

2. Child placement agencies must have at least two (2) employees assigned to access the Trails system to enter original and renewal foster care certificates
 3. Child placement agencies must have one (1) employee assigned to access the Trails system to review any child abuse and neglect history for foster care applicants, adoptive applicants, and other adults residing in the homes
- B. The child placement employee who accesses the Trails system to review any child abuse and neglect history cannot also access the Trails system for critical incident reporting or entering foster care certificates
- C. Each facility or agency must submit to the State Department the prescribed form to delete access for persons who are no longer employed or for employees whose access to Trails has been restricted by their employer or by the State Department.

7.702 RULES REGULATING CHILD CARE CENTERS THAT PROVIDE LESS THAN 24-HOUR CARE

All childcare centers must comply with the current "General Rules for Child Care Facilities" 7.701; "Rules Regulating Child Care Centers that provide less than 24-hour care" 7.702; "Rules Regulating Special Activities" 7.719; 6 CCR 1010-7, "The Health and Sanitation Rules and Regulations Governing the Sanitation of Child Care Facilities in the State of Colorado C.R.S.; and the USDA CACFP Part 266.20(1.5).

Drop-in, part day, mobile preschool, teen parent, and other programs operated by public school districts must be in compliance with all rules found in this section. Additional rules or substitution to rules can be found under section 7.702.100.

Hardship waivers

Any applicant or licensee who has applied for or been issued a license to operate a childcare facility has a right to appeal, pursuant to § 26-6-106(3), C.R.S., any rule or standard which, in his or her opinion, poses an undue hardship on the person, facility, or community. An "undue hardship" is defined as a situation where compliance with the rule creates a substantial, unnecessary burden on the applicant or licensee's business operation or the families or community it serves, which reasonable means cannot remedy. An undue hardship does not include the normal cost of operating the business.

7.702.1 DEFINITIONS

- A. Childcare centers that provide less than 24-hour care (referred to as "centers") provide comprehensive care for children when the parents or guardians are employed or otherwise unavailable to care for the children. Childcare centers may operate twenty-four (24) hours a day, but the children are cared for at the center fewer than twenty-four (24) hours a day.
- B. Childcare centers that provide less than 24-hour programs of care include the following types of facilities:
1. A "large childcare center" provides care for 16 or more children between the ages six (6) weeks and eighteen (18) years.
 2. A "small childcare center" provides care for up to fifteen (15) children between the ages of two (2) and eighteen (18) years.
 3. An "infant program" provides care for children between the ages of six (6) weeks and eighteen (18) months.

4. A “toddler program” provides care for children between the ages of twelve (12) months (when walking independently or with a health care provider’s statement indicating developmental appropriateness of placement in a toddler program) and thirty-six (36) months.
 5. A “preschool” is a childcare program for five (5) or more children between the ages of two and one-half (2 1/2) and seven (7) years.
 6. A “mobile part-day preschool program” is a program with a mobile classroom that uses no permanent building on a regular basis, for children three (3) to seven (7) years of age, with no more than (8) eight children at any given time. Each class session must not exceed five (5) hours.
 7. A “kindergarten program” provides a program for children the year before they enter the first grade. Only private kindergarten programs not regulated by the Colorado Department of Education are required to be licensed.
 8. A “full day program” enrolls children for five (5) or more hours per day.
 9. A “part-day program” enrolls children for a maximum of up to five (5) hours per day. Individual children shall not attend more than one (1) five (5) hour session per day.
 10. A “drop-in childcare center” provides occasional care for 40 or fewer children between the ages of twelve (12) months and thirteen (13) years of age for short periods of time not to exceed six (6) hours in any 24-hour period of time or fifteen (15) hours in any seven (7) day period of time.
 11. A “teen parent program” provides care for children fourteen (14) days old to thirty-six (36) months and is operated by an accredited public school system on school premises. Infants between seven (7) and thirteen (13) days old may be accepted for care with written approval from a health care provider.
 12. “Staff” all references to staff or staff positions include paid staff, equally qualified volunteers, and substitutes under Section 7.702.45.
- C. Licensed childcare centers enrolling children five (5) years of age or younger are required to participate in Colorado Shines, the state quality rating and improvement system.

7.702.2 ADMINISTRATION

(See also “Administration” at section 7.701.5 of the General Rules for Child Care Facilities)

- A. The governing body must appoint a Director who will be responsible to the governing body and who will be delegated the authority and responsibility for the operation of the center according to its defined purpose and policies.
- B. The governing body must formulate the purpose and policies to be followed by the center. It must have a regular planned review of such purpose and policies to determine that the center is in compliance with licensing rules.
- C. The governing body is responsible for providing necessary facilities, adequate financing, qualified personnel, services, and program functions for the safety and well-being of children in accordance with these rules.

- D. Any center having a Director assigned to a classroom must have qualified and adequate staff, allowing the Director or qualified staff the ability to attend to the duties of a director as they arise.
- E. The Director of the center is responsible for administering the center in accordance with licensing rules. The Director must plan and supervise the child development program, plan for or participate in selection of staff, plan for orientation and staff development, supervise and coordinate staff activities, evaluate staff performance, and participate in the program activities.

7.702.3 POLICIES AND PROCEDURES

7.702.31 Statement of Policies and Procedures

- A. At the time of enrollment, and upon amendments to policies and procedures, the center must give the parent(s)/guardian(s) the center's policies and procedures and provide the opportunity to ask questions. Written copies must be available either electronically or in hard copy. The center must obtain a signed document stating that the parent(s)/guardian(s) have received the policies and procedures, and by signing the policies and procedures document, the parent(s)/guardian(s) agree to follow, accept the conditions of, and give authorization and approval for the activities described in the policies and procedures.
- B. The written policies and procedures must be developed, implemented, and followed, and must include at a minimum the following information:
 - 1. The center's purpose and its philosophy on childcare;
 - 2. The ages of children accepted;
 - 3. The hours the center is open, specific hours during which special programs are offered, and holidays when the center is closed;
 - 4. The procedure regarding inclement and excessively hot weather;
 - 5. The procedure concerning admission and registration of children including whether non-immunized or under immunized children are enrolled in the program;
 - 6. An itemized fee schedule;
 - 7. The procedure for identifying where children are at all times including times of transition;
 - 8. The center's procedure on positive guidance, behavior expectations, positive instruction, supporting positive behaviors, as well as strategies and techniques for supporting children with challenging behaviors, including how the center will:
 - a. Promote responsive and positive child, staff, and family relationships and interactions;
 - b. Create and maintain a program-wide culture that promotes children's mental health, social, and emotional well-being;
 - c. Implement teaching strategies supporting positive behavior, pro-social peer interaction, and overall social and emotional competence in young children; and,

- d. Provide individualized social and emotional intervention supports for children who need them, including methods for understanding child behavior; and developing, adopting, and implementing a team-based positive behavior support plan with the intent to reduce challenging behavior and prevent suspensions and expulsions.
9. How decisions are made and what steps are taken prior to the suspension, expulsion, or request to parents or guardians to withdraw a child from care due to concerns about the child's behavioral issues. These procedures must be consistent with the center's policy on guidance and positive instruction, and include documentation of the steps taken to understand and respond to challenging behavior including:
 - a. Identify and consult with an early childhood mental health consultant or other specialist as needed.
10. The procedure, including notification of parent(s)/guardian(s), for handling children's illnesses, accidents, and injuries;
11. The procedures for emergencies and disaster preparedness such as but not limited to lost children, tornadoes, fires, shelter in place, lockdown, active shooter on premises, reunification with families after emergency or disaster, and evacuating children with disabilities as specified in section 7.701.100 of the general rules for child care facilities;
12. The procedure for transporting children, if applicable, including transportation arrangements and parental permission for excursions and related activities;
13. The procedure for governing field trips, television and video viewing, and special activities, including staff responsibility for the supervision of children;
14. Media and internet usage policy outlining screen and media use related to their curriculum. The media plan must have information on ongoing communication with children about online safe practices for children over the age of five (5);
15. The procedure on children's safety related to riding in a vehicle, seating, supervision, and emergency procedures on the road;
16. The procedure for releasing children from the center only to persons for whom the center has written authorization and the procedure for picking-up the child during an emergency;
17. The procedures followed when a child is picked up from the center after the center is closed or not picked up at all, and to ensure that all children are picked up before the staff leave for the day;
18. The procedure for caring for children who arrive late to the center and their class/group is away from the center on a field trip or excursion;
19. The procedure for storing and administering children's medication and delegation of medication administration in compliance with Section §12-38-132, C.R.S., of the "Nurse Practice Act";
20. The procedure concerning children's personal belongings and money;
21. The provision of meals and snacks;
22. The procedure for diapering, toilet training, and toileting;

23. The procedure for allowing visitors to the center;
 24. The procedure for conducting parent and staff conferences to partner with the parents(s)/guardian(s) to discuss the child's progress, social, emotional, and physical needs;
 25. The procedure for filing a complaint about childcare (see section 7.701.55 of the General Rules for Child Care Facilities);
 26. The procedure for reporting of child abuse (see section 7.701.53, of the General Rules for Child Care Facilities);
 27. The procedure of the protection of infants from secondhand and thirdhand smoke;
 28. The procedure for establishing safe sleep environments for infants including how staff will supervise and physically check on infants who are sleeping;
 29. The procedure for dressing children appropriately for the weather; and,
 30. Notification when childcare service is withdrawn and when parent(s)/guardian(s) withdraw their children from the center.
- C. Policies and procedures must be reviewed annually. Any changes must be incorporated and must be communicated to the parent(s)/guardian(s).

7.702.32 Communication, Emergency, and Security Procedures

- A. For security purposes, a sign-in/sign-out sheet or other mechanism for parents/guardians, or staff if children are being transported, must be maintained daily by the center. It must include, for each child in care, the date, the child's name, the time when the child arrived at and left the center, and the parent /guardian or staff member's signature or other unique identifier. For children who are transported, parent(s)/guardian(s) must verify the accuracy of the sign-in/sign-out sheet at least weekly.
- B. The center must have a working telephone with the number available to the public. Emergency telephone numbers of the following must be posted near the telephone: a 911 notice, where 911 is available, or rescue unit if 911 isn't available; a hospital or emergency medical clinic; the local fire, police, and health departments; and Rocky Mountain Poison Control. The telephone must be available to staff at all times that the center is in operation.
- C. The center must be able to provide emergency transportation to a health care facility at all times.
- D. The Director of the center, or the Director's delegated substitute, must have a means for determining at all times who is present at the center.
- E. A written policy regarding visitors to the center must be posted and a record maintained daily by the center that includes at a minimum the date, time, visitor's name, and the purpose of the visit. At least one (1) piece of identification must be inspected for individuals who are unknown to personnel at the center.

- F. The center must release the child only to an individual over the age of sixteen (16) for whom written authorization has been given by the parent(s)/guardian(s) and is maintained in the child's record (see Section 7.702.34). In an emergency, the child may also be released to an individual for whom the child's parent/guardian has given verbal authorization. If the staff member who releases the child does not know the individual, identification must be required to assure that the individual is authorized to pick up the child.
- G. The center must have a procedure for dealing with individuals not authorized by the parent or guardian of a child who attempts to have the child released to them.
- H. The center must have a written procedure for closing the center at the end of the day to ensure that all children are picked up.

7.702.33 Administrative Records and Reports

- A. The following records must be on file at the center:
 - 1. Records of enrollment, daily attendance for each child, and daily record of the time the child arrives at and departs from the center;
 - 2. A list of current staff members, substitutes, and staffing patterns;
 - 3. Copies of menus; and
 - 4. A record of visitors to the center.
- B. The center must submit to the Department as soon as possible, but not longer than twenty-four (24) hours, a written report about any child who has been separated from the group outside of the supervision of their assigned staff member or for whom the local authorities have been contacted. Such report must indicate:
 - 1. The name, birth date, address, and telephone number of the child;
 - 2. The names of the parent(s)/guardian(s) and their address and telephone number if different from those of the child;
 - 3. The date when the child was lost;
 - 4. The location, time, and circumstances when the child was last seen;
 - 5. Actions taken to locate the child; and,
 - 6. The name of the staff person supervising the child.
- C. All programs must register their operational status information in the Office of Early Childhood Provider Status Portal every calendar year in the months of April and October.
 - 1. All programs must update their information any time their operational status changes during a declared state emergency.
- D. All prospective and current staff members in the following roles must register with the Colorado Shines Professional Development Information System:
 - 1. Large Center Director;

2. Large Center Assistant Director;
3. Small Center Director;
4. Early Childhood Teacher;
5. Infant Program Supervisor;
6. Infant Early Childhood Teacher;
7. Toddler Early Childhood Teacher;
8. Kindergarten Teacher;
9. Assistant Early Childhood Teacher; and,
10. Staff Aide.

