an easy way to record the required information for the administration of medication. These charts/logs could contain multiple entries over a span of time. Every effort should be made to administer a medication according to the instructions on the label. If extraordinary circumstances prevent the administration of a medication, record that a dosage was not administered as requested, i.e., if a dosage is forgotten or if a child left early and was not present at the requested time.
Regulated Child Care Survey Method	Review records to ensure compliance. Staff initials are not acceptable.

Title #	730
Category	First Aid/Medication
Title	Medication
Child Care Regulation Text	**922 KAR 2:120. Section 7.** First Aid and Medicine. (6) Medication, including refrigerated medication, shall be: (a) Stored in a separate and locked place, out of the reach of a child unless the medication is: 1. A first aid supply and is maintained in accordance with subsection (1) of this section; 2. Diaper cream, sunscreen, or toothpaste. Diaper cream, sunscreen, or toothpaste shall be inaccessible to a child; 3. An epinephrine auto-injector. A licensed child care center shall comply with KRS 199.8951 and 311.646 including: a. An epinephrine auto-injector shall be inaccessible to a child; b. A child-care center shall have at least one person onsite who has received training on the administration of an epinephrine auto-injector if the child-care center maintains an epinephrine auto-injector; c. A child-care center shall seek emergency medical care for a child if an auto-injector is administered to the child; and d. A child-care center shall report to the child's parent and the cabinet in accordance with 922 KAR 2:090, Section 12(1)(b) if an epinephrine auto-injector is administered to a child; or 4. An emergency or rescue medication for a child in care, such as medication to respond to diabetic or asthmatic condition, as prescribed by the child's physician. Emergency or rescue medication shall be inaccessible to a child in care; (b) Kept in the original bottle; and (c) Properly labeled. (7) Medication shall not be given to a child if the medication's expiration date has passed;
Guideline (s) for Child Care Technical Assistance	This training is only relevant to licensed child care centers who purchase an Epinephrine Auto-Injector (EPI Pen) to use at the child care center in case of emergency. Anaphylaxis and Epinephrine Auto-Injector Training is available online for a fee at: https://www.redcross.org/take-a-class/classes/anaphylaxis-and-epinephrine-auto-injector---online-course/02512108.html. If the EPI Pen is administered to a child, the center is required to seek medical care by dialing 911. Notification of the Cabinet can be made by calling the local DRCC Office. Notification of the parent or emergency contact should not delay the center from obtaining medical treatment for the child. Once a rescue medication is administered the staff should record the date, time, name of staff that administered the medications and the child's symptoms that were observed that prompted the administration of the drug.
Regulated Child Care Survey Method	Observe and interview to ensure compliance. If expired medications are observed in the child care center, the center should only be cited if the expired medication is administered to a child.

Title #	735
Category	Outdoor Play Area
Title	Fence Requirement
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (20) An outdoor play area shall be: (a) Except for an after-school child-care program located on the premises of a public or state-accredited nonpublic school, fenced for the safety of the children;
Guideline (s) for Child Care Technical Assistance	The only exception to this regulation is the school-age child care programs that are located in schools. These programs do not have to have a fenced playground. If a preschool age program operates on the grounds of a school, the outdoor play area for the preschool program must be fenced.
Regulated Child Care Survey Method	Review the license to determine the licensed age groups. If the school is licensed to serve preschool age or observe to verify that they have a fence.

Title #	740
Category	Outdoor Play Area
Title	60 Square Feet
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (20) An outdoor play area shall be: (b) A minimum of sixty (60) square feet per child, separate from and in addition to the thirty-five (35) square feet minimum pursuant to subsection (6) of this section;
Guideline (s) for Child Care Technical Assistance	To determine the capacity of a playground, measure the width and length and multiply the two numbers. Then divide by 60. This determines the maximum capacity of a playground, i.e., 20 x 30 = 600/60 = 10. In this case, 10 children can play in the outdoor play area at one time. Outdoor play areas for infants, toddlers, and preschoolers must be fenced. The approved licensed space for outdoor play is inside the fenced boundaries of the outdoor play area. If a center wants to have an activity outside the fenced boundary of the outdoor play area, they must obtain written permission from the parent.
Regulated Child Care Survey Method	Observe the playground area. If it appears small or overcrowded with children, measure to determine the number of children that could be on the playground at any given time. If a playground will only hold a small number of children, the child care center must be able to show a written plan to assure that all children have gross motor play and the playground is not over capacity at any time.

Title #	745
Category	Outdoor Play Area
Title	Playground Clean
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (20) An outdoor play area shall be: (c) Free from: 1. Litter; 2. Glass; 3. Rubbish; and 4. Flammable materials;
Guideline (s) for Child Care Technical Assistance	Rubbish (items that are broken or discarded) should be removed from the outdoor play area immediately. For centers that have gas grills, these must not be accessible to the children. Cans of paint, bags of fertilizer, gasoline, charcoal lighter fluid, and lawn mowers all contain flammable materials and should not be stored in the outdoor play area used by the children.
Regulated Child Care Survey Method	Observe the outdoor play area to determine compliance. Flammable materials include cans of paint, bags of fertilizer, lawnmowers, gasoline, charcoal lighter fluid, etc.

Title #	750
Category	Outdoor Play Area
Title	Playground Conditions
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (20) An outdoor play area shall be: (d) Safe from foreseeable hazard; (e) Well drained; (f) Well maintained; (g) In good repair; and (h) Visible to staff at all times;
Guideline (s) for Child Care Technical Assistance	Foreseeable hazards may be a number of things, i.e., a railroad track that borders the playground, barbed wire fencing that is rusted and accessible, culverts or holes that are not covered, vines that hang low, exposed wiring on the building, wasp nests in the trees, etc. Staff must ensure that hazards are removed prior to children using the area. The area should be maintained, i.e., grass cut, appropriate ground cover, not full of sharp rocks, sprayed for bugs as needed. If there are hills or buildings that block the view of the entire play area, the staff should position themselves to ensure that all children can be viewed at all times.
Regulated Child Care Survey Method	Observe to determine compliance. Some play areas are “L” shaped or wrap around corners of the building. Make sure that staff are positioned so that all children can be seen while on the play areas.

Title #	755
Category	Outdoor Play Area
Title	Protective Surface
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (21) A protective surface shall: (a) Be provided for outdoor play equipment used to: 1. Climb; 2. Swing; and 3. Slide; and (b) Have a fall zone equal to the height of the equipment;
Guideline (s) for Child Care Technical Assistance	922 KAR 2:120 Section 1(12) defines protective surface as "loose surfacing material not installed over concrete which includes the following: (a) Wood mulch; (b) Double shredded bark mulch; (c) Uniform wood chips; (d) Fine sand; (e) Course sand; (f) Pea gravel, except for areas used by children under three (3) years of age; (g) Certified shock absorbing resilient material; or (h) Other material approved by the cabinet or designee. Check the manufacturer's guidelines for each piece of equipment for recommendation on which type of protective surface is best and for the recommended depth of the surfacing product. If the child care center does not have written information from the manufacturer, another source for recommendations on protective surface is found in the Consumer Product Safety Commission Public Playground Safety Handbook found at: www.cpsc.gov. The fall zone around the equipment is equal to the height of the equipment, i.e., measure the highest point that a child can climb on the equipment and then measure that distance around the equipment to establish the fall zone.
Regulated Child Care Survey Method	Check the definitions at 922 KAR 2:120 Section 1 (12) for acceptable protective surface materials. Do not measure the depth of the protective surface, but cite if the protective surface does not cover the ground. Check to ensure the loose protective surface is not installed on top of concrete. Measure if the fall zone does not appear to equal the height of the equipment. Watch for equipment too close to the fence, other equipment, etc.

Title #	760
Category	Outdoor Play Area
Title	Fences
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (23) Fences shall be: (a) Constructed of safe material; (b) Stable; and (c) In good condition;
Guideline (s) for Child Care Technical Assistance	Fencing that is damaged, leaning, contains holes, broken planks or sharp points is unacceptable. If a gate is broken or does not latch securely, it must be repaired.
Regulated Child Care Survey Method	Observe to ensure compliance. Review zoning requirements to ensure the fence is in compliance.

Title #	765
Category	Outdoor Play Area
Title	Infant/Toddler Outdoor Space
Child Care Regulation Text	**922 KAR 2:120. Section 5.** Infant and Toddler Play Requirements. (4) If a child-care center provides an outdoor play area for an infant or toddler under twenty-four (24) months of age, the outdoor area shall be: (a) Shaded; and (b) A separate area or scheduled at a different time than an older child;
Guideline (s) for Child Care Technical Assistance	Shade could be provided by a tree, the building at a certain time of the day or a piece of playground equipment or tent. Care should be taken the outdoor area is used at times when shade is available.
Regulated Child Care Survey Method	Observe and interview to determine compliance. Shade can be provided by the building or by a separate shading device.

Title #	770
Category	Equipment
Title	Play Equipment
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (24) Supports for climbing apparatus and large equipment shall be securely fastened to the ground. (25) Crawl spaces, such as tunnels, shall be short and wide enough to permit access by adults. (26) A sandbox shall be: (a) Constructed to allow for drainage; (b) Covered when not in use; (c) Kept clean; and (d) Checked for vermin prior to use;
Guideline (s) for Child Care Technical Assistance	If the play area contains crawl spaces, it is imperative that the space be wide enough for an adult to be able to access at any time.
Regulated Child Care Survey Method	Observe to determine compliance.

Title #	775
Category	Equipment
Title	Sufficient Appropriate Equipment
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (28) A child-care center shall have enough toys, play apparatus, and developmentally appropriate materials to provide each child with a variety of activities during the day, as specified in Section 2 of this administrative regulation;
Guideline (s) for Child Care Technical Assistance	Children must have an adequate amount of developmentally appropriate materials, toys and equipment to use on a daily basis. Please refer to Section 2 for more detail concerning materials.
Regulated Child Care Survey Method	Observe and interview to determine compliance.

Title #	780
Category	Equipment
Title	Storage Space/Storage Device
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (29) Storage space shall be provided: (a) In the form of: 1. Shelves; or 2. Other storage device accessible to the children; and (b) In sufficient quantity for each child's personal belongings;
Guideline (s) for Child Care Technical Assistance	Children must be provided separate storage areas for their belongings in the classroom. Teachers will utilize the cubbies for children's personal items. It is recommended the cubbies or separate storage areas are labeled with the child's name or picture of the child.
Regulated Child Care Survey Method	Observe to determine compliance.

Title #	785
Category	Equipment
Title	Playpens/Play Yards
Child Care Regulation Text	**922 KAR 2:120. Section 5.** Infant and Toddler Play Requirements. (5) Playpens and play yards shall: (a) Meet federal standards as issued by the Consumer Product Safety Commission, including 16 C.F.R. 1221; (b) Be manufactured for commercial use; and (c) Not be used for sleeping or napping;
Guideline (s) for Child Care Technical Assistance	They must meet all standards issued by Consumer Product Safety Commission and in compliance with 16 C.F.R. 1221.
Regulated Child Care Survey Method	Observe, interview and review documentation to determine compliance.