7.702.34 Children's Records

- A. An admission record must be completed for each child prior to or at the time of the child's admission. This record must be updated annually and when changes occur. The admission record must include:
1. The child's full name, birth date, current address, and date of enrollment;
 2. Parent(s)/guardian(s) names; home and e-mail addresses; telephone numbers, including home, work, and cell numbers; employer name and work address; and, any special instructions as to how the parent(s)/guardian(s) may be reached during the hours that the child is in care at the center;
 3. Names, addresses, and telephone numbers of persons authorized to pick up the child from the center;
 4. Names, addresses, and telephone numbers of persons who can assume responsibility for the child in the event of an emergency if the parent(s)/guardian(s) cannot be reached immediately;
 5. Name, address, and telephone numbers of the child's health care provider, dentist, and if applicable, their hospital of choice;
 6. A health history, including any health care plans, which indicates communicable diseases and chronic illnesses or injuries the individual has had, any known drug reactions and allergies, medications being taken, any necessary health procedures or special diets, and immunization record;
 7. A dated, written authorization for emergency medical care signed and updated annually by the parent(s)/guardian(s). The authorization must be notarized if required by the local hospital, clinic, or emergency health care facility;
 8. Written authorization, obtained in advance of the event from a parent/guardian, for a child to participate in field trips or special activities, whether scheduled or unscheduled, whether walking or riding in an approved vehicle; and,
 9. Written authorization from a parent/guardian for media release.

- B. The center must maintain and update annually and upon changes, a record on each child that includes:
1. A written record of any serious accident, illness, or injury occurring during care must be retained in each child's record, with a copy provided to the parent(s)/guardian(s).
 2. Observations of the child's development to document the child's progress and challenges to be discussed at parent conferences;
 3. A record of parent conferences, including dates of conferences, and names of center staff and parent(s)/guardian(s) involved; and,
 4. A copy of the child's health statement completed by a health care provider.

7.702.35 Staff Records

- A. A record must be maintained, either written or electronic, for each staff member that includes the following:
1. Name, address, telephone number, and birth date of the individual;
 2. Verification of qualifications and training;
 3. Immunization record or statement, and health history;
 4. Dates of employment and employment history;
 5. Names, addresses, and telephone numbers of persons to be notified in the event of an emergency; and,
 6. All information from background checks as required in the General Rules for Child Care Facilities at Section 7.701.32.

7.702.36 Confidentiality and Retention

- A. The confidentiality of all staff and children's records must be maintained. See Section 7.701.6 of the General Rules for Child Care Facilities.
- B. Staff and children's records must be available, upon request, to authorized personnel of the Department.
- C. If records for organizations having more than one (1) center are kept in a central file, duplicate identifying and emergency information for both staff and children must also be kept on file at the center attended by the child and where the staff member is assigned.
- D. The records of children and staff must be maintained by the center for at least three (3) years after the last date of attendance or employment with the program.
- E. The health and mental health consultation records must be maintained by the center for at least three (3) years from the date of consultation.
- F. Records of enrollment, daily attendance for each child and daily records of the time the child arrives at and departs from the center for the past twelve (12) months must be on file at the center. The previous two (2) years must be on file at either the center or a central location or storage.

- G. Posting of any personal information or photos of children on social media or advertisement without written parental consent is prohibited.

7.702.4 STAFF

7.702.41 General Requirements for All Staff

- A. All staff at the center must demonstrate knowledgeable decision-making, judgment, and concern for the proper care and well-being of children.
- B. Staff must not consume or be under the influence of any substance that impairs their ability to care for children.
- C. Illegal drugs and drug paraphernalia, must never be present on the premises of the center.
- D. Staff must not use marijuana and marijuana infused products, tobacco products of any kind, or alcohol in the presence of children. To prevent exposure to secondhand smoke, child care centers must prohibit the use of tobacco and marijuana products on all center property, both indoors and outdoors. All marijuana and marijuana infused products, vaping and tobacco products, and alcohol must be kept inaccessible to children at all times.
- E. When caring for children, staff must refrain from the personal use of electronics including, but not limited to, cell phones and portable electronic devices.
- F. Staff members must be current for all immunizations routinely recommended for adults by their health care provider.
- G. All staff members must submit to the center a medical statement, signed and dated by a physician or other health care provider, verifying that they are in good mental, physical, and emotional health appropriate for the position for which they have been hired. This statement must be dated no more than six (6) months prior to employment or within thirty (30) calendar days after the first date of employment. Subsequent self-reported health histories must be submitted annually.
- H. The duties and responsibilities of each staff position and the lines of authority and responsibility within the center must be in writing.
- I. At the time of employment, staff members must be informed of their duties and assigned a supervisor.
- J. Prior to working with children, each staff member must read and be instructed about all policies and procedures of the center. Staff members must sign a statement indicating that they have read and understand the center's policies and procedures.
- K. Within thirty (30) calendar days of employment at the center, each staff member must read and be instructed about all licensing rules governing childcare centers. Staff members must sign a statement indicating that they have read and understand the licensing rules.
- L. If volunteers are used by the center, there must be a clearly established policy regarding their function, orientation, and supervision. See also Section 7.702.44 A-E.

- M. Within thirty (30) calendar days of the last day of employment, staff members must be provided a letter verifying their experience at the center. The letter must contain the center's address, phone number, and license number; the employee's start date and end date; and the total number of hours worked with children. Hours worked with infants and toddlers must be documented separately from hours worked with other age groups. The letter must be signed by a Director, owner, or human resources agent of the center or governing body.

7.702.42 Training

- A. All staff must complete a pre-service Building and Physical Premises Safety training prior to working with children. The training must include identification of and protection from hazards that can cause bodily injury such as electrical hazards, bodies of water, vehicular traffic handling and storage of hazardous materials and the appropriate disposal of biological contaminants.
1. This training is developed and facilitated by the program for staff to identify program specific environmental hazards. Staff must be retrained if there are changes to the building and physical premises.
- B. All staff must complete a Department-approved Standard Precautions training that meets current Occupational Safety and Health Administration (OSHA) requirements prior to working with children. This training must be renewed annually and will be counted towards ongoing professional development.
- C. Staff working with infants less than twelve (12) months old must complete a Department-approved Safe Sleep training prior to working with infants less than twelve (12) months old. This training must be renewed annually and will be counted towards ongoing professional development.
- D. Staff working with children less than three (3) years of age must complete a Department-approved Prevention of Shaken Baby/Abusive Head Trauma training prior to working with children less than three (3) years of age. This training must be renewed every two (2) years and will be counted towards ongoing professional development.
- E. For every thirty (30) or fewer children in attendance, there must be at least one (1) staff member on duty who holds a current Department-approved First Aid and Safety Certificate (including CPR for all ages of children) and is responsible for administering First Aid and CPR to children. Such individuals must be with the children at all times when the center is in operation. If children are at different locations, there must be a First Aid and CPR qualified staff member at each location.
- F. Within thirty (30) calendar days of employment, all employees caring for children, not required by rule to be certified in First Aid and CPR, must complete the Department-approved Introduction to First Aid and CPR module. The module must be renewed every two (2) years.
- G. Within thirty (30) calendar days of employment, all employees and regular volunteers must be trained using a Department-approved training about child abuse prevention, which includes common symptoms and signs of child abuse, how to report, where to report, and when to report suspected or known child abuse or neglect. This training must be renewed annually.
- H. Within ninety (90) calendar days of employment, all staff required to register with the Colorado Shines Professional Development Information System (listed in Section 7.702.33, d) must complete the Department-approved training course: Introduction to the Early Intervention and Preschool Special Education Programs. This course is required once and will be counted towards ongoing professional development.

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- I. Within ninety (90) calendar days of employment, all staff required to register with the Colorado Shines Professional Development Information System (listed in Section 7.702.33, d) must complete the Department-approved Recognizing the Impact of Bias on Early Childhood Professionals training or other Department-approved training on implicit bias. This course is required once and will be counted towards ongoing professional development.
- J. Within ninety (90) calendar days of employment, all Directors and Assistant Directors must complete the Department-approved training: Working with an Early Childhood Mental Health Consultant. This course is required once and will be counted towards ongoing professional development.
- K. Within ninety (90) calendar days of employment, all Directors and Assistant Directors must complete the department-approved training: Introduction to Child Care Health Consultation. This course is required once and will be counted towards ongoing professional development.
- L. All staff who work with children must complete a minimum of fifteen (15) clock hours of ongoing professional development each year, beginning with the start date of the employee. At least three (3) clock hours per year must be in the focus of social-emotional development.
1. Ongoing professional development courses must demonstrate a direct connection to one (1) or more of the following competency areas:
 - a. Child growth and development, and learning
 - b. Child observation and assessment;
 - c. Family and community partnerships;
 - d. Social-emotional health and development promotion;
 - e. Health, safety and nutrition;
 - f. Professional practice;
 - g. Teaching practices
 2. Each one (1) semester credit hour course with a direct connection to the competency area listed in Section 7.702.42, L, 1, a-h, taken at an accredited college or university shall count as fifteen (15) clock hours of ongoing professional development.
 3. Training hours completed can only be counted during the year taken and cannot be carried over.
 4. To be counted for ongoing professional development, the training certificate must have documentation that includes:
 - a. The title of the training;
 - b. The competency domain or from a nationally approved vendor list;
 - c. The date and clock hours of the training;
 - d. The name or signature of the trainer, or other approved method of verifying the identity of trainer or entity;
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- e. Expiration of training, if applicable; and,
 - f. Connection to social emotional focus, if applicable.
5. The trainer must have documentation of the qualifications for each topic of training conducted, which must be available for review by the department.
- M. Within thirty (30) calendar days of employment and annually, all staff responsible for the collection, review, and maintenance of the child immunizations records must complete the Colorado Department of Public Health and Environment immunization course.

7.702.43 Director Qualifications - Large Child Care Center

- A. Large center directors must have a current director qualifications letter issued by the Department or a current Early Childhood Professional Credential level III or higher in version 3.0 as determined by the Department prior to working as the director of a large center.
- B. The educational requirements for the director of a large center must be met by satisfactory completion of one (1) of the following. (All course hours are given in semester credit hours, but equivalent quarter credit hours are acceptable.) Official college transcripts must be submitted to the Department for evaluation of qualifications.
- 1. A Bachelor's, Master's, or Doctorate degree from an accredited college or university in one (1) of the following:
 - a. Child Development;
 - b. Child Psychology;
 - c. Early Childhood Education;
 - d. Early Childhood Special Education;
 - e. Educational Leadership and Administration;
 - f. Elementary Education;
 - g. Family and Human Development;
 - h. Family Studies; or,
 - i. Special Education; or,
 - 2. Completion of all of the following three (3) semester credit hour courses from an accredited college or university in each of the following subject or content areas:
 - a. Introduction to Early Childhood Professions;
 - b. Introduction to Early Childhood Techniques;
 - c. Guidance Strategies for Young Children or has been issued the Colorado Pyramid Model Training certificate of completion;
 - d. Health, Nutrition, and Safety;

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- e. Administration of Early Childhood Care and Education Programs;
 - f. Administration: Human Relations for Early Childhood Professions or Introduction to Business;
 - g. Curriculum Development: Methods and Techniques;
 - h. Child Growth and Development;
 - i. The Exceptional Child; and,
 - j. Infant/Toddler Theory and Practice or have been issued the Expanding Quality Infant/Toddler Training certificate of completion; or,
- 3. Completion of a course of training approved by the Department that includes course content listed at Section 7.702.43, B, 1; and experience listed at Section 7.702.43, C.
- C. The experience requirements for the director of a large center must include direct work with young children and families within an early care and education setting and is based on the completion of the following amount of verified work experience in the care and supervision of four (4) or more children less than eight (8) years of age who are not related to the individual:
- 1. Persons with a Bachelor's, Master's, or Doctorate degree with a major emphasis as listed in Section 7.702.43, B, 1, or individuals with an Early Childhood Professional Credential Level III Version 3.0 as determined by the Department; no additional experience is required.
 - 2. Persons with an Associate's degree in Early Childhood Education or Child Development must have three (3) months (455 hours) of verified experience.
 - 3. Persons with a Bachelor's degree and have completed the thirty (30) semester credit hours specified in Section 7.702.43, B, 2, must have three (3) months (455 hours) of verified experience.
 - 4. Persons who have no degree but have completed the thirty (30) semester credit hours specified in Section 7.702.43, B, 2, must have six (6) months (910 hours) of verified experience.
 - 5. Additional requirements for verified experience include:
 - a. Verified experience acquired in a school-age childcare center may count for up to half of the required experience for director qualifications. The other half of the required experience must be working directly with children in a child development program; and,
 - b. For family childcare home experience to be considered, the applicant must be, or have been, the licensee in the State of Colorado.

D. Renewal of Large Center Director Qualifications Letter

1. All individuals who were previously qualified as a large center director by the Department, who have not completed the required courses in each of the following subject or content areas, must take one (1) course every two (2) years from an accredited college or university, with all courses completed by February 1, 2022, or be in compliance with a current Transitory Director Qualification Letter. Official transcripts listing completion of one (1) or more of the five (5) courses shall be submitted to the Department within thirty (30) calendar days of completing each course until all five (5) courses have been completed in:
 - a. Guidance Strategies for Young Children or has been issued a Colorado Pyramid Model Training certificate of completion;
 - b. Health, Nutrition and Safety or Child Nutrition;
 - c. The Exceptional Child;
 - d. Infant/Toddler Theory and Practice or have been issued the Expanding Quality in Infant and Toddler Care Training certificate of completion; and,
 - e. Administration: Human Relations for Early Childhood Professions or Introduction to Business.
2. Except for individuals holding an Early Childhood Professional Credential Level III Version 3.0 as determined by the Department, directors meeting all large center director requirements in Section 7.702.43, B, in centers operating more than six (6) hours a day must complete a three (3) semester credit hour course from an accredited college or university every five (5) years in a subject related to the operation of a center and must be able to demonstrate the relationship of the course taken to the operation of the center.
3. The renewal application and the official transcripts must be submitted to the Department. The renewed director letter shall expire five (5) years from approval of the renewal application.
4. Director letters must be renewed prior to the expiration date or the letter becomes invalid and the individual no longer qualifies as a director of a large center.

E. Revocation of Large Center Director Letter

1. Persons may be denied an original or renewal of a director letter; a director letter may be revoked if substantial evidence has been found that the applicant or director is responsible for one or more of the following at any childcare facility, including, but not limited to:
 - a. Committing fraud;
 - b. Responsible for egregious or repetitive grounds for negative licensing actions;
 - c. Providing false information;
 - d. Providing false transcripts for self or staff; or,
 - e. Providing false letters of experience for self or staff.

2. Persons who have had a Director Letter revoked or denied for the reasons listed in Section 7.702.43, E, 1, a-e, may submit a new application for consideration after a period of two (2) years from the date of denial or revocation.
 3. A person issued a new director letter after a denial or revocation shall receive a provisional letter for no less than nine (9) months. After the provisional period has been completed, a new application may be submitted for consideration of a five (5) year time limited letter.
 4. Persons whose director letter has been denied or revoked for the reasons listed in Section 7.702.43, E, 1, a-e, may file an appeal in the same manner as a request for waiver, as specified in Section 7.701.13 of the "General Rules for Child Care Facilities".
- F. Assistant Director Requirements
1. An Assistant Director working under the supervision of a Director must be at least eighteen (18) years of age, have at least nine (9) months (1,365 hours) of experience as an Early Childhood Teacher, and must meet one (1) of the following qualifications:
 - a. A Bachelor's, Master's, or Doctorate degree from an accredited college or university; or,
 - b. Completion of at least half of the required coursework for director qualifications in section 7.702.43, B, 3, including the following two (2) administration courses:
 - (1) Administration of Early Childhood Care and Education Programs; and,
 - (2) Administration: Human Relations for Early Childhood Professions, or Introduction to Business.
- G. All course grades used for the large center Director or Assistant Director requirements must be a "C" or better.

7.702.44 Director Qualifications - Small Child Care Center

- A. The Director or Substitute Director of a Small Center must either: meet large center Director qualifications or meet at least one (1) of the following qualifications:
1. Posses a current professional teaching license issued by the Colorado Department of Education with an endorsement in the area of Elementary Education, Early Childhood Education, Early Childhood Special Education, or Early Childhood Special Education Specialist; or,
 2. Possess a current Early Childhood Professional Credential Level II or higher in Version 3.0 as determined by the Department; or,
 3. Current certification as a Child Development Associate (CDA) credential in: Center-Based, Preschool; Center-Based, Infant-Toddler; or Family Child Care; or other Department-approved credential; or,
 4. Two (2) years and nine (9) months (5,005 hours) of satisfactory experience in the care and supervision of four (4) or more children less than eight (8) years of age who are not related to the individual, and at least two (2) three (3)-semester credit hour courses from an accredited college or university in Early Childhood Education, and one (1) of the courses must be either:

- a. Introduction to Early Childhood; or,
 - b. Early Childhood Guidance Strategies for Children or has been issued Colorado Pyramid Model Training certificate of completion; or,
5. Nine (9) months (1,365 hours) of satisfactory experience in the care and supervision of four (4) or more children less than eight (8) years of age who are not related to the individual, and an Associate's degree from an accredited college or university, with at least two (2) three (3)-semester credit hour courses in Early Childhood Education, and one (1) of the courses must be either:
- a. Introduction to Early Childhood Professions; or,
 - b. Early Childhood Guidance Strategies for children or has been issued a Colorado Pyramid Model Training certificate of completion; or,
6. Three (3) months (455 hours) of satisfactory experience in the care and supervision of four (4) or more children less than eight (8) years of age who are not related to the individual; and an Associate's degree in Child Development or Early Childhood Education from an accredited college or university, with at least two (2) three (3)-semester credit hour courses in either:
- a. Introduction to Early Childhood Professions or possesses a Child Development Associate (CDA) credential in: Center-Based, Preschool; Center-Based, Infant-Toddler; or Family Child Care; or,
 - b. Early Childhood Guidance Strategies for Children or has been issued a Colorado Pyramid Model Training certificate of completion.
- B. Satisfactory experience includes all options listed at Section 7.702.43, B and C.
- C. All course grades used for the small child care center Director requirements must be a "C" or better.
- D. Substitute Director Requirements
1. In the absence of the Director of a small center, an individual who meets Director qualifications for a small center or a large center must substitute for the Director.

7.702.45 Qualifications for Teachers, Substitutes, Staff Aides, and Volunteers

A. Early Childhood Teacher

1. An Early Childhood Teacher, assigned responsibility for a single group of children and working under the supervision of a Director, must be at least eighteen (18) years of age and meet at least one (1) of the following qualifications:
 - a. A Bachelor's, Master's, or Doctorate degree from an accredited college or university with a major area of study in one (1) of the following areas:
 - (1) Child Development;
 - (2) Child Psychology;
 - (3) Early Childhood Education;

- (4) Early Childhood Special Education;
 - (5) Educational Leadership and Administration;
 - (6) Elementary Education;
 - (7) Family and Human Development;
 - (8) Family Studies; or,
 - (9) Special Education; or,
- b. A Bachelor's, Master's, or Doctorate degree from an accredited college or university with a major area of study in any area other than those listed at Section 7.702.45, A, 1, a, and an additional two (2) three (3)-semester credit hour courses in Early Child Education, with one (1) course as the following:
- (1) Introduction to Early Childhood Professions; or,
 - (2) Early Childhood Guidance Strategies for Children or has been issued a Colorado Pyramid Model Training certificate of completion; or,
- c. An Associate's degree (60 semester credit hours) from an accredited college or university in Early Childhood Education or Child Development, which must include at least two (2), three (3)-semester credit hour courses in either:
- (1) Introduction to Early Childhood Professions; or,
 - (2) Early Childhood Guidance Strategies for Children or has been issued a Colorado Pyramid Model Training certificate of completion; or,
- d. A current professional teaching license issued by the Colorado Department of Education with an Endorsement in the area of Elementary Education, Early Childhood Education, Early Childhood Special Education, or Early Childhood Special Education Specialist; or,
- e. A current Early Childhood Professional Credential Level II or higher in Version 3.0 as determined by the Department; or,
- f. A current certification as a Child Development Associate (CDA) in: Center-Based, Preschool; Center-Based, Infant-Toddler; or Family Child Care; or other Department-approved credential; or,
- g. Completion of a course of training approved by the Department and published on the Department's approval list; and nine (9) months (1,365 hours) of verified experience in the care and supervision of four (4) or more children less than eight (8) years of age who are not related to the individual; or,
- h. Three (3) months (455 hours) of verified experience in the care and supervision of four (4) or more children less than eight (8) years of age who are not related to the individual; and the completion of eighteen (18) semester credit hours from an accredited college or university in Early Childhood Education, with one (1) course as:
- (1) Introduction to Early Childhood Professions; or,

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- (2) Early Childhood Guidance Strategies for Children or has been issued a Colorado Pyramid Model Training certificate of completion; or,
 - i. Twenty-one (21) months (3,185 hours) of verified experience in the care and supervision of four (4) or more children less than eight (8) years of age who are not related to the individual. Satisfactory experience includes being a licensee of a Colorado Family Child Care Home, a Teacher's Aide or Teacher in a childcare center, preschool, or elementary school. In addition, the individual must either:
 - (1) Possess a current Early Childhood Professional Credential Level I or higher in Version 3.0 as determined by the Department; or,
 - (2) Complete two (2) three (3) semester credit hour courses from an accredited college or university in Early Childhood Education with one (1) course as either:
 - (a) Introduction To Early Childhood Professions or has been issued the Child Development Associate (CDA) Credential; Or,
 - (b) Early Childhood Guidance Strategies for Children or has been issued a Colorado Pyramid Model Training certificate of completion.
 - 2. All course grades used for the Early Childhood Teacher requirements must be a "C" or better.
- B. Infant Program Staff
 - 1. Staff Requirements
 - a. The infant program must have an Infant Program Supervisor who meets at least one (1) of the following qualifications:
 - (1) A Registered Nurse, licensed to practice in Colorado, with a minimum of three (3) months (455 hours) of verifiable experience in the care and supervision of infants who are not related to the individual; or,
 - (2) A Licensed Practical Nurse, licensed to practice in Colorado, a minimum of nine (9) months (1,365 hours) of verifiable experience in the care and supervision of infants who are not related to the individual; or,
 - (3) An adult who holds a certificate in infant and toddler care from an accredited college or university with completion of a minimum of thirty (30) semester credit hours in the development and care of infants and toddlers in a group setting; or,
 - (4) An adult who is currently certified as a child development associate (CDA) in: Center-Based, Preschool; Center-Based, Infant-Toddler; or Family Child Care; and has completed the Infant/Toddler Theory and Practice or has been issued the Expanding Quality in Infant and Toddler Care Training certificate of completion; or,

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- (5) An adult who holds a current Early Childhood Professional Credential Level II or higher in Version 3.0, as determined by the Department, has a minimum of nine (9) months (1,365 hours) of verifiable experience in the care and supervision of infants and/or toddlers, and:
- (a) Has completed one (1) three (3) semester credit hour course in Infant/Toddler Development; or,
 - (b) Has completed the Department-approved Expanding Quality in Infant and Toddler Care training course.
- (6) An adult who:
- (a) Is at least nineteen (19) years of age;
 - (b) Is qualified as an Early Childhood Teacher (Section 7.702.45, A);
 - (c) Has a minimum of nine (9) months (1,365 hours) of verifiable experience in the group care of infants or toddlers; and,
 - (d) Has completed at least two (2) three (3)-semester credit hour courses from an accredited college or university on the development and care of infants and toddlers in a group setting, one (1) of which must be:
 - (i) Infant/Toddler Development; or,
 - (ii) The Department-approved Expanding Quality in Infant and Toddler Care training course; or,
- (7) An adult who:
- (a) Is at least nineteen (19) years of age;
 - (b) Is qualified as an Early Childhood Teacher (Section 7.702.45, A);
 - (c) Has a minimum of one (1) year and nine (9) months (3,185 hours) of verifiable experience in the group care and supervision of infants or toddlers; and,
 - (d) Will complete, within the first six (6) months of employment, two (2) three (3)-semester credit hour courses from an accredited college or university, one (1) of which must be:
 - (i) Infant/Toddler Development; or,
 - (ii) The Department-approved Expanding Quality in Infant and Toddler Care training course.
- b. An Infant Program Early Childhood Teacher must meet the following requirements:
- (1) Meet the qualifications for an Early Childhood Teacher found at Section 7.702.45, A, or be qualified as an Infant Program Supervisor; and,

- (2) Has a minimum three (3) months (455 hours) of verifiable experience in the care and supervision of children under three (3) years of age.
- c. Prior to being assigned a group of children, the Infant Program Early Childhood Teacher must complete eight (8) hours of orientation in the infant program under the supervision of the Infant Program Supervisor. The orientation may include, but not limited to, the following topics:
 - (1) Toys and equipment, appropriate activities for infants and toddlers, appropriate sleep positions for infants and toddlers, and the safe and appropriate diaper change technique.
- d. The Infant Program Staff Aide must be at least eighteen (18) years of age, must have completed eight (8) hours of orientation as listed above at the infant program, and must work under the direct supervision of an Infant Early Childhood Teacher.
- e. There must be at least one (1) staff member on duty in each infant room at all times who holds a current Department-approved First Aid and Safety certificate that includes CPR for all ages of children.