Title #	790
Category	Equipment
Title	Crib/Mattress/Sheet
Child Care Regulation Text	**922 KAR 2:120. Section 6.** Sleeping and Napping Requirements. (3) Rest time shall include adequate space specified by the child's age as follows: (a) For an infant: 1. An individual non-tiered crib that meets Consumer Product Safety Commission standards established in 16 C.F.R. 1219-1220; 2. A firm crib mattress in good repair with a clean tight-fitted sheet that shall be changed: a. Weekly; or b. Immediately if it is soiled or wet;
Guideline (s) for Child Care Technical Assistance	A tracking label located on the base of the crib may provide verification of compliance. If not, written material from the manufacturer may contain the information. The child care center must provide the written verification for each crib to the surveyor upon request. Infants in attendance at the same time may not share a crib. A child care center must have enough cribs available for the number of infants present on any given shift. Note: 16 C.F.R. 1219-1220. Beginning 6/28/2011, all cribs manufactured and sold (including resale) must comply with new and improved federal safety standards. Prior to 2011, verify manufacturer's compliance guidelines.
Regulated Child Care Survey Method	Observe, interview and review documentation to determine compliance.

Title #	795
Category	Equipment
Title	Individual Bed/Mat/Cot and Bedding
Child Care Regulation Text	**922 KAR 2:120. Section 6.** Sleeping and Napping Requirements. (3) Rest time shall include adequate space specified by the child's age as follows: (b) For a toddler or preschool-age child: 1. An individual bed, a two (2) inch thick waterproof mat, or cot in good repair; and 2. Bedding that is in good repair and is changed: a. Weekly; or b. Immediately if it is soiled or wet;
Guideline (s) for Child Care Technical Assistance	Equipment and furnishings must be size appropriate for the child and safe. If any of the sleeping equipment has a tear, rip, hole or it is no longer waterproof it has to be replaced. There is no requirement for a mat or cot or bedding for a school age child as a rest time is not required by the regulations. The child care center should have appropriate furnishings (cot or mat) and supplies (bedding) available to a school age child who wants or needs to rest. The requirement is for bedding which may be a sheet or blanket, sheet and blanket or sleeping bag.
Regulated Child Care Survey Method	Observe, interview and review documentation to determine compliance.

Title #	800
Category	Equipment
Title	Twelve Inch Spacing
Child Care Regulation Text	**922 KAR 2:120. Section 6.** Sleeping and Napping Requirements. (6) Cots, equipment, and furnishings used for sleeping and napping shall be spaced twelve (12) inches apart to allow free and safe movement by a person;
Guideline (s) for Child Care Technical Assistance	This gives the teachers adequate space to freely move around the cots, mats, or cribs to observe children while they sleep.
Regulated Child Care Survey Method	Observe and interview to determine compliance.

Title #	805
Category	Equipment
Title	Cots/Mats Disinfected
Child Care Regulation Text	**922 KAR 2:120. Section 6.** Sleeping and Napping Requirements. (8)(a) Cots or mats not labeled for individual use by a child shall be cleaned after each use. (b) Cots or mats labeled for individual use by a child shall be: 1. Cleaned at least weekly; and 2. Disinfected immediately if it is soiled or wet;
Guideline (s) for Child Care Technical Assistance	Clean the surface with soap solution first using ¼ cup liquid detergent to 1 gallon clean water or 1 tablespoon to 1 quart of water. Soap solutions must be made fresh daily. Rinse with clean water and dry with paper towel. To disinfect spray bleach solution and allow to air dry for 2 minutes before wiping dry with a paper towel.
Regulated Child Care Survey Method	Observe and interview to determine compliance.

Title #	810
Category	Equipment
Title	Individual Bedding Storage
Child Care Regulation Text	**922 KAR 2:120. Section 6.** Sleeping and Napping Requirements. (9) Individual bedding shall be stored in a sanitary manner;
Guideline (s) for Child Care Technical Assistance	After naptime, cots and mats need to be stored to prevent the bedding from touching. In some cases this may mean that staff has to remove all bedding and place the item(s) in each specific child's cubby for storage. Some centers may have a system to store the mat or cot along with individual bedding in a manner to prevent the bedding from contact.
Regulated Child Care Survey Method	Observe to determine compliance. One child's bedding should not touch another child's bedding.

Title #	815
Category	Equipment
Title	Toys/Furniture
Child Care Regulation Text	**922 KAR 2:120. Section 11.** Toys and Furnishings. (1) All toys and furniture contacted by a child shall be: (a) Kept clean and in good repair; and (b) Free of peeling, flaking, or chalking paint;
Guideline (s) for Child Care Technical Assistance	Staff should check the materials regularly to ensure they are in good repair and do not contain damaged paint. A cleaning schedule should be implemented to ensure the toys, furniture and equipment are clean.
Regulated Child Care Survey Method	Observe to determine compliance.

Title #	820
Category	Equipment
Title	Indoor/Outdoor Equipment
Child Care Regulation Text	**922 KAR 2:120. Section 11.** Toys and Furnishings. (2) Indoor and outdoor equipment shall: (a) Be clean, safe, and in good repair; (b) Meet the physical, developmental needs, and interests of children of different age groups; (c) Be free from sharp points or corners, splinters, protruding nails or bolts, loose or rusty parts, hazardous small parts, lead-based paint, poisonous material, and flaking or chalking paint; and (d) Be designed to guard against entrapment or situations that may cause strangulation;
Guideline (s) for Child Care Technical Assistance	In order to ensure safety, indoor and outdoor equipment should be inspected regularly by staff to make sure the items are in good working condition and clean. At the end of a staff's work day the staff should walk around the classroom/playground area and do a quick scan that may help reduce risk of injuries. Check equipment to ensure there are no safety hazards. When hazards are identified, repair the equipment immediately. As equipment "settles", the connecting pieces may have gaps. These gaps can be dangerous to the children, presenting pinching or entrapment hazards.
Regulated Child Care Survey Method	Observe to determine compliance.

Title #	825
Category	Equipment
Title	Toys
Child Care Regulation Text	**922 KAR 2:120. Section 11.** Toys and Furnishings. (3) Toys shall be: (a) Used according to the manufacturer's safety specifications; (b) Durable; and (c) Without sharp points or edges;
Guideline (s) for Child Care Technical Assistance	The director and staff should read the product label to ensure that the product is put together properly and also to ensure children are using the product in the way it was designed.
Regulated Child Care Survey Method	Observe toys and review documentation to ensure all toys are used according to the manufacturer's specifications (including age appropriateness).

Title #	830
Category	Equipment
Title	Children/Staff Seating
Child Care Regulation Text	**922 KAR 2:120. Section 11.** Toys and Furnishings. (5) Tables and chairs shall be of suitable size for children. (6) Chairs appropriate for staff shall be provided to use when feeding, holding, or playing with a child;
Guideline (s) for Child Care Technical Assistance	Tables should be between waist and mid-chest level of the child. Chairs should allow the child's feet to rest on a firm surface while seated for eating or engaging in a table activity. It is important there is adequate seating provided for staff and that it does not interfere with the children or present the potential for harm.
Regulated Child Care Survey Method	Observe to determine compliance.

Title #	835
Category	Transportation
Title	Maintain Records
Child Care Regulation Text	**922 KAR 2:090. Section 9.** Records. (1) A child-care center shall maintain: (l) A written record of transportation services provided in accordance with 922 KAR 2:120, Section 12;
Guideline (s) for Child Care Technical Assistance	Have a written plan that details the following: • The type of transportation • The staff schedule • Transportation schedule • Plan to ensure staff perform duties • Transportation route • A pre-arranged written plan shall be completed to designate where the child can be picked up if the parent or designee is unavailable • A daily inspection of the vehicle on the following: tires, lights, signals, mirrors, gauges, wiper blades, safety restraints, fuel and free of debris • A transportation roster that includes the first and last name of each child, the time each child gets on and off the van and be completed by a staff member other than the driver and be kept for five years • A policy stating staff who transport the children will practice emergency procedures monthly • Copy of van driver's current valid driver's license (must be 21 years old), never have caused an accident which resulted in the death of a person or had their license suspended or revoked in the past 5 years • Copy of the full coverage insurance for the vehicle • Copy of the completed background check for the driver • Copy of CPR and First aid for the driver and/or the van monitor • Copy of the annual inspection conducted by the Transportation Cabinet, if applicable • A copy of each child's personal information: name, address, phone #, and list of people who can receive the child (pick up list) so the driver knows with whom they may leave the child
Regulated Child Care Survey Method	Review documentation to ensure compliance. A violation may be cited if the child care center does not have the written documentation required in Section 12.

Title #	840
Category	Transportation
Title	Transportation Compliance
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (1) A center shall document compliance with KRS Chapter 186 and 603 KAR 5:072 pertaining to: (a) Vehicles; (b) Drivers; and (c) Insurance;
Guideline (s) for Child Care Technical Assistance	The center shall keep on file for review information regarding the vehicle, the drivers, and the insurance coverage.
Regulated Child Care Survey Method	KRS Chapter 186 pertains to the vehicle having a current license plate and registration. 603 KAR 5:072 pertains to the inspection required for vehicles designed and used for carrying nine or more passengers including the driver. This inspection is to be conducted by the Transportation Cabinet, Department of Vehicle Regulations or its designee. Review records to ensure drivers have a current drivers' license and all vehicles have a current license plate, insurance, and inspection, if required.

Title #	845
Category	Transportation
Title	Requirements for Transportation Services
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (2) A center providing or arranging transportation service shall: (a) Be licensed and approved by the cabinet or its designee prior to transporting a child; (b) Have a written plan that details the type of transportation, staff schedule, transportation schedule, and transportation route; and (c) Have written policies and procedures, including emergency procedures practiced monthly by staff who transports children;
Guideline (s) for Child Care Technical Assistance	The child care center shall be licensed for transportation services if they: • Transport children to and from the child care center • Transport children to and from home • Transport children to and from school • Transport children on field trips This includes transportation in a facility-owned vehicle or a third-party carrier. The child care center must have a written plan that describes what kind of transportation is done, i.e., "We transport children to and from our child care center in a child care center owned van daily." Record the names of the staff that are scheduled to drive and/or supervise the children while being transported. Record the planned schedule for transportation. For a center that is going on a field trip, this would include the date of the trip, the planned time of departure and return. For a center that transports to and from home/school, you would write a schedule of planned pick up and drop off times for each child. The route refers to the route/directions of each trip away from the child care center. The staff that accompany children or transport the children must practice emergency procedures monthly. Record the name of each staff that participated, the date and time of the drill. The specifics of the emergency drills are not outlined in regulations, but some things to consider include the type of vehicle used and the number of children being transported. Plan for all types of accidents as well as vehicle malfunction, severe weather conditions, or a child that becomes ill.
Regulated Child Care Survey Method	Review approved services in KICCS. If approved, review records to ensure compliance. Prior to providing or arranging transportation, the child care center must have this service approved by the Division of Regulated Child Care. Arranging transportation includes taking public transportation or renting a vehicle (with or without a driver). Written policies and procedures are required but the regulation is not specific as to their contents other than emergency procedures. This regulation requires that procedures exist, not whether they are following the procedures. If staff are observed not following documented procedures, violations may be cited elsewhere.