2. Required Staff and Supervision

(See chart in Section 7.702.46)

- a. In the infant program, there must be a qualified Infant Program Supervisor present sixty percent (60%) of the hours of operation of the infant program who is responsible for the care of the infants. An individual qualified as an Infant Early Childhood Teacher must be responsible during the remaining time.
- b. The Infant Program Supervisor or an Infant Early Childhood Teacher must be assigned to each group of ten (10) or fewer infants in attendance. An Infant Program Staff Aide may be assigned to assist the Infant Program Supervisor or the Infant Early Childhood Teacher when six (6) through ten (10) infants are in care in the group to maintain the staff ratio of one (1) adult for each five (5) infants.
- c. There must be assigned at least one (1) Infant Program Supervisor in the infant program for each twenty (20) or fewer infants in attendance.

C. Toddler Program Staff

1. Staff Requirements

The Toddler Early Childhood Teacher, a staff member assigned responsibility for a single group and working under the supervision of the Director, must meet at least one (1) of the following qualifications:

- a. A Registered Nurse, licensed to practice in Colorado, with a minimum of three (3) months (455 hours) of verifiable experience in the care and supervision of children less than three (3) years of age who are not related to the individual; or,
- b. A Licensed Practical Nurse, licensed to practice in Colorado, with at least nine (9) months (1,365 hours) of verifiable experience in the care and supervision of children less than three (3) years of age who are not related to the individual; or,

- c. An adult who holds a certificate in infant and toddler care from an accredited college or university with completion of at least thirty (30) semester credit hours or equivalent in such courses as child growth and development, nutrition, and care practices with children birth to three (3) years of age; or,
 - d. An adult who is certified as a Child Development Associate (CDA) in: Center-Based, Preschool; Center-Based, Infant-Toddler; or Family Child Care; or is certified as a Child Care Professional (CCP); or holds another Department-approved certificate; or,
 - e. An adult who meets the education and experience requirements for an Early Childhood Teacher of a large center (Section 7.702.45, A); or,
 - f. A current Early Childhood Professional Credential Level II or higher in Version 3.0 as determined by the Department.
2. Staff Aides must be at least sixteen (16) years of age, must work directly under the supervision of the Director or a Toddler Early Childhood Teacher, and must have completed eight (8) hours of orientation at the toddler program.
 3. For every fifteen (15) or fewer toddlers, there must be at least one (1) staff member in the toddler program at all times who has a current Department-approved First Aid and Safety certificate that includes CPR for all ages of children.

D. Kindergarten Teacher

A Kindergarten Teacher, assigned responsibility for a single group of children during times specified in Section 7.702.46, must meet one (1) of the following qualifications:

1. Each teacher of a kindergarten class must have the same qualifications as a Director for a large center (see Section 7.702.43); or must possess a current professional teaching license issued by the Colorado Department of Education in Elementary Education; or,
2. A current Early Childhood Professional Credential Level III or higher in Version 3.0 as determined by the Department.

E. Assistant Early Childhood Teacher

An Assistant Early Childhood Teacher, assigned responsibility for a single group of children during times specified in Section 7.702.46, must meet one (1) of the following qualifications:

1. Completion of one (1) of the Early Childhood Education courses in Section 7.702.43 B, 3, with a course grade of "C" or better; and a minimum of nine (9) months (1,365 hours) of verified experience in the care and supervision of four (4) or more children less than eight (8) years of age who are not related to the individual. Assistant Early Childhood Teachers must be enrolled in and attending the second (2nd) Early Childhood Education course, which will be used as the basis for their qualification for the position of Early Childhood Teacher; or,
2. Completion of two (2) of the Early Childhood Education courses referenced in Section 7.702.43, B, 3, with a course grade of "C" or better and no experience; or,
3. A current Early Childhood Professional Credential Level I or higher in Version 3.0 as determined by the Department.

F. Substitute Staff

1. Equally qualified staff must be available to substitute for regularly assigned staff who are sick, on vacation, or otherwise unable to be on duty.
2. For short term unscheduled Early Childhood Teacher vacancies up to ten (10) business days per calendar year, an Assistant Early Childhood Teacher can substitute for the Early Childhood Teacher. The date and times of substitution must be recorded and available for review at all times.

G. Staff Aide

1. Staff Aides must be at least sixteen (16) years of age and must work directly under the supervision of the Director or an Early Childhood Teacher.
2. Infant Staff Aides must be at least eighteen (18) years of age.
3. Staff Aides, without supervision from an Early Childhood Teacher or Director, may supervise no more than two (2) preschool age children while assisting the children with diapering or toileting.

H. Volunteers

1. Volunteers who are used to meet staff to child ratio must be equally qualified as an Early Childhood Teacher, Assistant Early Childhood Teacher, or Staff Aide. Equally qualified volunteers must have complete staff records as required in Section 7.702.35 and complete training requirements as required in Section 7.702.42.
2. Volunteers who are not required to be equally qualified or successfully complete background checks must be supervised and given instruction as to the center's policies and procedures.
3. Volunteers between the ages of twelve (12) and sixteen (16) must have a written purpose developed by the center for volunteering and may not volunteer for more than two (2) hours per day.

7.702.46 Required Staff and Supervision

A. Staff-Child Ratios

1. For the purposes of this subsection A, in determining staff-child ratios, only staff members and/or volunteers qualified under Section 7.702.45, who work directly with children are counted.
2. For full day programs, during times of low attendance and/or during the first and last hour of the day, when only eight (8) or fewer children are present in the facility, there must be at least one (1) Early Childhood Teacher or Assistant Early Childhood Teacher working with the children and a second staff member must be on site and immediately available. There must be no more than two (2) children less than the age of two (2) present. When nine (9) or more children are in attendance, at least two (2) staff members must be on duty.
3. The Director of the center must be present at the center at least sixty percent (60%) of any day that the center is open.

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- a. Centers licensed under the same governing body that provide care for preschool-age children only at multiple locations are not required to have a large center Director qualified staff member assigned to each program. to qualify, centers must have an organizational structure that includes employees of the center that provide at least ten (10) administrative support elements from the following:
 1. Colorado Preschool Program Coordinator;
 2. Parent Educational Specialist;
 3. Principal or Executive Director;
 4. Health Coordinator;
 5. Nurse;
 6. Health Technician;
 7. Food Service Director;
 8. A Registered Dietitian or an individual with a Master's level or higher education in Nutrition;
 9. Fire/Health/Safety Inspector;
 10. Mental Health Team;
 11. Speech Language Pathologist;
 12. Occupational/Physical Therapist;
 13. School Psychologist;
 14. Family Outreach Worker;
 15. Human Resource Specialist; or,
 16. Transportation Manager.
 - b. The program must obtain a Director who meets large center Director qualifications if substantial evidence has been found leading to an adverse licensing action for any of the following:
 1. Lack of supervision;
 2. Operating out of the approved staff member to child ratio;
 3. Operating without sufficient qualified staff.
4. If the Director of a large center cannot be present sixty percent (60%) of any day, an Assistant Director must be on site acting in the capacity of the Director.

5. When there is a Director vacancy or absence, an Assistant Director may substitute for the director for a maximum of up to twelve (12) weeks per calendar year. The Assistant Director must be on site at least sixty percent (60%) of any day the center is open. For vacancies exceeding twelve (12) weeks, an individual meeting Director qualification must be on site acting as director until a new Director is appointed. The dates must be documented and kept on file for review.
6. An Assistant Director must consult with a qualified Director on administering the center in accordance with early childhood principles and practices and licensing rules.
7. There must be assigned at least one (1) qualified Early Childhood Teacher supervising each group of children unless otherwise specified in rules. A Director may be the assigned teacher for one (1) group of children.
8. Full day programs may have Assistant Early Childhood Teachers supervise preschool-age and older children during the following periods of operation:
 - a. Opening hours: an Assistant Early Childhood Teacher may be alone with children for the first two (2) hours of a center's daily operating hours;
 - b. Nap time: an Assistant Early Childhood Teacher may be alone with children for up to one (1) hour during nap time;
 - c. Closing hours: an Assistant Early Childhood Teacher may be alone with children for up to the two (2) hours prior to the closing time of a center's daily operations;
 - d. Taking children to the restroom or diapering; and,
 - e. When substituting for an Early Childhood Teacher in compliance with Section 7.702.45, F, 2.
9. At least one (1) staff member with the current Department-approved Medication Administration training and delegation must be on duty at all times.
10. At nap time, the child to staff ratio may be doubled for children two and one half (2 ½) years of age and older in preschool classrooms when the following conditions have been met:
 - a. At least half of the children are sleeping;
 - b. Another staff member is onsite in the center and immediately available;
 - c. Maximum group size and room capacity are not exceeded; and,
 - d. Staff member supervising children is qualified as an Early Childhood Teacher or Assistant Early Childhood Teacher.
11. Formal kindergarten class sessions must have one (1) staff member for each twenty-five (25) or fewer children in attendance. At other parts of the day when children are in attendance, the ratio must be one (1) staff member to each fifteen (15) or fewer children.
12. Children of the Director or of staff members who attend the center and other children on the premises for supervision and care must be counted against the licensed capacity in the appropriate age groups.

13. In determining staff-child ratios, children who are in attendance for only part of the day are counted only while at the center.
14. Staff-Child Ratios

AGES OF CHILDREN	NUMBER OF STAFF
6 weeks to 18 months (infants)	1 staff member to 5 infants
12 months to 36 months	1 staff member to 5 toddlers
24 months to 36 months	1 staff member to 7 toddlers
2-1/2 years to 3 years	1 staff member to 8 children
3 years to 4 years	1 staff member to 10 children
4 years to 5 years	1 staff member to 12 children
5 years and older	1 staff member to 15 children
Mixed age group 2-1/2 years to 6 years	1 staff member to 10 children

- a. In other preschool age combinations, the staff ratio for the youngest child must be utilized if more than twenty percent (20%) of the group is composed of younger children. This does not apply to infants and toddlers. The ratio for toddler groups is based on the youngest child in the group.
15. Maximum Group Size for Children

AGES OF CHILDREN	MAXIMUM GROUP SIZE
6 weeks to 18 months	10 infants
12 months to 36 months	10 toddlers
24 months to 36 months	14 toddlers
2-1/2 years to 3 years	16 children
3 years to 4 years	20 children
4 years to 5 years	24 children
5 years and older	30 children
Mixed age group 2-1/2 to 6 years of age	20 children

- a. In other preschool age combinations, the maximum group size for the youngest child must be utilized if more than twenty percent (20%) of the group is composed of younger children. This does not apply to infants and toddlers. The group size for toddler groups is based on the youngest child in the group.
- b. Preschool age and school-age groups of children must be separated into developmentally appropriate activities. Groups are not required to be separated from each other by permanent or portable dividers or walls.
- c. Group size for children in preschool and school-age classrooms may be exceeded for circle time, meal and snack time, special occasions, and activities.
- d. The licensed room capacity must not be exceeded at any time.
- e. Toddler-age groups of children must be separated from each other by permanent or portable dividers or other methods as approved by the Department.
- f. When combining age groups, not including individual child transitions, children must be cared for in the room licensed for the youngest child in care, including the outdoor play area.

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16. Emergency Situations
- A. In the case of an emergency situation, including but not limited to illness, death, accident, law enforcement action, road closure, hazardous weather, emergency bodily function, child elopement, or providing emergency attention or care to a child, the child care center may operate under the following guidelines:
- (1) The facility may temporarily use a staff member, who has successfully completed criminal background check requirements, to supervise children for no more than two (2) hours until a qualified staff member is secured. The dates and times must be recorded and made available for review at all times.
 - (2) A large child care center or a child care center that operates on the property of a school district, district charter school, or institute charter school, may permit a staff member, who has successfully completed criminal background check requirements but is not a qualified caregiver, to supervise children for an amount of time that is reasonably necessary to address an emergency circumstance.
 - (3) During any emergency situation, the facility must be in compliance with the staff-to-child ratio.
- B. Service/Housekeeping Personnel
1. Service personnel must be available for housekeeping and food preparation as needed for adequate operation and maintenance of the center.
 2. Assignment of housekeeping and maintenance duties to childcare staff must not interfere with their supervisory responsibilities and childcare duties.
- C. Child Care Health Consultant
1. Center staff must have a monthly consultation with a current Department-approved Child Care Health Consultant who must meet one (1) of the following qualifications:
 - a. A Licensed Registered Nurse with knowledge and experience in maternal and child health;
 - b. A Pediatric Nurse Practitioner;
 - c. A Family Nurse Practitioner; or,
 - d. A Physician with knowledge and experience in pediatrics or maternal and child health.
 2. The monthly consultation must be specific to the needs of the facility and include some of the following topics: training, delegation and supervision of medication administration and special health procedures, health care plans, hygiene, disease prevention, equipment safety, nutrition, interaction between children and adult caregivers, and child growth and development.
 3. The monthly consultation must be conducted on-site at least quarterly or more frequently as required by the Child Care Health Consultant. Teleconsultations are allowed for the remaining months.
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4. The date and content of each consultation must be recorded and maintained in the center's files for three (3) years.
5. For the Department-approved Child Care Health Consultant, the center must maintain documentation from the Colorado Department of Regulatory Agencies that the Registered Nurse or the Medical Doctor's licensure is in good standing.
6. For the Department-approved Child Care Health Consultant, the center must maintain documentation of a brief biography highlighting applicable knowledge, experience, and approximate dates worked as a school nurse or Child Care Health Consultant.
7. All Department-approved Child Care Health Consultants must complete the Department-approved Child Care Health Consultant Introductory training course within six (6) months of hire. Child Care Health Consultants must complete Department-approved ongoing professional development training every three (3) years. The center must obtain and maintain proof of training completion.
8. All Department-approved Child Care Health Consultants must complete the Department-approved Colorado Department of Public Health and Environment immunization course annually. The center must obtain and maintain proof of course completion.
9. All Department-approved Child Care Health Consultants must complete the Department-approved training about child abuse prevention, which includes common symptoms and signs of child abuse or neglect. This training must be completed within thirty (30) days of hire and renewed every three (3) years.

7.702.5 ADMISSION PROCEDURE

- A. The center must accept and care only for children of the ages for which it has been licensed. At no time shall the number of children in attendance exceed the number for which the center has been licensed.
- B. Admission procedures must be completed prior to the child's attendance at the center and must include:
 1. A pre-admission interview with the child's parent(s)/guardian(s) to determine whether the services offered by the center will meet the needs of the child and the parent(s)/guardian(s);
 2. Completion of the registration information required for inclusion in the child's record as required in Section 7.702.34 and,
 3. If applicable, a Department-approved health care plan authorized by the child's health care provider and parent(s)/guardian(s) defining the interventions needed to care for a child who has an identified health or developmental condition or concern including, but not limited to seizures, asthma, diabetes, severe allergies, heart or respiratory conditions, and physical disabilities. Any applicable medications, supplies, and/or medical equipment must be available to the staff prior to the child's first day of care. The staff working with a child with a health care plan must be informed, trained, and delegated responsibility for carrying out the health care plan by the Department-approved Child Care Health Consultant; supervision of the plan and interventions must be documented.

C. Children with Special Needs

1. The admission of children who have special health care needs, disabilities, or developmental delays which includes children with social emotional and behavioral needs must be in alignment with the training and ability of staff and in compliance with the Americans with Disabilities Act. Services offered must show that a reasonable effort is made to accommodate the child's needs and to integrate the child with other children. (See Section 7.701.14 of the General Rules for Child Care Facilities)
 2. The center must inform its Department-approved Child Care Health Consultant prior to the first day of care of the enrollment of a child with special health care needs, if known, so staff receive training, delegation and supervision by the Department-approved Child Care Health Consultant as indicated by the child's individualized health care plan.
 3. For a child with special health care needs requiring intervention and/or medication, the center must obtain written instructions for providing services from the child's parent(s)/guardian(s), and the health care provider. If an existing individualized health care plan is provided for the child, it must be reviewed and followed by the center staff when caring for the child. If the child does not have an existing individualized health care plan, the individualized health care plan must be obtained by the child's first day of care.
 4. For an enrolled child with a newly identified special health care need, the center must obtain written instructions for providing services from the child's parent(s)/guardian(s) and the health care provider. If the child with special health care needs does not have an existing individualized health care plan, the individualized health care plan and all associated medication(s) and/or equipment must be provided within thirty (30) calendar days of the child's identified need.
 5. The individual health care plan must be updated at least every twelve (12) months from the date of the initial plan and as changes occur. The plan must include all information needed to care for the child, must be signed by the health care provider, parent(s)/guardian(s) and must include, but not be limited to, the following:
 - a. Medication and dosing schedule;
 - b. Nutrition and feeding instructions;
 - c. Medical equipment or adaptive devices, including instructions;
 - d. Medical emergency instructions;
 - e. Toileting and personal hygiene instructions;
 - f. Behavioral interventions; and,
 - g. Medical procedure/intervention orders.
- D. If the parent(s)/guardian(s) agree(s) that the center should care for a child in the infant program who is eighteen (18) months or older, the center must have on file a written statement from a health care provider confirming that care for the child is appropriate in the infant program.
- E. If the parent(s)/guardian(s) agree(s) that the center should care for a child in the toddler program who is twelve (12) months old but not walking independently, or is over thirty-six (36) months old, the center must have on file a written statement from a health care provider confirming that care for the child is appropriate in the toddler program.

7.702.51 Health Care

A. Statements of Health Status

1. The center has the right to refuse to admit a child if a statement from a health care provider or documentation of immunization status, or exemption, is not submitted.
2. At the time of admission, the parent(s)/guardian(s) must provide for each child entering the center:
 - a. Documentation of school-required immunization status or Certificate of Medical or Nonmedical Exemption, is required by the Colorado Board of Health. Up-to-date school-required immunizations must be documented as specified on the Colorado Department of Public Health and Environment Certificate of Immunization or on an "approved alternate" Certificate of Immunization. Colorado law requires proof of immunization status or exemption be provided prior to or on the first day of admission.
 - b. Within thirty (30) calendar days of admission, and within thirty (30) calendar days following the expiration date of a previous health statement, the parent(s)/guardian(s) of each child must submit a statement of the child's current health status or written verification of a scheduled appointment with a health care provider. The statement of the child's current health status must be signed and dated by a health care provider who has seen the child within the last twelve (12) months, or within the last six (6) months for children less than two and one-half (2½) years of age. The statement must include when the next visit is required by the health care provider. All health statements must be kept at the center.
 - c. Statements of health status of children less than two (2) years of age must be updated in accordance with the American Academy of Pediatrics recommended schedule for routine health supervision or as required in writing by the health care provider.
 - d. Health statements for children over two (2) years of age to seven (7) years of age must be updated in accordance with the American Academy of Pediatrics recommended schedule for routine well child exams.
 - e. For children seven (7) years of age and older or who have completed the first (1st) grade, subsequent statements of health status must be obtained every three (3) years.

B. Medication

1. Any unexpired routine medication, prescription or non-prescription (over the counter), must be administered only with a current written order of a health care provider with prescriptive authority and with written parental consent. home remedies, homeopathic medication, vitamins, and supplements must not be administered to children in childcare.
2. The written order by the person with prescriptive authority shall include:
 - a. Child's name;
 - b. Licensed prescribing practitioner name, telephone number, and signature;
 - c. Date authorized;

- d. Name of medication and dosage;
 - e. Time of day medication is to be given;
 - f. Route of medication;
 - g. Length of time the medication is to be given;
 - h. Reason for medication (unless this information needs to remain confidential);
 - i. Side effects or reactions to watch for; and,
 - j. Special instructions.
3. Medications must be kept in the original labeled bottle or container. Prescription medications must contain the original pharmacy label.
 4. Over-the-counter medication must be kept in the originally labeled container and be labeled with the child's first and last name.
 5. In the case medication needs to be given on an ongoing, long-term basis, the authorization and consent forms must be reauthorized on an at least annual basis. Any changes in the original medication authorization require a new written order by the prescribing practitioner and a change in the prescription label.
 6. Staff designated by the Director to give medications must complete the Department-approved Medication Administration training and have current annual delegation or more often as determined by the Department-approved Child Care Health Consultant. Delegation must be from the center's current Department-approved Child Care Health Consultant who must observe and document the competency of each staff member involved in medication administration. All staff administering medication must have current CPR and First Aid training prior to administering medication with the following exceptions:
 - a. Staff determined by the Director, in consultation with the Department-approved Child Care Health Consultant, to be responsible for providing emergency medications must complete the Department-approved Medication Administration training: Severe Allergy or Asthma. After completing the training, staff must receive delegation from their Department-approved Child Care Health Consultant for those medications only. Staff must then provide those medications to children based on the instructions from the child's individualized health care plan.
 - b. Staff determined by the Director, in consultation with the Department-approved Child Care Health Consultant, to be responsible for providing medications not covered in the approved medication administration training shall also be permitted to administer medications and/or medical treatments such as emergency seizure medication, insulin, or oxygen with individualized training and delegation from the Department-approved Child Care Health Consultant based on instructions from the child's individualized health care plan.
 - c. Staff may be trained and delegated in the administration of a single rescue medication or rescue medical intervention by the center's Department-approved Child Care Health Consultant. Such training and delegation shall qualify the staff member to provide a rescue medication or treatment for a specific child based on instructions from the child's individualized health care plan.

7. All medications, except those medications specified in the Department-approved medication administration training as emergency medications, must be locked and inaccessible to children, but available to staff trained in administering medication. Controlled medications must be counted and safely secured, and specific policies regarding their handling require special attention in the center's policies. Access to these medications must be limited.
 - a. Emergency medications are not required to be locked but must be stored in an area inaccessible to children, and easily accessible and identifiable to staff. Emergency medications must be stored in accordance with the Department-approved Child Care Health Consultant's recommendation.
 - b. When away from the classroom, staff assigned to supervise the child must carry the emergency medication.
8. The center must have a written policy on the storage and access of inhalers and epinephrine carried by school-age children. The policy must include a written contract with the parent(s)/guardian(s) and child acknowledgement assigning levels of responsibility of each individual. This contract includes orders for the medication from a health care provider, along with confirmation from the health care provider and the Department-approved Child Care Health Consultant that the student has been instructed and is capable of self-administration of the prescribed medications.
9. Children are not allowed to bring medications to childcare unless accompanied by a responsible adult.
10. If a medication is out of date or left over, the parent(s)/guardian(s) is responsible for picking up the medication. If the parent(s)/guardian(s) do not respond, the center must dispose of the medications as required by the Colorado Department of Public Health and Environment.
11. Topical preparations such as petroleum jelly, diaper rash ointments, sunscreen, insect repellent, and other ointments may be administered to children with written authorization from the parent(s)/guardian(s). These preparations may not be applied to open wounds or broken skin unless there is a written order by the prescribing health care provider.
12. A written medication log must be kept for each child. This log is part of the child's records. The log must contain the following:
 - a. Child's name and birthdate;
 - b. name of the medication, dosage, and route;
 - c. time medication is to be given by written medication authorization;
 - d. time medication is administered to child;
 - e. Special instructions;
 - f. Name and initials of the individuals giving the medication; and,
 - g. Notation if the medication was not given and the reason.

C. Sun Protection

1. The center must obtain written authorization and instructions from the parent(s)/guardian(s) for the application of sunscreen or the use of another form of parent(s)/guardian(s) approved sun protection with a full-spectrum UVA/UVB rating of SPF thirty (30) or greater to their children's exposed skin prior to outside play year-round. a doctor's permission is not needed to use sunscreen at the center.
2. The center must apply sunscreen, have the parent(s)/guardian(s) apply sunscreen, or use another form of parent/guardian approved sun protection for children prior to children going outside. Sunscreen must be reapplied as directed by the product label.
 - a. When the parent(s)/guardian(s) applies sunscreen, the center must have a mechanism for documenting application times to ensure sunscreen is reapplied as directed by the product label. If documentation of application time is not available, the center must ensure that sunscreen is applied thirty (30) minutes before going outdoors. If the child will be outside for more than one hour, sunscreen must be reapplied every two hours.
3. When supplied for an individual child, the sunscreen must be labeled with the child's first and last name.
4. If sunscreen is provided by the center, parent(s)/guardian(s) must be notified in advance, in writing, of the type of sunscreen the center will use.
5. Children over four (4) years of age may apply sunscreen to themselves under the direct supervision of a staff member.
6. Infants under six (6) months must be kept out of direct sunlight while outdoors.