Title #	850
Category	Transportation
Title	Transportation Notification/Type and Vehicle
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (3) Prior to transporting a child, a center providing transportation services of a child shall notify the cabinet or its designee in writing of the: (a) Type of transportation offered; (b) Type of vehicle used for transportation;
Guideline (s) for Child Care Technical Assistance	Submit a written request to add transportation services prior to transporting or arranging the transportation of a child. The written request should be mailed to: Office of the Inspector General Division of Regulated Child Care 275 E. Main Street, 5 E-F Frankfort, KY 40621-000 The Frankfort Division of Regulated Child Care office will forward the request to your local licensing office so they can inspect to add the service. An inspection of each vehicle as well as review of all required written policies and procedures, inspection documentation, insurance, and transportation staff paperwork will be required prior to approval for transportation service. The center may not provide transportation services until receipt of the updated license that includes transportation.
Regulated Child Care Survey Method	A child care center must have prior approval from DRCC before providing transportation. Review documentation to ensure the type of transportation offered (daily pick up, field trips only, using public school buses, etc.) and the type of vehicle used is in writing. If transportation services are provided prior to cabinet approval a violation may also be noted elsewhere.

Title #	855
Category	Transportation
Title	Transportation Notification/Plan for Ensuring Staff Duties
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (3) Prior to transporting a child, a center providing transportation services of a child shall notify the cabinet or its designee in writing of the: (c) Plan for ensuring staff perform duties relating to transportation properly;
Guideline (s) for Child Care Technical Assistance	Written job descriptions or staff duties must be developed for the van driver, van monitor, and staff who accompany children while away from the child care center. Examples of duties include: 1) Who is going to do the daily inspection of the vehicle? 2) Who is responsible for assuring the vehicle is maintained? 3) Who records the boarding and departure times for each child? 4) Who will check to ensure each child is restrained properly? 5) Who will assist children with loading and unloading? 6) Who will check to ensure all children have departed the vehicle? 7) Who will provide supervision while the vehicle is in route? 8) What is the protocol if a child becomes ill or lost? ***Check the vehicle to ensure that no children are left alone at any time.**
Regulated Child Care Survey Method	A child care center must have prior approval from DRCC before providing transportation. Review transportation policies and procedures to ensure compliance.

Title #	860
Category	Transportation
Title	Transportation Notification/Full Coverage Insurance
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (3) Prior to transporting a child, a center providing transportation services of a child shall notify the cabinet or its designee in writing of the: (d) Full insurance coverage for each vehicle;
Guideline (s) for Child Care Technical Assistance	The center must maintain full coverage vehicle insurance. Verification of valid commercial insurance must be kept on the vehicle and a copy must be available on the vehicle and in the center for review at all times.
Regulated Child Care Survey Method	A child care center must have prior approval from DRCC before providing transportation. Review documentation to ensure compliance.

Title #	865
Category	Transportation
Title	Transportation Notification/Policy & Procedures Regarding Emergency Plan for Evacuation
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (3) Prior to transporting a child, a center providing transportation services of a child shall notify the cabinet or its designee in writing of the: (e) Agency policy and procedures relating to an emergency plan for evacuating the vehicle;
Guideline (s) for Child Care Technical Assistance	The plan should include the type of vehicle driven and the number of children transported. Develop a plan to assist the children in departing the vehicle in case of an emergency. Plan for all types of accidents as well as vehicle malfunction, severe weather conditions, or a child that becomes ill.
Regulated Child Care Survey Method	A child care center must have prior approval from DRCC before providing transportation. Review the child care center's policies and procedures to ensure compliance.

Title #	870
Category	Transportation
Title	Transportation Notification/Third Party Contracts
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (3) Prior to transporting a child, a center providing transportation services of a child shall notify the cabinet or its designee in writing of the: (f) Contracts, agreements, or documents detailing arrangements with any third party for services;
Guideline (s) for Child Care Technical Assistance	Centers that use a third party service to provide transportation must have a written agreement/contract with the company/individual prior to transporting the children. The contract that is provided to the child care center should include their insurance policy number, the date and time of the trip, and the cost. Keep this document on file for review. Check the contract/agreement to ensure that the third party agreement with the company providing transportation includes information indicating the vehicles used are in compliance with state and federal laws. For school-based programs: If students are being transported by buses operated by the Board of Education, have something in writing that confirms that they will provide transportation services to the students.
Regulated Child Care Survey Method	A child care center must have prior approval from DRCC before providing transportation. Review documentation to ensure compliance. Centers may have a contract with the local school system or other agency to provide transportation. The transportation may or may not be provided daily. A child care center may contract with a third party to provide transportation, sometimes in addition to providing transportation services themselves.

Title #	875
Category	Transportation
Title	Transportation Notification/Safety Procedures - Transporting, Loading/Unloading and Supervision
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (3) Prior to transporting a child, a center providing transportation services of a child shall notify the cabinet or its designee in writing of the: (g) Safety procedures for: 1. Transporting a child; 2. Loading and unloading a child; and 3. Providing adequate supervision of a child;
Guideline (s) for Child Care Technical Assistance	To ensure that each child is loaded and unloaded safely during transportation to and from home, a recommended process would include: Children are escorted to the vehicle by an adult; staff assist the child while being seated check the restraint to ensure the child is secure, and document the time the child was loaded. Upon arrival at the child care center, the staff will assist the child in departing the vehicle, document the time the child departs the vehicle, escort the child into the center, sign the child into care, and leave the child in the care of qualified staff. A staff member always checks the vehicle to ensure no child was left on board. For field trips, classes should be loaded one at a time so the staff can ensure that each child is seated appropriately prior to the roll call and departure. Upon arrival at the destination, each class departs the vehicle, and the roll is called again. After the roll is called, a staff member boards the vehicle to ensure no child is left on board. Upon return to the child care center or the next destination, the same system is followed. During transportation, the center must ensure that adequate staff is present on the van to supervise and provide care to the children during each trip. Trips should be kept short so children do not have to spend excessive time in restraints. A plan should be in place in case a driver needs assistance when driving. A plan should be in place to care for a child who becomes ill.
Regulated Child Care Survey Method	A child care center must have prior approval from DRCC before providing transportation. Review the child care center's transportation procedures to ensure compliance.

Title #	880
Category	Transportation
Title	Vehicle Equipment
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (4) A vehicle used to transport children shall be equipped with: (a) A fire extinguisher; (b) First aid supplies as described in Section 7 of this administrative regulation; (c) Emergency reflective triangles; and (d) A device to cut the restraint system, if necessary;
Guideline (s) for Child Care Technical Assistance	Refer to Section 7 for list of first aid supplies.
Regulated Child Care Survey Method	Observe the vehicle to ensure compliance.

Title #	885
Category	Transportation
Title	Transit/School Bus
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (5) Transportation provided by licensed public transportation or a school bus shall comply with subsections (1) and (2) of this section;
Guideline (s) for Child Care Technical Assistance	The transportation service must operate within the laws of the State of Kentucky in regard to vehicles, drivers and insurance.
Regulated Child Care Survey Method	Review documentation to ensure compliance.

Title #	890
Category	Transportation
Title	Vehicle Inspection Documentation
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (6) A vehicle used to transport children shall meet the following requirements: (a) For a twelve (12) or more passenger vehicle, the child-care center shall maintain a current certification of inspection from the Transportation Cabinet;
Guideline (s) for Child Care Technical Assistance	According to updated Transportation Cabinet regulations, vehicles that transport nine (9) or more passengers must have an annual inspection conducted by the Transportation Department, or designee. Documentation verifying the annual inspection must be kept on file for review.
Regulated Child Care Survey Method	Observe vehicle. Review documentation and interview to determine compliance.

Title #	895
Category	Transportation
Title	Vehicle Requirements/Traffic Stop During Loading/Unloading
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (6) A vehicle used to transport children shall meet the following requirements: (b) A vehicle that requires traffic to stop while loading and unloading a child shall be equipped with a system of: 1. Signal lamps; 2. Identifying colors; and 3. Cautionary words;
Guideline (s) for Child Care Technical Assistance	Refer to the Department of Transportation.
Regulated Child Care Survey Method	Observe the vehicle used for transportation to determine compliance.

Title #	900
Category	Transportation
Title	Seatbelts for Each Occupant
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (6) A vehicle used to transport children shall meet the following requirements: (c) A vehicle shall be equipped with seat belts for each occupant to be individually secured;
Guideline (s) for Child Care Technical Assistance	Vehicles must be equipped with seat belts that work properly and cannot be shared by more than one child.
Regulated Child Care Survey Method	Interview staff about the number of children transported on each route. Review sign on and off sheets to determine the maximum number of children transported at one time. Observed the vehicle to determine that adequate working seat belts are available.

Title #	905
Category	Transportation
Title	No Hazardous Materials
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (6) A vehicle used to transport children shall meet the following requirements: (d) A vehicle shall not transport children and hazardous materials at the same time;
Guideline (s) for Child Care Technical Assistance	Review product labels to determine if hazardous.
Regulated Child Care Survey Method	Observe the vehicle to determine compliance. Any material that is marked as a hazard (example, gas) cannot be in a vehicle transporting children.

Title #	910
Category	Transportation
Title	Car Seats
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (7) The appropriate car safety seat meeting federal and state motor vehicle safety standards in 49 C.F.R. 571.213 and KRS 189.125 shall be used for each child;
Guideline (s) for Child Care Technical Assistance	The law was enhanced in 2015 to increase the height requirements to 57 inches and the age requirement to 8 years old. Children younger than 8 but taller than 57 inches must still be in an appropriate restraint.
Regulated Child Care Survey Method	Observe to ensure the appropriate safety seats and booster seats are used. Review safety seat documentation to determine compliance.

Title #	915
Category	Transportation
Title	Pre-trip Inspection
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (8) A daily inspection of the vehicle shall be performed prior to the vehicle's use and documented for the following: (a) Tire inflation consistent with tire manufacturer's recommended air pressure; (b) Working lights, signals, mirrors, gauges, and wiper blades; (c) Working safety restraints; (d) Adequate fuel level; and (e) Cleanliness and good repair;
Guideline (s) for Child Care Technical Assistance	A form should be developed to document the date each inspection was completed. If the vehicle is not regularly used to transport children; i.e., used for field trips during the summer months, then a pre-trip inspection of the vehicle would be acceptable.
Regulated Child Care Survey Method	Review to ensure compliance. If the center does not transport daily, a pre-trip inspection of the noted items must be maintained. This tag only requires the inspection to be completed, not that the items are in good repair. Violations on the vehicle may need to be cited elsewhere.

Title #	920
Category	Transportation
Title	Ratios
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (9)(a) The staff-to-child ratios set forth in Section 2(2) of this administrative regulation shall apply to vehicle transport, if not inconsistent with special requirements or exceptions in this section. (b) An individual who is driving with a child in the vehicle shall supervise no more than four (4) children under the age of five (5);
Guideline (s) for Child Care Technical Assistance	For example: Four (4) two year olds and six (6) school age children = ten (10) children total on board. The age of the youngest child determines the ratio. Thus, the driver can supervise ten (10) children if there are not more than four (4) children under the age of five (5) and meet the regulation.
Regulated Child Care Survey Method	Review documentation and interview, if not observed, to ensure compliance. Younger and older children can be transported together as long as compliance is maintained. The age of the youngest child determines the ratio.

Title #	925
Category	Transportation
Title	Seating
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (10) Each child shall: (a) Have a seat; (b) Be individually belted or harnessed in the seat; and (c) Remain seated while the vehicle is in motion;
Guideline (s) for Child Care Technical Assistance	Staff must check to ensure each child is properly seated in a seat with their own seat belt or harnessed seat. In addition, staff must ensure that each child remains seated while the vehicle is in motion.
Regulated Child Care Survey Method	Interview staff about the number of children transported on each route. Review sign on and off sheets to determine the maximum number of children transported at one time. Observe the vehicle to determine an adequate number of seats and seat belts are available.

Title #	930
Category	Transportation
Title	Child Unattended
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (11) A child shall not be left unattended: (a) At the site of aftercare delivery; or (b) In a vehicle;
Guideline (s) for Child Care Technical Assistance	Staff must ensure that the person at the site of aftercare is a person that is on the child's approved pick up list. Children must not be left at their home alone. Drivers must not assume because the children are able to enter the home that an authorized adult is there to care for them. Children must be left in the care of an authorized adult.
Regulated Child Care Survey Method	Observe and/or interview to determine compliance. Children may not be dropped off at home or another after care site unless a responsible person is present to receive them. Interview staff to determine the drop off procedures.

Title #	935
Category	Transportation
Title	Pre-arranged Plan
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (12) If the parent or designee is unavailable, a prearranged written plan shall be completed to designate where the child can be picked up;
Guideline (s) for Child Care Technical Assistance	If the parent is not home and there is no authorized adult there to receive the child, the center must have a policy on where the child is to be delivered.
Regulated Child Care Survey Method	Review the files for children that are transported to their homes/after care site at the end of each day. A plan should be in place regarding what action will be taken if there is not a responsible party at the drop off site. The child care center may have a general plan for all families and may include taking the child back to the center.

Title #	940
Category	Transportation
Title	Unaccompanied Child Crossing Street
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (13) A child shall not be picked up or delivered to a location that requires crossing the street or highway unless accompanied by an adult;
Guideline (s) for Child Care Technical Assistance	Children should never be allowed to walk ahead of the group, or cross a road to the intended destination without the supervision of an adult.
Regulated Child Care Survey Method	Interview staff to determine that a child is not required to cross a street or highway unless accompanied by an adult when the child is being picked up or delivered.

Title #	945
Category	Transportation
Title	Vehicle Headlamps
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (14) A vehicle transporting a child shall have the headlamps on;
Guideline (s) for Child Care Technical Assistance	Headlamps are the same as headlights.
Regulated Child Care Survey Method	Observe and/or interview to determine compliance.

Title #	950
Category	Transportation
Title	Refueling
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (15) If a vehicle needs to be refueled, it shall be refueled when not being used to transport a child. If emergency refueling or repair is necessary during transporting, all children shall be removed and supervised by an adequate number of adults while refueling or repair is occurring;
Guideline (s) for Child Care Technical Assistance	Make arrangements to fuel the vehicle prior to transporting the children.
Regulated Child Care Survey Method	Interview to determine how refueling is handled.

Title #	955
Category	Transportation
Title	Driver Not In Seat
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (16) If the driver is not in the driver's seat, the: (a) Engine shall be turned off; (b) Keys shall be removed; and (c) Emergency brake shall be set;
Guideline (s) for Child Care Technical Assistance	This regulation is effective regardless of the amount of time.
Regulated Child Care Survey Method	If not observed, interview staff to ensure compliance.

Title #	960
Category	Transportation
Title	Children's Transportation Records
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (17) Transportation services provided shall: (a) Be recorded in writing and include: 1. The first and last name of the child transported; and 2. The time each child gets on and the time each child gets off; (b) Be completed by a staff member other than the driver; and (c) Be kept for five (5) years;
Guideline (s) for Child Care Technical Assistance	Someone other than the driver must check the vehicle after departure to ensure no child has been left on board. This staff must sign the form verifying that the vehicle was checked. All transportation rosters must be kept on file for review for 5 years.
Regulated Child Care Survey Method	Observe, interview and review documentation to determined compliance.

Title #	965
Category	Transportation
Title	Hazardous Items
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (19) Firearms, ammunition, alcohol, or illegal substances shall not be transported in a vehicle transporting children;
Guideline (s) for Child Care Technical Assistance	These items may not be in the possession of any person riding in a vehicle with the children.
Regulated Child Care Survey Method	Observe the vehicle to determine compliance. Interview staff to determine if listed items are transported when children are on board.

Title #	970
Category	Transportation
Title	Parent Transport during Field Trip
Child Care Regulation Text	**922 KAR 2:120. Section 12.** Transportation. (21) A parent may use the parent's vehicle to transport the parent's child during a field trip;
Guideline (s) for Child Care Technical Assistance	Parent should sign the child out of care prior to transporting on a center-sponsored field trip. No other children are permitted to ride.
Regulated Child Care Survey Method	Observe and/or interview to determine compliance.

Title #	975
Category	Food Service
Title	Milk Requirements
Child Care Regulation Text	**922 KAR 2:120. Section 9.** Food and Meal Requirements. (3) A serving of milk shall consist of: (a) Breast milk or iron-fortified formula for a child: 1. Age birth to twelve (12) months; or 2. Beyond twelve (12) months of age as documented by the parent or the child's physician; (b) Pasteurized whole milk for children ages twelve (12) months to twenty-four (24) months; or (c) Pasteurized low fat one (1) percent or fat-free skim milk for children ages twenty-four (24) months to school-age;
Guideline (s) for Child Care Technical Assistance	The child care center will ensure that each child is served the appropriate serving of milk with their meals. If a child needs to deviate from any of the milk requirements (including breast milk), then the change should be documented in writing with a parent signature or from a physician and kept on file for review in the child's file. For example: Some infants may transition from formula to whole milk prior to their first birthday. Other children may require soy milk in place of cow's milk. The child care center determines if they will provide the substitution or require the parents to provide the item. The staff must be aware of the required substitutions to ensure that each child is served the appropriate item.
Regulated Child Care Survey Method	Interview and review documentation to determine if the child care center participates in the Child and Adult Care Food Program (CACFP). If participation is determined and a violation exist, contact CACFP Observe and/or interview to determine the types of milk served to each age group of children meets the requirements.

Title #	980
Category	Food Service / Food Program
Title	Meals Required
Child Care Regulation Text	**922 KAR 2:120. Section 9.** Food and Meal Requirements. (15) A child-care center shall serve: (a) 1. Breakfast; or 2. A mid-morning snack; (b) 1. Lunch; or 2. A mid-afternoon snack; and (c) If appropriate, dinner;
Guideline (s) for Child Care Technical Assistance	Children in attendance must be served food every 2 – 3 hours. Meals must be scheduled appropriately based on hours of operation. For a part time program that operates 9:00 a.m. – 1:00 p.m., serving lunch would meet the requirement. For a child care center that is open 6:00 a.m. – 6:00 p.m., a minimum of three meals and/or snacks served at three hour increments would be required to meet the regulation.
Regulated Child Care Survey Method	Interview and review documentation to determine if the child care center participates in the Child and Adult Care Food Program (CACFP). If participation is determined and a violation exist, contact CACFP. Review the daily schedules and interview staff to determine when meals and snacks are served.

Title #	985
Category	Food Service / Food Program
Title	Breakfast Requirements
Child Care Regulation Text	**922 KAR 2:120. Section 9.** Food and Meal Requirements. (17) Breakfast shall include: (a) Milk; (b) Bread; and (c)1. Fruit; 2. Vegetable; or 3. 100 percent juice;
Guideline (s) for Child Care Technical Assistance	Milk is required to be fluid milk and not a milk product.
Regulated Child Care Survey Method	Interview and review documentation to determine if the child care center participates in the Child and Adult Care Food Program (CACFP). If participation is determined and a violation exist, contact CACFP. Review the posted menu to determine compliance. Milk is required to be fluid milk and not a milk product.

Title #	990
Category	Food Service / Food Program
Title	Snack Requirements
Child Care Regulation Text	**922 KAR 2:120. Section 9.** Food and Meal Requirements. (18) A snack shall include two (2) of the following: (a) Milk; (b) Protein; (c) Bread; or (d)1. Fruit; 2. Vegetable; or 3. 100 percent juice;
Guideline (s) for Child Care Technical Assistance	Planning ahead will allow the child care center to make use of the products they have on hand and avoid ending up with a poorly stocked pantry and serving only liquids for snack.
Regulated Child Care Survey Method	Interview and review documentation to determine if the child care center participates in the Child and Adult Care Food Program (CACFP). If participation is determined and a violation exist, contact CACFP. Review the posted menu to determine compliance. Milk is required to be fluid milk and not a milk product.

Title #	995
Category	Food Service / Food Program
Title	Lunch/Dinner Requirements
Child Care Regulation Text	**922 KAR 2:120. Section 9.** Food and Meal Requirements. (19) Lunch and dinner shall include: (a) Milk; (b) Protein; (c) Bread; and (d) 1. Two (2) vegetables; 2. Two (2) fruits; or 3. One (1) fruit and one (1) vegetable;
Guideline (s) for Child Care Technical Assistance	All children are to be served milk. Milk is a fluid. Substitution of a dairy product or other milk product is not acceptable. 100% juice is only referenced as an option at breakfast and snack and is not a replacement for a whole fruit served at lunch or dinner. If a child has a medical or religious need that requires a component be withheld, the parent must provide a written request to the child care center. If a substitute item is required, the child care center may require the parent to provide the item.
Regulated Child Care Survey Method	Interview and review documentation to determine if the child care center participates in the Child and Adult Care Food Program (CACFP). If participation is determined and a violation exist, contact CACFP. Review the posted menu to determine compliance. Milk is required to be fluid milk and not a milk product. Combination foods such as casseroles and pizza may count for more than one component.

Title #	1000
Category	Food Service
Title	Bottle Feeding
Child Care Regulation Text	**922 KAR 2:120. Section 3.** General Requirements. (11) While bottle feeding a child, the: (a) Child shall be held; and (b) Bottle or beverage container shall not be: 1. Propped; 2. Left in the mouth of a sleeping child; or 3. Heated in a microwave;
Guideline (s) for Child Care Technical Assistance	If a child falls asleep the bottle or beverage container should be removed immediately. Propping a bottle or beverage container in any way is an unacceptable practice. If a child can hold their own bottle or beverage container, it would be acceptable to place the child in an appropriate feeding furnishing (i.e., high chair) and supervise the child while they drink the beverage. Children should never be allowed to carry a bottle or beverage container while walking, running or standing. The warming device should be in a secure location, out of the reach of the children. The temperature of the water used to warm a bottle should not exceed 120 degrees.
Regulated Child Care Survey Method	Observe and/or interview to determine compliance. A child who is able to hold his/her own bottle, the child may be seated and allowed to hold their bottle.

Title #	1005
Category	Food Service
Title	Kitchen Exemption
Child Care Regulation Text	**922 KAR 2:120. Section 4.** Premises Requirements. (18) A kitchen shall not be required if: (a) The only food served is an afternoon snack to school-age children; and (b) Adequate refrigeration is maintained;
Guideline (s) for Child Care Technical Assistance	The child care program must have access to a refrigerator to store perishable items. They may use a refrigerator that is part of the school cafeteria or they may have their own refrigeration unit. This is for after school programs only.
Regulated Child Care Survey Method	Observe and/or interview to determine compliance. A refrigerator is not required if only a snack is served and the snack does not need refrigeration.