7.702.6 CHILD CARE SERVICES

7.702.61 Personal Hygiene

A. Diapering

1. All diaper change areas must:
 - a. Be a minimum of thirty-six (36) by eighteen (18) inches in size and large enough to accommodate the size of the child;
 - b. Have a place inaccessible to children for storing all diaper change supplies and disinfecting solutions and products;
 - c. Have a sufficient supply of diapers at all times; and,
 - d. Be located and arranged to provide privacy for older children in need of diaper changing.
2. Children being diapered must be within arm's reach of the staff member and actively supervised throughout the diapering process.
3. One (1) diaper change area is required in every infant and toddler classroom.

4. One (1) designated diaper change area is required for every twenty-four (24) preschool age children.
- b. Toileting
1. There must be no attempt to toilet train children until they are able to communicate or otherwise indicate need, help manage their own clothing, and be able to access toileting facilities.
 2. For each child who is learning to use a toilet, the child's individual developmental abilities and needs must be accommodated as stated in the written policies and procedures for the center.

7.702.62 Physical Care and Supervision

A. General

1. All children must be under the direct supervision at all times of a qualified adult who has been assigned the responsibility to supervise.
2. The time a child arrives and leaves the center each day must be recorded. Staff members must complete written attendance verification periodically throughout the day, including during transitions.
3. Staff must be awake, alert, and actively supervising all children.
4. Staff must directly supervise children and maintain staff to child ratio during special activities that occur with an outside vendor or provider and where the vendor uses their expert staff to facilitate the activity.
5. The staff must ensure that children are dressed appropriately for the weather before going outside.

B. Infant and Toddler Programs

1. Outside of mealtimes, children who are awake must not be confined for more than fifteen (15) minutes at a time to cribs, playpens, swings, highchairs, infant seats, or other equipment that confines movement. Children must have the opportunity for freedom of gross motor movement.
2. Throughout the day, each child must have frequent, individual, personal contact, and attention from an adult, such as being held, rocked, taken on walks inside and outside the center, talked to, read to, and sung to.
3. Staff must investigate whenever children cry, scream, or appear to withdraw and must try to verbally or physically soothe the child. When putting infants to sleep, staff may allow for a period of no longer than ten (10) minutes without verbally or physically soothing the child to enable the infant to try to self soothe and fall asleep.
4. Children must be allowed to form and observe their own pattern of sleep and waking periods. Special provision must be made so that children requiring a morning nap time have a separate area for their nap apart from space used for play.
 - a. Children must be allowed to leave their sleeping area immediately upon waking.

C. Safe Sleep Environments for Infants

1. Each infant up to eighteen (18) months of age and enrolled in the infant program must be provided with an individual crib, futon approved for infants, or other approved sleep/rest equipment meeting Consumer Product Safety Commission (CPSC) standards. Individual cribs or futons must provide each infant with sufficient space for the infant's length, size, and movement.
2. In the infant room, soft bedding or materials that could pose a suffocation hazard are not permitted in cribs, futons approved for infants, or other approved sleep/rest equipment. Soft bedding means, but is not limited to, any soft sleep surface like bumper pads, pillows, blankets, quilts, comforters, sleep positioning devices, sheepskins, blankets, flat sheets, cloth diaper bibs, plush toys, pacifiers with stuffed animals attached, and stuffed animals.
 - a. Mattresses for cribs and futons must have a properly fitted, clean sheet.
3. Approved sleeping equipment must be firm and mattresses must fit snugly ensuring no more than two fingers are able to be inserted between the mattress and the side of the approved sleeping equipment.
4. Toys, including mobiles and other types of play equipment that are designed to be attached to any part of sleeping equipment, must be kept away from sleeping infants and out of sleep environments, including hanging toys. Blankets and other items must not be hung from or draped over the sides or any part of sleeping equipment.
5. All sleep/rest equipment must be safe, sturdy, and free from hazards including, but not limited to broken or loose slats, torn mattress, chipping paint or loose screws.
6. Drop side and stacking cribs are prohibited.
7. Bassinets and playpens are prohibited in childcare centers.
8. Other sleep equipment not manufactured for commercial use is prohibited.
9. An infant must be placed on his/her back for sleeping.
10. Alternative sleep positions for infants must only be allowed with a health care plan completed and signed by the child's physician.
11. Swaddling of infants must only be allowed with a health care plan completed and signed by the child's health care provider.
12. Each infant up to twelve (12) months of age who uses a pacifier must have the pacifier offered when being put down to sleep unless the parent(s)/guardian(s) direct(s) otherwise.
13. Infant sound monitors must be used in separate sleeping rooms for infants unless qualified staff remain in the room with sleeping infants at all times. When monitors are used, the following conditions must be met:
 - a. The sound monitoring equipment is able to pick up the sounds of all sleeping infants;

- b. The receiver of the sound monitoring equipment is actively monitored by staff at all times;
 - c. All sleeping infants must be physically observed at least every ten (10) minutes by a staff member;
 - d. Sound monitoring equipment must be regularly checked to ensure it is working correctly; and,
 - e. The monitor must be out of reach of children.
14. Separate sleep rooms are prohibited in new construction, change of governing body, and change of capacity in childcare centers.
15. Infants who fall asleep in a piece of equipment not approved for sleep must immediately be moved to their approved sleep area and placed on their back to sleep.
16. Cribs must be used for sleeping, not extended play nor confinement.
17. If music is played in the infant sleep area, the music must not be played at a loud volume that would prevent infants from being heard by staff. Music equipment must not be placed under a crib or within three (3) feet of the sleeping infant.
18. Supervised tummy time must be offered to infants one (1) month of age or older at least four (4) times per day for full day programs for short periods (3-5 minutes) and increase the amount of time as the infant shows they enjoy the activity. If the infant falls asleep during tummy time, immediately place him/her on their back in approved sleeping equipment.
19. When staff place infants in approved sleeping equipment for sleep, they must check to ensure that the temperature in the room is comfortable for a lightly clothed adult, check the infants to ensure that they are comfortably clothed (not overheated or sweaty), and that bibs, necklaces, and garments with ties or hoods are removed.
- a. Clothing sacks or other clothing designed for sleep must be worn in lieu of blankets if needed for additional warmth. clothing must not restrict the movement of the child's arms or legs.
20. Infants must not be placed to sleep in the same crib or futon as another infant or child at the same time.
- D. Rest Time and Equipment
- 1. Children must not be forced to sleep.
 - 2. In rooms used for napping, the lighting must be dim at nap time to promote an atmosphere conducive to sleep but must be bright enough for supervision of children.
 - 3. When the room provided for rest is used for other program activities, the cots, pads, and linens must be stored in an area that is not included in the required square footage assigned for play space.

4. In the toddler room, a crib, sleeping cot, or two (2) inch mat must be provided for each child, and there must be a minimum of two (2) feet between each crib or cot. Aisles between cots or cribs must be kept free of all obstructions while cribs are occupied. No child less than the age of two (2) years should use a cot for sleeping without written permission of the parent or guardian.
 - a. Individual cribs must provide each toddler with sufficient space for the toddler's length, size, and movement, and must meet federal Consumer Product Safety Commission standards. Each crib must be fitted with a firm, comfortable mattress. If individual cribs are used, they must be separated by a sturdy divider from the area used for activities.
 - b. Sleeping cots and mats must be of firm construction and in good repair.
 - c. A fitted sheet and a blanket, or suitable covering, must be provided for each child to be used only by that child.
5. If preschool-age children are in care for longer than five (5) hours, the center must provide at least a thirty (30) minute rest period meeting the following:
 - a. A firm cot or two (2) inch mat with a sheet and blanket, or other suitable covering, must be provided for each child;
 1. Cots or pads must be spaced at least two (2) feet apart on all sides during rest time. Children must have a safe area in which to rest that is easily supervised, out of the path of traffic, and free of hazards.
 - b. Quiet activities must be available for children who do not sleep during the thirty (30) minute period. Older children requiring a rest time must be given one;
 - c. Children who do not sleep after thirty (30) minutes must be allowed to move to another area and be provided with quiet toys and equipment to play with such as puzzles or books; and,
 - d. Children who fall asleep must be allowed to leave their napping area within ten (10) minutes of waking.

7.702.63 Food and Nutrition

- A. Meals and Snacks provided by the center
 1. All meals and snacks provided by the center must meet current United States Department of Agriculture (USDA) Child and Adult Care Food Program (CACFP) meal pattern requirements and be offered at suitable intervals not more than three (3) hours apart. Children who are at the center for more than four (4) hours, day or evening, must be offered a meal. Arrangements must be made for feeding children who are in care before 6 a.m. or after 6 p.m.
 2. If 100% fruit juice, which is not a sugar sweetened beverage, is offered as part of meals and/or snacks, it must be limited to no more than two (2) times per week.
 3. Centers must not provide sugar sweetened beverages to children. These are beverages that have been sweetened with various forms of sugars that add calories and include, but are not limited to: soda, fruitades, fruit drinks, flavored milks, and sports and energy drinks.

4. The size of servings must be suitable for the child's age and sufficient time must be allowed so that meals are unhurried.
5. Foods offered shall be age appropriate and not pose a choking hazard.
6. In centers that do not regularly provide a meal, if a child brings a meal from home that does not appear to meet current USDA Child and Adult Care Food Program meal pattern requirements, the center must have foods available to offer as a supplement to that meal.
7. Staff members must sit with the children and encourage them to try a variety of food served. During meals, children should be encouraged to engage in conversation and to express their independence.
8. Children must not be given foods that are contrary to the religious beliefs of their families or that are known to cause an allergic reaction or a health hazard.
9. Food and beverages are not to be used as a reward.
10. Meal menus must be planned at least one week in advance, dated, and posted in a place visible to parents. After use, menus must be filed and retained for three (3) months.
11. A table, counter, or shelf, separate from the diaper changing area, must be available for preparing infants' and toddlers' food.

B. Feeding the Infant

1. An individualized diet and feeding schedule must be provided according to a written plan submitted by the parent or by the child's physician with the knowledge and consent of the parent. A change of diet and schedule must be noted on each child's daily activity schedule and posted in an area clearly visible to the staff.
2. All infants less than six (6) months of age must be held for bottle feeding. Bottles must not be propped. Older infants must not be allowed to hold their own bottles when lying flat. Bottles must not be allowed in a crib with the infant.
3. Older infants must be provided with suitable solid foods that encourage freedom in self-feeding and must be fed in safe chairs such as highchairs or baby-feeding tables.
4. When the infant program provides food other than breast milk or formula, food must be varied and include food from cereal, vegetable, fruit, and protein sources. When the center does not provide solid food, it must supply any additional foods and/or monitor the infant's total nutritional intake.
5. A staff member may not mix cereal with breast milk or formula and feed it to an infant from a bottle or infant feeder unless there are written instructions from the child's health care provider.
6. In infant nurseries, an adequate number of highchairs, or other suitable pieces of equipment that meet federal Consumer Product Safety Commission standards, must be provided for infant feeding.
7. Children who are actively eating may be in a highchair or other approved feeding equipment for longer than fifteen (15) minutes. Children must be moved once feeding is complete.

- C. Feeding the Toddler
 - 1. Staff members must either feed toddlers or supervise them when they are eating, and children must be encouraged to try a variety of food served.
 - 2. Toddlers must be sitting when eating or drinking.
 - 3. Children who are actively eating may be in a highchair or other approved feeding equipment for longer than fifteen (15) minutes. Children must be moved away from the feeding location once feeding is complete.

7.702.64 Guidance

- A. Guidance used at the center must be appropriate to the development of the child and is used as an opportunity to teach children social-emotional skills, such as self-regulation, problem-solving, and empathy for others.
- B. Children must not be subjected to physical or emotional harm, humiliation, or threats.
- C. The Director must not use, or permit a staff person or child to use, corporal or other harsh punishment.
- D. Guidance must not be associated with food, rest, or toileting. No child should be punished for toileting accidents. Food must not be denied to or forced upon a child as a disciplinary measure.
- E. Physical activity and outdoor time must not be withheld as a disciplinary measure.
- F. Separation, when used for guidance, must not exceed five (5) minutes and must be appropriate for the child's development. The child must be in a safe, lighted, well-ventilated area and be within sight and hearing of an adult. The child must not be isolated in a locked, closed room, or closet.
- G. Verbal abuse and derogatory remarks about the child are not permitted.
- H. Any form of restraint is not permitted.
- I. Physical redirection may be used to keep a child from immediate imminent danger. The child must be immediately released once removed from imminent danger.

7.702.65 Activities

- A. Activity Schedules
 - 1. The center must carry out a planned program suitable to the needs of the children. This program must be described in writing and be available for review when requested by the department or by parents or guardians of children in care.
 - 2. Daily physical gross motor activities, with or without equipment or materials, must be provided outdoors, or indoors during inclement weather, to children toddler age and older for no less than sixty (60) minutes total for full day programs. Activities do not have to occur all at once.
 - a. Programs who qualify for an outdoor space hardship per Section 7.702.74, B,1, must provide daily physical gross motor activities indoors or outdoors.

3. Children's access to outdoor space must be provided daily, except during inclement weather.
4. Infants must be provided access to outdoor play at least three (3) times per week, weather permitting.
5. If the center takes children on routine short excursions, such activities and locations must be posted at the center.
6. Portable first aid kits must be available to staff at all times, including field trips and short excursions, and must be checked and restocked on at least a monthly basis.
7. If a child participates in activities away from the facility, the center must obtain the parent or guardian's written permission for the child to participate in the activity at a specific location and day. Staff ratios found at Section 7.702.46 must be maintained.

B. Screen Time and Media Use

1. Screen time, which includes, television, recorded media, computer, tablet, cell phones, video games, and other media devices, is prohibited for children less than two (2) years of age.
2. Screen time is prohibited during snack or meal times.
3. All media that children are exposed to must not contain explicit language or topics.
4. For children two (2) to five (5) years of age, screen time must be limited to no more than thirty (30) minutes per day.
5. For children two (2) years of age and older, screen time may only exceed sixty (60) minutes for a special occasion and must not occur more than once every two (2) weeks.
6. All children must be provided with a developmentally appropriate alternative activity once the child(ren) loses interest in the media activity.
7. There is no time restriction for children using personal adaptive equipment or assistive technology or participating in mandatory school activities.

C. Field Trips

1. The center must notify the children's parents or guardians in advance of any field trip. The staff-child ratio found at Section 7.702.46 must be maintained at all times.
2. All groups of children must be actively supervised by a qualified Early Childhood Teacher at all times.
3. Children must be actively supervised at all times.
4. An accurate itinerary must remain at the center.
5. When taking children on a field trip, staff must have the following information about each child: name, address, and phone number of the child's physician or other appropriate health care professional and the written authorization from the parent or guardian for emergency medical care.

6. If children attending the field trip require routine medications be administered during the field trip or have special health needs, a staff member with current medication administration training and delegation must attend on the field trip.
7. A list of all children and staff on a field trip must be kept at the center.

7.702.66 Transportation

A. Transportation Provided by the Center

1. The center is responsible for any children it transports.
2. The center must obtain written permission from the parent(s)/guardian(s) for any transportation of their child(ren) while in care.
3. The number of staff members who accompany children when being transported in the vehicle must meet the childcare staff ratio found at Section 7.702.46. The driver of the vehicle is considered a staff member.
4. Children must not be permitted to ride in the front seat of a vehicle and must remain seated while the vehicle is in motion. All children must be secured in a child restraint system that is appropriate for the age and development of that child. The child restraint must conform to all applicable Federal Motor Vehicle Safety Standards and Colorado child passenger safety laws.
5. Children must be loaded and unloaded out of the path of moving vehicles.
6. Children must not be permitted to stand or sit on the floor of a moving vehicle, and their arms, legs, and heads must remain inside the vehicle at all times.
7. Children must not be left unattended in the vehicle.
8. Transportation arrangements for school-age children must be by agreement between the center and the children's parents, i.e., whether the child can walk, ride a bicycle, or travel in a car. The center must monitor the children to be sure they arrive at the center when expected and follow up on their whereabouts if they are late. Written permission from parents or guardians for their children to attend community functions after school hours must include agreements regarding transportation.
9. Prior to a field trip or other excursion, the center must obtain information on liability insurance from parents and staff who transport children in their own cars and verify that all drivers have valid driver's licenses.
10. Attendance must be verified as children enter and exit the vehicle to ensure all children are accounted for.

B. Requirements for Vehicles

1. Any vehicle used for the transportation of children to and from the center or during center activities must meet the following requirements:
 - a. The vehicle must be enclosed and have working door locks;
 - b. The seats of the vehicle must be constructed and installed according to the vehicle manufacturer's specifications;

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- c. The vehicle must be kept in satisfactory condition to ensure the safety of occupants. Vehicle tires, brakes, and lights must meet safety standards set by the Colorado Department of Revenue, Motor Vehicle Division;
 - d. Seating must be comfortable with a seat of at least ten (10) inches wide for each child;
 - e. The provider must not transport more children than any vehicle is able to safely accommodate when child restraint systems and seat belts are properly installed in the vehicle. Two (2) or more children must never be restrained in one (1) seat belt or child restraint system; and,
 - f. Modifications to vehicles including, but not limited to, the addition of seats and seat belts must be completed by the manufacturer or an authorized representative of the manufacturer. Documentation of such modifications must be available for review.
2. In passenger vehicles, which include automobiles, station wagons, and vans with a manufacturer's established capacity of sixteen (16) or fewer passengers and less than 10,000 pounds, the following is required:
 - a. Each child must be restrained in an individual seat belt;
 - b. Two (2) or more children must never be restrained in one (1) seat belt;
 - c. Lap belts must be secured low and tight across the upper thighs and under the belly; and,
 - d. Children must be instructed and encouraged to keep the seat belt properly fastened and adjusted.
 3. In vehicles with a manufacturer's established capacity of sixteen (16) or more passengers, seat belts for passengers are not required.
- C. Requirements for Drivers of Vehicles
1. All drivers of vehicles transporting children must comply with applicable laws of the Colorado Department of Revenue, Motor Vehicle Division, and ordinances of the municipality in which the center operates.
 2. All drivers of vehicles owned or leased by the center in which children are transported must have a current Department-approved First Aid and Safety certificate that includes CPR for all ages of children.
 3. In each vehicle used to transport children, drivers must have access to a First Aid kit.
 4. The driver must ensure that all doors are secured at all times when the vehicle is moving.
 5. The driver must make a good faith effort to ensure that each child is properly belted throughout the trip.
 6. The driver must not eat, smoke, or use a cellular device while driving.
 7. The required staff to child ratio must be maintained at all times.
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8. All drivers must be at least twenty (20) years of age.
9. Drivers must complete a minimum of four (4) hours of Department-approved driver training. The Department's approval will be based on the review of a training curriculum that includes at a minimum: behind the wheel training; participant transport attendance procedures including taking attendance at the destination; managing behavioral issues; loading and unloading procedures; daily vehicle inspection procedure; proper tire inflation; emergency equipment and how to use it; accident procedures; passenger illness procedures; procedures for backing up; and vehicle evacuation.

D. Transporting Infants and Toddlers

1. Children must be properly fastened into a child restraint system that conforms to all applicable Federal Motor Vehicle Safety Standards pursuant to Colorado law.
2. There must be at least one (1) adult, in addition to the driver, for each five (5) or fewer infants/toddlers being transported. Each adult must have a current Department-approved First Aid and Safety certificate that includes CPR for all ages of children.
3. An adult must accompany each child to and from the vehicle.
4. Infants and toddlers must not be transported in the front seat of a vehicle.

7.702.67 Overnight Care

- A. All of the provisions required in Section 7.702 of these rules for childcare centers apply to centers offering overnight care of children which includes care that extends beyond midnight. In addition, centers must observe the following provisions:
1. A nutritious evening meal must be made available to children. If provided by the center, the meal must meet current USDA Child and Adult Care Food Program meal pattern requirements.
 2. Quiet activities must immediately precede the children's bedtime.
 3. Children's faces and hands must be washed, children's teeth must be brushed according to the child's age, and children must be changed into comfortable clothing for sleeping.
 4. Each child must be provided with a comfortable separate bed, crib, or cot suitable for the child's age or a two (2) inch sleeping mat or mattress. Each child must also be provided with sheets and a clean, washable covering. If mats or mattresses are used, the room temperature at floor level must be 68 to 72 degrees. Pads and mattresses must be fitted with a clean, washable, removable covering. Permission of parents/guardians must be obtained for each child who uses a sleeping mat or mattress placed on the floor.
 5. Staff must be awake, alert, and actively supervising all children.
 6. The staff-child ratio for sleeping children is one (1) adult to every six (6) or fewer children in attendance. Once one (1) child is awake, the staff-child ratio as defined in Section 7.702.46 must be maintained.

7.702.7 CHILD CARE EQUIPMENT AND MATERIALS

7.702.71 General Requirements

- A. Durable furniture such as tables and chairs must be child-sized or appropriately adapted for children's use.
- B. Window blind cords must be secured out of children's reach to prevent strangulation.
- C. Items labeled "keep out of reach of children" must be inaccessible to children.
- D. Staples must be inaccessible to children less than three (3) years of age.
- E. Thumb tacks must not be used in areas accessible to children less than three (3) years of age.
- F. Glitter must not be used with children under three (3) years of age.
- G. Loose plastic bags must be stored in areas inaccessible to children.
- H. Sharp tools and instruments must be stored in areas inaccessible to children.
- I. For every five (5) infants for which the center is licensed, there must be at least one (1) piece of sturdy mobile equipment that is easily accessible to safely and effectively evacuate infants.
- J. If using a crib is not designed for emergency evacuation, the crib must be reinforced with a kit manufactured for this purpose.
- K. Evacuation equipment must not block exit routes. Nothing may be stored in or under any evacuation equipment.

Evacuation equipment must:

- 1. Be located in the room or immediately outside the interior classroom door;
 - 2. Be labeled for easy identification;
 - 3. Be ready for use; and,
 - 4. Fit through doorways.
- L. Toys, toy parts, furnishings, equipment, and any materials accessible to children under than three (3) years of age must not be a choke hazard or able to be inhaled. Any area of the facility accessible to children less than three (3) years of age must be free of any choke or inhalation hazards.
 - M. Toys, toy parts, furnishings, equipment, and materials made of brittle, easily breakable plastic or glass are not permitted for children less than five (5) years of age.
 - N. The infant program must have an adult rocking chair.
 - O. In the infant program, some play equipment from the following list must be provided: rubber washable toys, rattles, blocks, balls, and music player.
 - P. Some sand or equivalent dry material or water play should be offered to children eighteen (18) months of age or older, indoors or outdoors, at least monthly and year-round.

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- Q. At least three (3) examples of materials must be available to the children that are developmentally appropriate, culturally sensitive, and represent diversity in ethnicity, race, gender, age, and abilities. Variety must exist in toys, books, and pictures.
- R. The center must have enough play materials and equipment so that at any one time each child for which the center is licensed for can be individually involved. Separate play rooms or separate interest centers must be provided for each category of equipment required for the program. A variety of material and equipment from the following categories must be available:
1. Art;
 2. Blocks and accessories;
 3. Books and pictures;
 4. Dramatic play;
 5. Gross motor;
 6. Manipulatives;
 7. Music; and,
 8. Science and math.
- S. In the toddler program, some play materials and equipment easily accessible to children must be provided from each of the following categories:
1. Books and pictures;
 2. Dramatic play;
 3. Gross motor;
 4. Manipulatives; and,
 5. Music.
- T. If the center serves school-age children, it must have some age-appropriate materials and equipment from each of the following categories:
1. Arts and crafts;
 2. Games;
 3. Sports;
 4. Science and math; and,
 5. Literature.
- U. An appropriate supply of play materials must be readily accessible to children and must be arranged in an orderly manner so that children can select, remove, and replace the play materials either independently or with minimum assistance.

7.702.72 Indoor/Outdoor Equipment, Materials, and Surfaces

- A. A variety of play equipment and materials appropriate for children's age, size, developmental needs, and activities must be provided for both indoor and outdoor structured and free play.
 - 1. Programs who qualify for an outdoor space hardship per Section 7.702.74, B, 1 are not required to provide equipment and materials for outdoor play.
- B. Indoor and outdoor equipment, materials, and furnishings must be sturdy, safe, and free of hazards.
- C. All other indoor or outdoor playground facilities, with permanently installed or portable climbing equipment, without an annually certified playground inspection must meet the following requirements:
 - 1. Resilient Surfacing
 - a. All climbing equipment eighteen (18) inches or higher must have resilient surfacing of at least six (6) inches in the use zone surrounding the equipment.
 - b. Department-approved resilient surfacing includes loose fill materials such as wood chips, wood mulch, engineered wood fiber, pea gravel, synthetic pea gravel, shredded rubber tires, and sand. Solid unitary materials include poured in place surfacing, approved rubber mats, playground tiles, and AstroTurf with built in resilient pad.
 - c. Loose fill resilient surface must be raked regularly to retain its resiliency and to retain a depth of at least six (6) inches.
 - d. Any newly installed solid unitary materials used for resilient materials must have written documentation from manufacturer stating the material meet current federal safety standards. The documentation must be available for review at all times.
 - 2. Maximum Height of Equipment
 - a. The maximum height for toddler climbing equipment cannot exceed thirty-two (32) inches.
 - b. The maximum height for preschool and school-age climbing equipment must not exceed six (6) feet in height with six (6) inches of Department-approved resilient surfacing.
 - 3. Use Zone
 - a. Toddler climbing equipment must have a three (3) foot use zone surrounding the equipment. Toddler slides require a six (6) foot use zone extending out from the base of the slide.
 - b. The use zone for swings used by toddlers is determined by measuring the distance from the top of the swing to the bottom of the bucket seat. This measured distance must extend from both the front and the back of the swing.