Title #	1010
Category	Food Service
Title	Kitchen Requirements
Child Care Regulation Text	**922 KAR 2:120. Section 8.** Kitchen Requirements. (1) The kitchen shall: (a) Be clean; (b) Be equipped for proper food: 1. Preservation; 2. Storage; 3. Preparation; and 4. Service; (c) Be adequately ventilated to the outside air; and (d) Except in a Type II child-care center when a meal is not being prepared, not be used for the activity of a child;
Guideline (s) for Child Care Technical Assistance	Walls and floors should not have a buildup of grime, utensils should be sanitized, counter tops should be clean, and dishes should be washed and put away. There should be ample space for storage of food products and preparation of the food. Appropriate serving utensils should be available. There must be ventilation in the kitchen. If there is an open window, it must have a screen. In a Type I child care center, children are not allowed in the kitchen at any time. It may not be used as a walk through room to gain access to another area. In a Type II child care center, children may be in the kitchen if a meal is not being prepared.
Regulated Child Care Survey Method	Observe the kitchen to assure cleanliness is maintained. Some drawers and cabinets should be opened to assure cleanliness. Meal prep may create dirty dishes and spills. Be reasonable in assessing cleanliness when a kitchen is actively in use. A screened window, able to be opened, can be counted as ventilation to the outside air. In a type I center, a child should not be in the kitchen area.

Title #	1015
Category	Food Service
Title	Food Service Permit
Child Care Regulation Text	**922 KAR 2:120. Section 8.** Kitchen Requirements. (2) A child-care center required to have a food service permit shall be in compliance with 902 KAR 45:005 and this administrative regulation;
Guideline (s) for Child Care Technical Assistance	Each county has a Health Department that will counsel the child care center on food preparation and determine if a food service permit is needed. If a catering service is used, the provider must have a contract/agreement that indicates what meals will be provided by the caterer, and a copy of the caterer's food service permit must be obtained.
Regulated Child Care Survey Method	Observe and/or interview to determine compliance. If a facility prepares food, they should have evidence of a food service permit. If a facility does not have a food service permit but is observed to change the temperature of food or wash dishes for reuse by children, the local Health Department should be contacted to determine if a food service permit is needed.

Title #	1020
Category	Food Service
Title	Food Preparation Utensils
Child Care Regulation Text	**922 KAR 2:120. Section 8.** Kitchen Requirements. (3) Convenient and suitable sanitized utensils shall be: (a) Provided; and (b) Used to minimize handling of food during preparation;
Guideline (s) for Child Care Technical Assistance	Staff who prepare the food should use appropriate utensils when handling the food.
Regulated Child Care Survey Method	Observe the utensils used for meals. Assure that the utensils are not too large or small for the children to manipulate easily. Interview staff about sanitizing utensils if this is not observed.

Title #	1025
Category	Food Service
Title	Refrigerator
Child Care Regulation Text	**922 KAR 2:120. Section 8.** Kitchen Requirements. (4) A cold-storage facility used for storage of perishable food in a no frozen state shall: (a) Have an indicating thermometer or other appropriate temperature measuring device; (b) Be in a safe environment for preservation; and (c) Be forty (40) degrees Fahrenheit or below;
Guideline (s) for Child Care Technical Assistance	This includes refrigerators in the kitchen as well as mini refrigerators commonly found in Infant Rooms.
Regulated Child Care Survey Method	If a refrigerator is in use, observe to determine compliance.

Title #	1030
Category	Food Service
Title	Frozen Food
Child Care Regulation Text	**922 KAR 2:120. Section 8.** Kitchen Requirements. (5) Frozen food shall be: (a) Kept at a temperature of zero degrees Fahrenheit or below; and (b) Thawed: 1. At refrigerator temperatures; 2. Under cool, potable running water; 3. As part of the cooking process; or 4. By another method in accordance with the Department of Public Health's food safety standards and permits, established in KRS Chapter 217;
Guideline (s) for Child Care Technical Assistance	When thawing food, the child care center must ensure the method is approved by the local health Department. The best way to thaw meat is in the refrigerator. For items that are sealed in plastic, run cool water over the items. The water must be potable and drain away from the item. Other items like frozen pizzas are thawed during the cooking process. Refer to the package label for recommendation on defrosting.
Regulated Child Care Survey Method	If a freezer is used, observe to determine compliance. Observe and/or interview to determine thawing compliance. This regulation does not require a temperature measuring device; however, the center must be able to ensure the freezer temperature is zero degrees Fahrenheit or below.

Title #	1035
Category	Food Service
Title	Food Contact Items
Child Care Regulation Text	**922 KAR 2:120. Section 8.** Kitchen Requirements. (6) Equipment, utensils, and surfaces contacting food shall be: (a) Smooth; (b) Free of breaks, open seams, cracks, and chips; (c) Accessible for cleaning; and (d) Nontoxic;
Guideline (s) for Child Care Technical Assistance	Cutting boards should be made of nonporous material and should be scrubbed with hot water and soap and sanitized between uses.
Regulated Child Care Survey Method	Observe the food prep area to assure that the equipment, utensils and surfaces contacting food are in good repair and meet these requirements. Cleanliness of these items may need to be cited elsewhere.

Title #	1040
Category	Food Service
Title	Kitchen Equipment Clean and Sanitary
Child Care Regulation Text	**922 KAR 2:120. Section 8.** Kitchen Requirements. (7) The following shall be clean and sanitary: (a) Eating and drinking utensils; (b) Kitchenware; (c) Food contact surfaces of equipment; (d) Food storage utensils; (e) Food storage containers; (f) Cooking surfaces of equipment; and (g) Nonfood contact surfaces of equipment;
Guideline (s) for Child Care Technical Assistance	All of the food preparation, food service, and dining areas should be cleaned and sanitized before and after each use. This particular regulation includes not just the eating and drinking utensils used by the staff and children, but also refers to the other areas of the kitchen including the areas of the ovens, dishwashers, refrigerators, microwaves that food may or may not touch as well as all food storage containers and utensils. Single service paper towels should be used for cleaning and sanitizing. Sponges harbor bacteria and should not be used.
Regulated Child Care Survey Method	Observe the food prep area to ensure compliance. Interview to determine how the items are sanitized.

Title #	1045
Category	Food Service
Title	Single Service Item
Child Care Regulation Text	**922 KAR 2:120. Section 8.** Kitchen Requirements. (8) A single-service item shall be: (a) Stored; (b) Handled and dispensed in a sanitary manner; and (c) Used only once;
Guideline (s) for Child Care Technical Assistance	After use, single-service items should be thrown away.
Regulated Child Care Survey Method	Observe and/or interview to determine compliance. Single-service items include disposable plates, cups and utensils. These items may not be washed and reused.

Title #	1050
Category	Food Service
Title	Bottles
Child Care Regulation Text	**922 KAR 2:120. Section 8.** Kitchen Requirements. (9) Bottles shall be: (a) Individually labeled; (b) Promptly refrigerated; (c) Covered when not in use; and (d) Consumed within one (1) hour of being heated or removed from the refrigerator;
Guideline (s) for Child Care Technical Assistance	Ensure that each child's bottles are labeled with their name (first and last is needed if multiple children share a name). Have a system in place to receive bottles each day and ensure they are promptly refrigerated. They should not be left in diaper bags for extended periods during morning drop off times.
Regulated Child Care Survey Method	Observe and/or interview to determine compliance. Each bottle should be labeled with a child's name or some method to determine which child is to be fed the bottle's contents.

Title #	1055
Category	Food Service
Title	Food Clean/Free From Spoilage
Child Care Regulation Text	**922 KAR 2:120. Section 9.** Food and Meal Requirements. (1) Food shall be: (a) Clean; (b) Free from: 1. Spoilage; 2. Adulteration; and 3. Misbranding; (c) Safe for human consumption; (d) Withheld from service or discarded if the food is hermetically sealed, nonacidic, or low-acidic food that has been processed in a place other than a commercial food-processing establishment;
Guideline (s) for Child Care Technical Assistance	Safe food handling will prevent foodborne illnesses. Keeping cold foods below 41 degrees and warm foods above 135 degrees prevents bacterial growth. Food intended for children should not be left at room temperature. Food may be allowed to cool to 110 degrees when served to children. For centers that use a caterer, ensure that the food is transported safely in clean, covered and temperature controlled containers. Food and drink must be prepared as indicated on the directions of the label. Do not add water to milk or juice to dilute or extend the amount of product. Label all leftovers with the date of service to ensure staff can determine the shelf life of a product. Home canned or home prepared food is not allowed to be served.
Regulated Child Care Survey Method	Observe the food in storage and food being served to determine compliance. Home canned or home prepared food is not allowed to be served.

Title #	1060
Category	Food Service
Title	Food From Approved Source
Child Care Regulation Text	**922 KAR 2:120. Section 9.** Food and Meal Requirements. (1) Food shall be: (e) Obtained from a source that is in compliance with the Department of Public Health's food safety standards and permits, established in KRS Chapter 217; (f) Acceptable if from an established commercial food store;
Guideline (s) for Child Care Technical Assistance	Foods served to children in the licensed child care center must be from a source that has a food service permit. Commercial businesses like restaurants and grocery stores all have food service permits. The child care center must ensure the caterer has a current food service permit. Foods prepared in an individual's home may not be served at the child care center unless the individual has a food service permit for the kitchen in their home.
Regulated Child Care Survey Method	Review documentation and/or interview to determine if the center has meals/snacks catered, the caterer has a valid food service permit. Observe food/snacks to determine the source.

Title #	1065
Category	Food Service
Title	Developmentally Appropriate Quantity/Additional Portions
Child Care Regulation Text	**922 KAR 2:120. Section 9.** Food and Meal Requirements. (1) Food shall be: (g) Served in a quantity that is developmentally appropriate for the child with additional portions provided upon request of the child;
Guideline (s) for Child Care Technical Assistance	The provider should have plenty of food prepared and ready to be served so that each child receives the appropriate serving size and there is enough food available to offer seconds to those who may want more. Seconds must be given upon request and are not a reward for a clean plate. A good source to determine the proper child serving portion is found at the CACFP web-site. https://www.fns.usda.gov/cacfp/meals-and-snacks
Regulated Child Care Survey Method	Observe to determine the children are given an adequate portion of food for their age. Children are to be given additional portions upon request, though if the item was popular, and is gone, it may be substituted with another menu item.

Title #	1070
Category	Food Service
Title	Food Protected From Contamination
Child Care Regulation Text	**922 KAR 2:120. Section 9.** Food and Meal Requirements. (1) Food shall be: (h) Protected against contamination from: 1. Dust; 2. Flies; 3. Rodents and other vermin; 4. Unclean utensils and work surfaces; 5. Unnecessary handling; 6. Coughs and sneezes; 7. Cuts in skin; 8. Communicable disease; 9. Flooding; 10. Drainage; and 11. Overhead leakage;
Guideline (s) for Child Care Technical Assistance	If needed, the center may have to purchase food from an approved outside source if there was a danger of contamination. Staff who are ill (coughs, sneezes, communicable diseases, diarrhea) should not prepare or handle food. Requiring staff to wash hands frequently with liquid soap and running water and wear plastic gloves when handling and serving food will reduce the spread of illness.
Regulated Child Care Survey Method	Observe food that is being prepared and/or stored to determine that it is protected as outlined. Opened containers should be sealed and /or covered.

Title #	1075
Category	Food Service
Title	Bottle Preparation by Parent
Child Care Regulation Text	**922 KAR 2:120. Section 9.** Food and Meal Requirements. (4) Formula or breast milk provided by the parent shall be prepared and labeled;
Guideline (s) for Child Care Technical Assistance	If the bottles arrive unlabeled, the center should label them. Most parents choose to prepare their child's bottles with the appropriate serving of formula or breast milk. Other parents prepare and label a container of formula or breast milk that can be poured into empty bottles labeled with the child's name at the child care center. This allows staff to determine the appropriate serving amount and cuts down on waste. The container of unused formula or breast milk would be sent home at the end of the day. If the child care center provides (buys and supplies) the formula as part of their services, then the center may measure and mix the formula as needed. If the parent provides the formula but does not want to mix it ahead of time, the following system may be implemented: The parent would measure the appropriate amount of powdered formula into a container. The parent would measure the appropriate amount of water into another container. The containers of pre-measured water and formula would be delivered to the child care center. The staff would be able to mix the pre-measured water and formula as needed at the child care center.
Regulated Child Care Survey Method	Interview and observe to determine compliance. If the parent pre-measures the formula and the water, the center is able to mix the two components before feeding the child. The parent prepared the formula by measuring the components.

Title #	1080
Category	Food Service
Title	Bread Requirement
Child Care Regulation Text	**922 KAR 2:120. Section 9.** Food and Meal Requirements. (6) A serving of bread shall only consist of whole or enriched grain;
Guideline (s) for Child Care Technical Assistance	Whole wheat products are highly recommended; however, all bread products labeled "enriched" meet the criteria of the bread component. Rice or cereal can be the bread component and must be whole or enriched grain. A "whole wheat flour" product is acceptable but "wheat flour" products are not.
Regulated Child Care Survey Method	Review the product label and ingredient list for the regulatory requirements of a "whole or enriched grain" as a first ingredient. "Whole wheat flour" product is acceptable but "wheat flour" products are not. Whole grains also include rice, barley and other whole grains that are served in forms other than bread

Title #	1085
Category	Food Service
Title	Drinking Water Requirement
Child Care Regulation Text	**922 KAR 2:120. Section 9.** Food and Meal Requirements. (7) Drinking water shall be freely available to a child throughout the day;
Guideline (s) for Child Care Technical Assistance	Water fountains may be used, but are not recommended for younger students. (Having a system to disinfect the fountain after use by a child will help cut down on germs.) A pitcher of water with individual paper cups is a great option for all age groups. Some centers are using individual water bottles labeled with each child's name. These water bottles are handy as they can be easily transported outdoors.
Regulated Child Care Survey Method	Observe to ensure a child who request water is served water

Title #	1090
Category	Food Service
Title	Food Storage
Child Care Regulation Text	**922 KAR 2:120. Section 9.** Food and Meal Requirements. (8) Food shall be stored on: (a) Clean racks; (b) Clean shelves; (c) Other clean surfaces; or (d) If maintained in a sanitary condition, in nonabsorbent labeled containers a minimum of (6) six inches off the floor;
Guideline (s) for Child Care Technical Assistance	No food products can be stored directly on the floor (this includes canned products.)
Regulated Child Care Survey Method	Observe the food storage area to assure compliance.

Title #	1095
Category	Food Service
Title	Fruits and Vegetables
Child Care Regulation Text	**922 KAR 2:120. Section 9.** Food and Meal Requirements. (9) Fruits and vegetables shall be washed before cooking or serving;
Guideline (s) for Child Care Technical Assistance	This will ensure that all pesticides and germs associated with packaging and handling are washed away.
Regulated Child Care Survey Method	Observe to ensure that fresh fruits and vegetables are washed before cooking or serving. This does not refer to commercially canned items.

Title #	1100
Category	Food Service
Title	Potentially Hazardous Foods
Child Care Regulation Text	**922 KAR 2:120. Section 9.** Food and Meal Requirements. (10) Meat salads, poultry salads, and cream-filled pastries shall be: (a) Prepared with utensils that are clean; and (b) Refrigerated unless served immediately;
Guideline (s) for Child Care Technical Assistance	All food that spoils quickly must be kept under refrigeration unless being served. Use a clean utensil to stir or serve these products. The particles of food that cling to the utensil after use will also spoil if not refrigerated.
Regulated Child Care Survey Method	Observe food preparation to determine compliance.

Title #	1105
Category	Food Service
Title	Individual Portion
Child Care Regulation Text	**922 KAR 2:120. Section 9.** Food and Meal Requirements. (11) An individual portion of food served to a child or adult shall not be served again;
Guideline (s) for Child Care Technical Assistance	Food may not be removed from the plate and saved for use at another time.
Regulated Child Care Survey Method	Interview and observe to determine compliance. Beverages in a cup cannot be stored in the refrigerator and served again.

Title #	1110
Category	Food Service
Title	Wrapped Food
Child Care Regulation Text	**922 KAR 2:120. Section 9.** Food and Meal Requirements. (12) Wrapped food that is still wholesome and has not been unwrapped may be reserved;
Guideline (s) for Child Care Technical Assistance	Items that are pre-packaged and unopened may be retrieved and offered at another time.
Regulated Child Care Survey Method	Observe and/or interview to ensure compliance.

Title #	1115
Category	Food Service
Title	Meal Schedule
Child Care Regulation Text	**922 KAR 2:120. Section 9.** Food and Meal Requirements. (13) Meals shall be: (a) Served every two (2) to three (3) hours;
Guideline (s) for Child Care Technical Assistance	Children in attendance must be served food every 2 – 3 hours.
Regulated Child Care Survey Method	Review the daily schedule to determine when meals are served. Observe food service to ensure meals are provided in accordance with the regulations. The time between meals/snacks is calculated from the end of one meal to the beginning of the next.

Title #	1120
Category	Food Service
Title	Sufficient Room/Eating Utensils Supplied
Child Care Regulation Text	**922 KAR 2:120. Section 9.** Food and Meal Requirements. (13) Meals shall be: (b) Served to a child: 1. Seated with sufficient room to manage food and tableware; and 2. Supplied with individual eating utensils designed for use by a child;
Guideline (s) for Child Care Technical Assistance	It is important that a child is seated in an appropriate high chair or seat at a table to reduce the risk of choking and ensure comfort while eating. Eliminate crowding around a table or feeding area. Eating utensils should be durable and a suitable size for children.
Regulated Child Care Survey Method	Observe and/or interview to determine compliance.Observe the children's eating utensils to assure they can be safely managed by a child.

Title #	1125
Category	Food Service
Title	Same Food
Child Care Regulation Text	**922 KAR 2:120. Section 9.** Food and Meal Requirements. (14) All children should be offered the same food items unless the child's parent or health professional documents a dietary restriction that necessitates an alternative food item for the child;
Guideline (s) for Child Care Technical Assistance	If it is an acceptable practice at the child care center, parents may still provide meals and snacks for their child. If the meal is provided by the parent, the providers must supplement the child's meal if it is missing dietary requirements. This may mean that the child care center keeps sandwich meat, bread, some single serving fruits and vegetables and a gallon of milk on hand in case of need. The child care center only has to supplement the meals of the children who are missing required components. For example, if the staff provide applesauce to one child who is missing a fruit, staff do not have to give applesauce to all the children. Each child must be served the required food components. If a child needs to deviate from any of the food requirements due to a dietary restriction, then the change should be documented in the child's file by a parent's signature
Regulated Child Care Survey Method	Observe and interview to determine compliance. Review documentation if an alternative food item is served to a child. It is not necessary to offer the supplement to all children if the other children's meals meet dietary requirements.

Title #	1130
Category	Food Service
Title	Menu
Child Care Regulation Text	**922 KAR 2:120. Section 9.** Food and Meal Requirements. (16) A weekly menu shall be: (a) Prepared; (b) Dated; (c) Posted in advance in a conspicuous place; (d) Kept on file for thirty (30) days; and (e) Amended in writing with any substitutions on the day the meal is served;
Guideline (s) for Child Care Technical Assistance	Each child care program must plan a menu that contains the foods served during each meal during that particular week. The menu will be reviewed to ensure a variety of foods that meet the required components was served at each meal.
Regulated Child Care Survey Method	Review documentation and interview, if not observed, to determine compliance. The menu should be in an area viewable to parents. Substitutions can be noted any time on the day the substitution was made.

Title #	1135
Category	Children's Records
Title	Immunization
Child Care Regulation Text	**922 KAR 2:090. Section 9.** Records. (1) A child-care center shall maintain: (a) A current immunization certificate for each child in care within thirty (30) days of the child's enrollment, unless an attending physician or the child's parent objects to the immunization of the child pursuant to KRS 214.036;
Guideline (s) for Child Care Technical Assistance	All child care providers must obtain written documentation of each child's immunization record. For children who are new to the center, the immunization certificate must be presented within the first thirty (30) days. For children who are enrolled, the immunization record must be current (has not passed the date specified on the record.) Children, who do not have one of the approved immunization certificates on file at the child care center, would not be allowed to attend the child care center. Approved sources of immunization certificates include: • Commonwealth of Kentucky Immunization Certificate • Commonwealth of Kentucky Provisional Immunization Certificate • Commonwealth of Kentucky Certificate of Medical Exemption • Commonwealth of Kentucky Certificate of Religious Exemption • Or, if the immunization certificate was not provided by CHFS, it shall: • Be a hard copy or electronically produced • The name of the child • The birthdate of the child • The name of the parent or guardian of the child • The address of the child, including street, city, state, zip code • The types of vaccines administered to the child • The date that each dose of each vaccine was administered • Certification that the child is current for immunizations until a specified time, including a statement that the certificate shall not be valid after the specified date • The signature and date of the signature of the medical professional. Children who are unable to be immunized for any reason (medical, religious or parent preference) must obtain a medical exemption form (IMM-2) from their physician or local health department.
Regulated Child Care Survey Method	Review children's files to ensure compliance. KRS 214.036 indicates parents who object to the immunizations may provide a written sworn statement as to the objection and their children are not required to be vaccinated.

Title #	1140
Category	Children's Records
Title	Enrollment Information
Child Care Regulation Text	**922 KAR 2:090. Section 9.** Records. (1) A child-care center shall maintain: (b) A written record for each child: 1. Completed and signed by the child's parent; 2. Retained on file on the first day the child attends the child-care center; and 3. To contain: a. Identifying information about the child, which includes, at a minimum, the child's name, address, and date of birth; b. Contact information to enable a person in charge to contact the child's: (i) Parent at the parent's home or place of employment; (ii) Family physician; and (iii) Preferred hospital; c. The name of each person who is designated in writing to pick-up the child; d. The child's general health status and medical history including, if applicable: (i) Allergies; (ii) Restriction on the child's participation in activities with specific instructions from the child's parent or health professional; and (iii) Permission from the parent for third-party professional services in the child-care center; e. The name and phone number of each person to be contacted in an emergency involving or impacting the child; f. Authorization by the parent for the child-care center to seek emergency medical care for the child in the parent's absence;
Guideline (s) for Child Care Technical Assistance	This information is to be in a location that is confidential and easy for the staff to access. A parent's signature is required to guarantee all information is correct. This information is to be collected on the child's first day. Storing files electronically is acceptable; however, files must always be accessible. If a third-party professional is working with the child, a written letter/release form from the parent/guardian of the child will also need to be kept on file. Third-party professional services include any professional coming into the center to work with an individual child for the child's general health status and medical history. OT/PT, early childhood mental health, etc. require parental consent in a child care center. Siblings' paperwork may be stored in one file; however, paperwork for each individual child must be maintained at the child care center. It is an unacceptable practice to have one form completed for multiple children in a family.
Regulated Child Care Survey Method	Review children's files to determine compliance. Siblings' forms may be placed in the same file; however, each child is required to have their own individual information. A third-party professional service is any professional that comes into the center to provide services to a child or a group of children. All children in contact with this professional are required to have parental permission on file.

Title #	1145
Category	Children's Records
Title	Documentation for Off Premise Trip
Child Care Regulation Text	**922 KAR 2:090. Section 9.** Records. (1) A child-care center shall maintain: (b) A written record for each child: 3. To contain: g. A permission form for each trip off the premises signed by the child's parent in accordance with 922 KAR 2:120, Section 12;
Guideline (s) for Child Care Technical Assistance	Child care centers are to maintain a written record for each child in care. Individually, the records should contain parental signed permission for any trip taken off the center's premises. This ensures that the parents are aware of off-site trips taken by the center.
Regulated Child Care Survey Method	Review documentation to determine compliance. Interview to determine if children left the premises. Multiple trips can be on the same documentation but each trip must have specific dates, times and locations. A blanket permission slip is acceptable for centers that frequently travel. Parents may give written permission for trips to specific areas, on specific days each week, at specific times.

Title #	1150
Category	Written Documentation
Title	Evacuation Plan
Child Care Regulation Text	**922 KAR 2:090. Section 5.** Evacuation Plan. (1) A licensed child-care center shall have a written evacuation plan in the event of a fire, natural disaster, or other threatening situation that may pose a health or safety hazard for a child in care in accordance with KRS 199.895 and 42 U.S.C. 9858c(c)(2)(U);
Guideline (s) for Child Care Technical Assistance	The written plan to address emergency situations must include a designated relocation site and evacuation route, procedures for notifying parents and plan for reunification; procedures to address needs of individual children including those with special needs; development of duties and training of the staff; coordination with local emergency management. The written plan must be updated and submitted to the local emergency management by December 31st each year. The Division of Child Care has a form that meets the regulatory requirement or the provider may develop its own plan that contains the required components. When updating the form/plan annually if there are NO CHANGES, the provider should: • Mark through the date and record the new date • Write “No changes” • The provider signs his/her name • Make a copy of the plan before you send it in and always record the date the plan was submitted to emergency management. If the Division of Child Care Emergency/Disaster Preparedness Plan Form is used, the first and last page of the document should be re-dated and re-signed. When completing the form/plan annually, a new form/plan must be completed and submitted if there ARE ANY CHANGES. Do not mark through items on the original form/plan and do not attach a sheet that contains multiple changes.
Regulated Child Care Survey Method	Review the written plan to ensure it describes, in detail, how children will be kept safe during any disaster, and ensure the plan meets the specific requirements listed in KRS 199.895. The plan must be revised and submitted to the local emergency preparedness agency each year. If the plan does not change, the provider can note “no change” and the new submission date. If the evacuation plan does change, a new plan must be submitted.

Title #	1155
Category	Written Documentation
Title	Policies and Procedures
Child Care Regulation Text	**922 KAR 2:090. Section 8.** General. (4) Program policies and procedures shall: (a) Be in writing; and (b) Include: 1. Staff policies; 2. Job descriptions; 3. An organization chart; 4. Chain of command; and 5. Other procedures necessary to ensure implementation of: a. KRS 199.898, Rights for children in child-care programs and their parents, custodians, or guardians - posting and distribution requirements; b. 922 KAR 2:120, Child-care center health and safety standards; c. 922 KAR 2:280, Background checks for child care staff members, reporting requirements, and appeals; and d. This administrative regulation;
Guideline (s) for Child Care Technical Assistance	It is the responsibility of the administrative staff to ensure that each staff person receives a copy of the written policies and understands the policies. If a staff person is unable to read, the policies should be read to them. Written staff policies might include: maintaining confidentiality, how to administer medication, orientation training policy, reporting child abuse and neglect, sanitation policies including hand washing, and use of a cell phone while on duty. Job descriptions typically include expectations for classroom management, what to wear to work, training or ongoing educational requirements, and upkeep of work area. Job descriptions should be written to address the specifics of each position. Job descriptions should be developed for administrative staff, classroom teachers, floaters, substitutes, van drivers, van monitors, volunteers, cooks, janitors, etc. An organizational chart would include the flow of authority and responsibility for operation of the child care center. The organizational chart may include a board of directors, administrative staff, caregivers, cooks, janitors, etc. This written delegation of administrative authority includes designating the person in charge of the center and the person(s) in charge of individual children for all hours of operation. A chain of command should be posted on the parent board. The chain of command should include the names of the people who are “in charge”, responsible for the day-to-day management and able to fulfill the duties of the director if the director is absent. These people would be able to guide the center through an emergency situation or assist a Division of Regulated Child Care surveyor with an inspection or survey. Typically the name of the director, assistant directors, and shift supervisors are listed. Include the “Child and Parent Rights” posting on the parent board. This posting should state that parents have the right to visit their child at the center at any time. In addition, a copy of these rights is to be provided to the parent or guardian of the child at the time of the child’s enrollment.
Regulated Child Care Survey Method	Review documentation to ensure compliance. Additional procedures can include, but are not limited to: discipline of children/staff, dismissal of staff/children, biting, toilet training, etc. Review the chain of command to ensure that it lists current staff.

Title #	1160
Category	Written Documentation
Title	Daily Attendance Records
Child Care Regulation Text	**922 KAR 2:090. Section 9.** Records. (1) A child-care center shall maintain: (c) Daily attendance records documenting the arrival and departure time of each child, including records that are required in accordance with 922 KAR 2:160, Section 13, if a child receives services from the child-care center through the Child Care Assistance Program;
Guideline (s) for Child Care Technical Assistance	School age children who leave the program to attend school must be signed out when they depart the center. School age children who arrive from school must be signed in upon their arrival. The regulation does not indicate who will sign the children in and out of care. Regulations do not state that a parent must sign the attendance record daily. It is ultimately up to the child care center to ensure that the record is kept and that it is accurate. The DCC-94E, Child Care Daily Attendance Record form is required for use for all children who are participating in the Child Care Assistance Program. This form does require the authorized parent/guardian or designated person to review the form and sign confirming that the arrival and departure times recorded on the forms are correct. The Child Care Daily Attendance Record form will also fulfill the attendance record requirement for child care licensing.
Regulated Child Care Survey Method	Review the children's daily attendance records to ensure a specific time (00:00 a.m. /p.m.) has been documented for each arrival and departure on a daily basis. If the center is a part of CCAP, each participating child's arrival and departure times must be documented on the required attendance record, DCC-94E. Staff can document the child's attendance daily, but the form requires the parent/guardian to review and sign weekly. Children may have more than one arrival and departure time per day.

Title #	1165
Category	Written Documentation
Title	Staff Schedule
Child Care Regulation Text	**922 KAR 2:090. Section 9.** Records. (1) A child-care center shall maintain: (d) A written schedule of staff working hours;
Guideline (s) for Child Care Technical Assistance	This schedule must reflect the schedule of staff, i.e., who is working in each classroom from the time the center opens until the time the center closes each day. Include support staff such as cooks, janitors, floaters, van drivers, monitors and administrative staff. This written schedule must be kept on file for review.
Regulated Child Care Survey Method	Review documentation to ensure compliance. The schedule must cover all operating hours including nontraditional hours.

Title #	1170
Category	Written Documentation
Title	Professional Development
Child Care Regulation Text	**922 KAR 2:090. Section 9.** Records. (1) A child-care center shall maintain: (f) A written annual plan for child-care staff professional development;
Guideline (s) for Child Care Technical Assistance	The plan should be in writing and must be developed within the first year of employment and must be updated and completed annually. It is best to do a staff development plan for each individual staff, personalizing the plan to the needs of that individual. The staff development plan for a classroom teacher might include: orientation training, ongoing training or education, CPR and First Aid certification, community or professional organization participation, classroom goals or ways to improve the classroom environment.
Regulated Child Care Survey Method	Record review to determine compliance. The professional development plan may include goals and a plan to complete orientation, child development trainings, and other trainings/classes that will provide staff members with the opportunity to grow professionally. Regulations do not require the professional development to be individualized; however, if the center has individualized plans, each staff must have their own.

Title #	1175
Category	Written Documentation
Title	Earthquake/Tornado/Fire Drills
Child Care Regulation Text	**922 KAR 2:090. Section 9.** Records. (1) A child-care center shall maintain: (h) A written record of quarterly practiced earthquake drills and tornado drills detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3; (i) A written record of practiced fire drills conducted monthly detailing the date, time, and children who participated in accordance with 922 KAR 2:120, Section 3;
Guideline (s) for Child Care Technical Assistance	Earthquake drills and tornado drills require different actions. They may be conducted on the same day but should be noted as two (2) separate drills and times. They can be conducted at any time during each quarter and do not have to be spaced three (3) months apart.
Regulated Child Care Survey Method	Review documentation and interview to determine compliance. Drills are not required during the months the child-care center is not in operation. The date (MM/DD/YY) and time (00:00 a.m./p.m.) should be documented, and a list of the children who participated can be a copy of the attendance record indicating the children who participated. All drills can be conducted on the same day, but separately documented

Title #	1180
Category	Written Documentation
Title	Report Documentation
Child Care Regulation Text	**922 KAR 2:090. Section 9.** Records. (1) A child-care center shall maintain: (k) A written record of reports to the cabinet required in Section 12 of this administrative regulation;
Guideline (s) for Child Care Technical Assistance	Any report made to the cabinet must be maintained in writing and kept on file at the center for review. Reports may be phoned, faxed, e-mailed or hand delivered to the cabinet. Reports must be made within 24 hours from the time of discovery and include: • communicable disease, • accident or injuries to a child that require medical care, • an incident that results in legal action by or against the child care center that affects a child or staff person, • an incident involving fire or other emergency, • a report of child abuse or neglect.
Regulated Child Care Survey Method	Review documentation and interview to determine compliance. If a provider indicates during a survey that they submitted a change request or other reportable incident to the cabinet, the center is required to maintain a copy of what was submitted. Ask to view the center's copy.

Title #	1185
Category	Written Documentation
Title	Confidentially/Maintenance/Access
Child Care Regulation Text	**922 KAR 2:090. Section 9.** Records. (2) A child-care center shall: (a) Maintain the confidentiality of a child's record and information concerning a child or the child's parent; (b) Maintain all records for five (5) years; and (c) Provide the cabinet access and information in the completion of the investigation pursuant to KRS 620.030(4) and (5);
Guideline (s) for Child Care Technical Assistance	Sharing information with parents, friends, or other staff who have no supervisory control over a child is unacceptable. Written records should be stored in a manner that maintains confidentiality. Representatives of the cabinet (i.e., Division of Regulated Child Care surveyor, Child Protective Services representative) must have access to children's records during an inspection or investigation. In addition, staff members who are interviewed must be forthcoming and honest with information pertaining to a child.
Regulated Child Care Survey Method	Observe and interview to determine compliance. Confidentiality of a child's record includes not posting a child's health history where other parents or guardians may view. However, these may be posted with written parental permission. Staff should not verbally share children's information with another child's parent or someone outside of the child care center. This may also include social media cites. KRS 620.030 refers to the reporting of suspected child abuse.

Title #	1190
Category	Written Documentation
Title	Orientation Procedure
Child Care Regulation Text	**922 KAR 2:120. Section 2.** Child Care Services. (3)(b) The program shall include: 2. Written policy that specifies that the procedures that were taught at the orientation training shall be implemented by each child-care center staff member;
Guideline (s) for Child Care Technical Assistance	Child care center staff are all required to attend cabinet approved orientation training within their first 90 days of initial employment in the child care industry. Orientation training covers three areas: Health and Safety, Recognizing/Reporting Child Abuse and Neglect, and Recommended Practices in Early Care and Education. Each child care center must have a written policy requiring each employee to implement the procedures they were taught during orientation training. (Many centers include this policy in their employee handbook.)
Regulated Child Care Survey Method	Review records to determine compliance. The policy does not have to list the policies and procedures taught during the required six (6) hour orientation. If the center is equipped with video surveillance, the center shall provide the cabinet access to the video surveillance upon request.

Title #	1195
Category	Written Documentation
Title	Fire Drills
Child Care Regulation Text	**922 KAR 2:120. Section 3.** General Requirements. (12) A fire drill shall be conducted during hours of operation: (a) At least monthly; and (b) Documented. (13) An earthquake drill and a tornado drill shall be: (a) Conducted during hours of operation at least quarterly; and (b) Documented;
Guideline (s) for Child Care Technical Assistance	The date and time of the drill, as well as the names of the children that participated, must be recorded and kept on file for five (5) years
Regulated Child Care Survey Method	Review documentation and interview to determine compliance. Drills are not required during the months the child-care center is not in operation. The date (MM/DD/YY) and time (00:00 a.m./p.m.) should be documented, and a list of the children who participated can be a copy of the attendance record indicating the children who participated. All drills can be conducted on the same day, but separately documented.

Title #	1200
Category	Posted Documentation
Title	Posting Requirements
Child Care Regulation Text	**922 KAR 2:090. Section 8.** General. (6) In addition to the posting requirement of KRS 199.898(3), a child-care center shall post the following in a conspicuous place and make available for public inspection: (a) The provider's preliminary or regular license; (b) Each statement of deficiency and civil penalty notice issued by the cabinet during the current licensure year; (c) Each plan of correction submitted by the child-care center to the cabinet during the current licensure year; (d) Information on the Kentucky Consumer Product Safety Program and the program's website as specified in KRS 199.897; (e) A description of services provided by the child-care center, including: 1. Current rates for child care; and 2. Each service charged separately and in addition to the basic rate for child care; (f) Minimum staff-to-child ratios and group size established in 922 KAR 2:120; and (g) Daily planned program;
Guideline (s) for Child Care Technical Assistance	Other inspections including investigations on complaints or accidents, as well as inspections conducted regarding a change in the center's license, which result in deficiencies must be posted for review. Keep the documents posted for the entire licensure year. If there are a large number of statements of deficiency and plans of correction to post, it may be impossible to post them on a board for review. An option would be to place the documents in a binder in a well-organized fashion. Label the binder "For Parent Review" and place the binder that contains the documents next to the sign in and out attendance form that is regularly accessed by the parents and visitors. The consumer Product Consumer Safety Program flyer can be found at**:** **https://chfs.ky.gov/agencies/os/oig/drcc/Pages/default.aspx** A list of services might include: the age groups; hours of operation; transportation to and from care or school; nighttime or weekend care; any extra services or tutoring that may be offered. If the programs are offered but cost an additional fee, including "late fees", those must be posted as well. The staff-to-child ratios and group size established in regulations must be posted. Daily schedule must be posted. (This is typically posted in each classroom.)
Regulated Child Care Survey Method	Review documentation and observe to ensure compliance. "Posted" does not necessarily mean "on the wall". The items can be placed in a binder in a conspicuous place in the center and the items can be removed while the center is not in operation. Observe to ensure that all required items are posted in accordance with the regulations. Interview to determine that all fees are posted.

Title #	1205
Category	Posted Documentation
Title	Post Adverse Action License
Child Care Regulation Text	**922 KAR 2:090. Section 16.** Basis for Denial, Suspension or Revocation. (1)(b) A licensee whose regular license is suspended or revoked shall: 1. Receive a new license certificate indicating that the license is under adverse action; and 2. Post the new license certificate in accordance with Section 8(6) of this administrative regulation;
Guideline (s) for Child Care Technical Assistance	The adverse action license should be posted until the action is lifted.
Regulated Child Care Survey Method	Review documentation in KICCS. Review/observe to ensure compliance during inspection.

Title #	1210
Category	Posted Documentation
Title	Disaster Course of Action
Child Care Regulation Text	**922 KAR 2:090. Section 9. Records.** (1) A child-care center shall maintain: (j) A written plan and diagram outlining the course of action in the event of a natural or manmade disaster, posted in a prominent place;
Guideline (s) for Child Care Technical Assistance	The center should post a floor plan of the building with exit routes clearly labeled for reference in case the building must be exited in an emergency situation. In addition, written instructions with reminders for staff should be posted along with the floor plan.
Regulated Child Care Survey Method	Observe and review documentation to ensure compliance. If the emergency preparedness plan is revised, the diagram should reflect the revised plan.

Title #	1215
Category	Posted Documentation
Title	Daily Activities
Child Care Regulation Text	**922 KAR 2:090. Section 10.** Director Requirements and Responsibilities. (1) A director shall: (h) Post a schedule of daily activities, to include dates and times of activities to be conducted with the children in each classroom;
Guideline (s) for Child Care Technical Assistance	The schedules must reflect the developmentally and age appropriate activities and routines from the time the child care center opens until the time the center closes. Daily schedules should include when meals are scheduled, rest time, outside play, programming activities and bedtime (if applicable). Daily schedules should be followed routinely so staff and children know what to expect.
Regulated Child Care Survey Method	Observe and review documentation to ensure compliance.

Title #	1220
Category	Posted Documentation
Title	Diapering/Handwashing
Child Care Regulation Text	**922 KAR 2:120. Section 10.** Toilet, Diapering, and Toiletry Requirements. (9) The proper methods of diapering and hand-washing shall be posted at each diaper changing area;
Guideline (s) for Child Care Technical Assistance	Post the directions for diapering a child at each diaper change area. In addition, the steps for correct hand washing must be posted at each diaper change area.
Regulated Child Care Survey Method	Observe to ensure that diaper changing and hand-washing methods are posted at each diapering area.

Title #	1225
Category	Animals
Title	Animals in the Presence of Children
Child Care Regulation Text	**922 KAR 2:120. Section 13.** Animals. (1) An animal shall not be allowed in the presence of a child in care: (a) Unless: 1. The animal is under the supervision and control of an adult; 2. Written parental consent has been obtained; and 3. The animal is certified as vaccinated against rabies; or (b) Except in accordance with subsection (3) of this section;
Guideline (s) for Child Care Technical Assistance	Child care regulation states an animal shall not be allowed in the presence of a child in care unless the animal is under the supervision and control of an adult. The child care center must ensure that animals do not pose a threat to the children's safety. Staff must constantly monitor and supervise the animals to ensure the children's safety at all times. Animals that are aggressive or those that become easily agitated should never be allowed in the area of a child. The child care center must obtain parental consent for any animal at the child care center. This includes fish in an aquarium, butterflies in a box, etc. Having each parent sign a blanket release form that contains the type of animal and classroom location is suggested. This will ensure that regardless of which room a child may visit, the parent is aware of the animals/pets that a child may contact. Child care regulatory policy will allow the following enclosed or caged classroom animals with parental consent: fish, hamsters, gerbils, guinea pigs, hermit crabs, turtles, birds, non-poisonous amphibians, bearded dragons, rabbits, chinchillas, caterpillars and butterflies. If the animal does not require a rabies shot (ex. rabbits, fish, hamsters, etc.), then a shot is not required for regulatory compliance
Regulated Child Care Survey Method	Review records to ensure written parental consent is obtained for all children in the presence of animals. Observe to ensure the animals are under the supervision/control of an adult and all dogs, cats and ferrets must be vaccinated against rabies.

Title #	1230
Category	Animals
Title	Parent Notification
Child Care Regulation Text	**922 KAR 2:120. Section 13.** Animals. (2) A parent shall be notified in writing if a child has been bitten or scratched by an animal;
Guideline (s) for Child Care Technical Assistance	This can be done on an injury report or a handwritten report.
Regulated Child Care Survey Method	Interview and review documentation to verify compliance.

Title #	1235
Category	Animals
Title	Prohibited Animals
Child Care Regulation Text	**922 KAR 2:120. Section 13.** Animals. (3) An animal that is considered undomesticated, wild, or exotic shall not be allowed at a child-care center unless the animal is: (a) A part of a planned program activity led by an animal specialist affiliated with a zoo or nature conservatory; and (b) In accordance with 301 KAR 2:081 and 301 KAR 2:082;
Guideline (s) for Child Care Technical Assistance	301 KAR 2:082 defines “exotic wildlife" to mean wildlife species which have never naturally existed in the wild in Kentucky, including introduced species that have become naturalized. A child care center may offer a planned program from the zoo or nature conservatory. An animal specialist may bring several animals, reptiles, or birds to the center and present a program for the children. The child care center must obtain written permission from the parent before a child may participate in a program with animals.
Regulated Child Care Survey Method	Observe and interview to determine compliance. Fish, hamsters, gerbils, guinea pigs, hermit crabs, turtles, birds, non-poisonous amphibians, bearded dragons, rabbits, chinchillas, caterpillars and butterflies are allowed at a center with parental consent.

Title #	1240
Category	C.O.
Title	Secretary of State
Child Care Regulation Text	**922 KAR 2:090. Section 4.** Application. (4) If the applicant for licensure is a: (a) Corporation or a limited liability company, the application shall include a current certificate of existence or authorization from the Secretary of State;
Guideline (s) for Child Care Technical Assistance	An application for licensure is completed and mailed along with supporting documentation (including a certificate of existence or authorization from the Secretary of State, if applicable) and fees to the Division of Regulated Child Care in Frankfort. Applicants should contact their local Child Care Aware Coach for support throughout the preliminary licensure process.
Regulated Child Care Survey Method	Review of the application and certificate of existence or the written authorization from the Kentucky Secretary of State is done by DRCC’s Central Office.

Title #	1245
Category	C.O.
Title	Application
Child Care Regulation Text	**922 KAR 2:090. Section 13.** Annual Renewal. (2) A licensee seeking renewal of a regular license shall: (a) Submit, one (1) month prior to the anniversary of the regular license's effective date an OIG-DRCC-06, Child-Care Center License Renewal Form;
Guideline (s) for Child Care Technical Assistance	The renewal application is found on the Division of Regulated Child Care website. https://chfs.ky.gov/agencies/os/oig/drcc/Pages/ccf-applications.aspx The application must be complete and submitted one month prior to expiration.
Regulated Child Care Survey Method	Review of the application and fee submitted is done by DRCC's Central Office.