- c. Preschool and school-age climbing equipment must have a six (6) foot use zone surrounding the equipment. For slides exceeding six (6) feet in height, the use zone from the base of the slide must be as long as the slide height.
 - d. The use zone for swings used by children preschool age and older is determined by measuring the distance from the top of the swing to the ground. This measured distance must extend from both the front and the back of the swing.
4. Moving equipment must be located toward the edge or corner of a play area or be designed in such a way as to discourage children from running into the path of the moving equipment.
 5. Metal equipment must be placed in the shade.
 6. All pieces of playground equipment must be designed to guard against entrapment and strangulation. Any openings in gross motor equipment above ground must be smaller than three and one half (3 ½) inches or greater than nine (9) inches to prevent entrapment.
 7. Swings must have seats made of a flexible material and all "S" hooks must be secured.
 8. All outdoor play areas used for children's activities must be checked daily and kept safe and free from hazardous materials or debris by removal of debris, dilapidated structures, and broken or worn play equipment. The staff must identify hazardous, high-risk areas; those areas must be made inaccessible to children to reduce the possibility of injuries and accidents.
- D. For purposes of a playground facility inspection, the Department shall accept as satisfactory proof of valid certification of the playground facility, certification, or a copy of certification, from an individual who is licensed or certified to perform playground safety inspections through the National Recreation and Park Association, or other nationally recognized playground facility safety organization. The Department shall not require a duplicate inspection if there is a satisfactory inspection report.
1. All playground facilities who hold a certified playground safety inspection must maintain resilient surfacing in compliance with the certification.
- E. Children must wear helmets when riding scooters, bicycling, skateboarding, or rollerblading. The helmet must be removed after the activity. Motorized riding toys are not permitted.
- F. Trampolines and inflatable bouncers are prohibited.

7.702.73 Indoor Learning Environment

- A. Indoor Space Requirements
1. There must be open, indoor play space of at least thirty (30) square feet of floor space per child, including space for movable furniture and equipment. For space to be counted in the square footage calculation, the space must be accessible and used by children.
 2. Indoor play areas must be uncluttered, safe, and allow for freedom of movement.
 3. Adequate storage space must be provided for indoor and outdoor equipment and supplies.

4. Number of Children Allowed in One (1) Room

AGE OF CHILDREN	MAXIMUM NUMBER OF CHILDREN IN A ROOM
6 weeks to 18 months	10 infants
12 months to 18 months	10 infants
12 months to 36 months	20 toddlers
18 months to 24 months	20 toddlers
24 months to 36 months	28 toddlers
30 months to 36 months	28 toddlers

5. Square Footage Requirement per Child

AGE OF CHILD	SEPARATE FREE PLAY AREA	SEPARATE SLEEP AREA	COMBINED SLEEP AND PLAY AREA
6 weeks to 18 months (infants)	35 square feet	Adequate space to accommodate size of cribs and needs of infant and staff	50 square feet
12 months to 36 months (toddlers)	30 square feet	30 square feet	45 square feet
2-1/2 years to 5 years (preschool)	N/A	N/A	30 square feet
5 years and over (school-age)	N/A	N/A	30 square feet

6. In the infant program, the minimum indoor space per infant for sleep and activities is fifty (50) square feet.

1. In a combination sleep/activity rooms, the sleep area must be separated by a sturdy divider from the area used for activities, and cribs must be arranged so that all infants and cribs are easily accessible to staff members.

7.702.74 Outdoor Learning Environment

A. Outdoor Space Requirements

1. Readily accessible gross motor play space and access to outdoor space must be provided.
2. The outdoor learning environment for preschool age and older must provide a minimum of seventy-five (75) square feet of space per child for a group of children using the total play area at any one time. the total play area must accommodate at least thirty-three percent (33%) of the licensed capacity for children preschool age and older or a minimum of 1500 square feet, whichever is greater.

- a. Programs who qualify for an outdoor space hardship per Section 7.702.74, B, 1 must meet the minimum outdoor learning environment square footage requirements indoors or through a combination of indoor and outdoor space.
 3. The play area must be fenced or have natural barriers, such as hedges or stationary walls at least four (4) feet high, to restrict children from unsafe areas.
 - a. Centers licensed to provide care for preschool-age children only may use the centers perimeter fencing if they maintain a ratio of one (1) staff member to eight (8) children.
 4. The play area must be designed so that it is easily supervised.
 5. A minimum of one hundred fifty (150) square feet of shaded area in the fenced play area must be provided to guard children against the hazards of excessive sun and heat. Shaded areas must be provided year-round.
 6. In the infant program, the outdoor play area must be a minimum of four hundred (400) square feet.
 7. In the infant program, the outdoor area can be used by other age groups at the center, but it must not be used by any other group of children while infants are using it.
 8. The total outdoor play area for toddler age groups must be a minimum of seven hundred fifty (750) square feet if licensed for ten (10) toddlers and one thousand fifty (1,050) square feet if licensed for fourteen (14) or more toddlers, or seventy-five (75) square feet per child for the largest group size for which the program is licensed.
 9. In the toddler program, the outdoor play area can be shared by infants, but infants and toddlers must not be allowed to use the play area at the same time.
- B. Outdoor Space Hardship
1. If an outdoor play space is not directly attached to the facility or accessible via secure access, or the childcare facility cannot meet outdoor space requirements due to a hardship based on the location of the facility, the facility must develop a site-specific plan, which will be submitted to the Department for review and approval, that includes the following:
 - a. Identification of an accessible (appropriate for the age group of children served) alternate outdoor space including a description and approximate square footage of the space;
 - b. A diagram outlining how children will safely travel to and from this location;
 - c. A plan for supervision, including any special staffing requirements, to safely access and utilize the alternate outdoor space that includes:
 - (1) Attendance tracking upon arrival to the outdoor space and return to the facility;
 - (2) Children's toileting and diapering needs;

- (3) Children's routine and emergency medical needs including the use of first aid kits and accessibility of emergency contact information when not on site at the childcare facility;
 - (4) Plans for alternate activities if the outdoor space is unavailable; and,
 - (5) If play equipment or climbing structures are present in the outdoor space, a plan for assessing safety of equipment and supervising age-appropriate play;
 - d. An emergency evacuation plan including the location of a secondary site for reunification with parents in the case of an emergency while at the offsite location and plans for accessing shelter in the case of emergency; and,
 - e. A policy that notifies the parent(s)/guardian(s) of the alternate outdoor space.
2. If the outdoor space becomes unusable or the program cannot maintain what was approved in the plan, the program must submit a new plan to the Department within ten (10) calendar days of a change in the usability of such outdoor space.
3. Childcare facilities licensed prior to December 1, 2021 may not reduce or eliminate existing licensed outdoor space to qualify for the outdoor space hardship.

7.702.8 BUILDINGS AND FACILITIES

7.702.81 Building Site

A. General

1. Centers can be located in a private residence only when that portion of the residence to which children have access is used exclusively for the care of children during the hours the center is in operation or is separate from the living quarters of the family.
2. No other business can operate in the rooms used by the center during the hours of childcare.
3. Rooms licensed for specific ages of children cannot be used for other ages of children without the prior written approval of the licensing authority.
4. Prior to licensure, if the infant or toddler program is located on a floor above or below the main floor of egress leading directly outside, the childcare facility must develop and submit an alternate location plan for approval by the department that includes following:
 - a. Fire department and building department approval per the locally adopted fire and building codes;
 - b. An emergency evacuation plan with identified primary and secondary areas of refuge;
 - c. Any special equipment necessary to operate in and evacuate safely from the alternate location; and,
 - d. Any special staffing and training requirements to ensure the ability to safely evacuate the alternate location.

- B. Infant Programs
 - 1. If the infant program is in the same building as a facility caring for children of other ages, the infant program must be physically separated in different rooms by walls no less than eight (8) feet and full doors.
- C. Toddler Program
 - 1. If the toddler program is in the same building as a facility caring for children of other ages, the toddler program must be physically separated in different rooms by walls no less than eight (8) feet and full doors.
 - 2. If the toddler program is combined with a large childcare center or an infant program, toddler facilities, both indoor and outdoor, must be completely separate from facilities for other age groups, except as allowed by Section 7.702.74, A, 6 and 8. If the facility wishes to provide opportunities for a toddler to have occasional contact with siblings, plans must be approved by the Department licensing representative.

7.702.82 Building Plans and Construction

- A. The center must comply with applicable state and local building and fire codes.
- B. Prior to construction, architectural plans for new buildings or for remodeling of existing buildings must be submitted for review and approval by the Department, the local fire department, and the local building department as to appropriateness, adequacy, and suitability for childcare functions.

7.702.83 Toilet Facilities

- A. Toilet facilities for the staff and other adults must be in separate restrooms or be separated by a partition from children's facilities, except in centers licensed for thirty (30) or fewer children and in centers with programs of four (4) hours or less.
 - 1. In toilet facilities where the adult and children's facilities are separated by a partition, adults and children must not use the facilities at the same time.
 - 2. After January 1, 2022, staff and children toilet facilities must be separate in new construction.
- B. Toilet facilities for children must be separate from rooms used for other purposes and must be located on the same floor as the inside play area.
- C. A minimum of one (1) sink and one (1) flush toilet must be provided for each fifteen (15) or fewer children.
- D. The same toilet facilities must not be used simultaneously by school-age children of all genders, and toilets for school-age children must be separated by partitions to provide privacy.
 - 1. School-age children must be allowed the use of toilet facilities that correspond with their gender identity.
- E. Toilet facilities must be provided for children two (2) years of age and older.
- F. Toilet facilities for toddlers must be located within their classroom.

7.702.84 Office Facilities

- A. Office space separate from areas used by children must be provided for staff to perform administrative duties.
 - 1. If the office space is accessible to children, it must be free of hazards.
- B. The office must have sufficient space for maintenance and safe storage of children's and staff records and the center's business records.

7.702.9 SAFETY REQUIREMENTS

7.702.91 General Requirements

- A. Firearms as defined in § 18-1-901(3)(h), C.R.S., are prohibited on the premises, both indoor and outdoor, and in any vehicle in which children are transported.
- B. Buildings must be kept in good repair and maintained in a safe condition.
- C. Major cleaning is prohibited in rooms occupied by children.
- D. Volatile substances such as gasoline, kerosene, fuel oil, oil-based paints, firearms, explosives, and other hazardous items must not be stored in any area of the building used for childcare.
- E. Combustibles such as cleaning rags, mops, and cleaning compounds must be stored in well-ventilated areas, separated from flammable materials, and stored in areas inaccessible to children.
- F. All heating units, gas or electric, must be installed and maintained per the manufacturer's specifications with safety devices to prevent fire, explosions, and other hazards. No open-flame gas or oil stoves, unscreened fireplaces, hot plates, or unvented heaters can be used for heating purposes. All heating elements, including hot water pipes, must be insulated or installed in such a way that children cannot come in contact with them.
- G. Combustible materials must not be stored in hallways, stairways, boiler rooms, mechanical rooms, or electrical equipment rooms.
- H. In rooms used by children, all electrical outlets that are accessible to children must have protective covers, or safety outlets must be installed.
- I. Permanently located battery-powered lights must be provided in locations readily accessible to staff in the event of electric power failure. Batteries must be checked regularly.
- J. Closets, attics, basements, cellars, and furnace rooms must be kept free from accumulation of extraneous materials such as furnishings, newspapers, and magazines.
- K. Kitchens, including all hazardous items, must be inaccessible to children at all times.

7.702.92 Fire Safety

Centers must comply with the locally adopted fire code, including but not limited to the following:

- A. Every building and structure must have the minimum required number of exits to permit the prompt escape of occupants in case of fire or other emergency. Additional safeguards must be provided for life safety in case any single safeguard is ineffective due to some human or mechanical failure.
- B. Every building or structure must be constructed, arranged, equipped, maintained, and operated as to avoid undue danger to the lives and safety of its occupants from fire, smoke, fumes, or resulting panic during the period of time reasonably necessary for escape from the building or structure in case of fire or other emergency.
- C. In every building or structure, exits must be arranged and maintained so as to provide free and unobstructed egress from all parts of the building or structure at all times when it is occupied. No lock or fastening to prevent free escape from the inside of any building can be installed. Only panic hardware or single-action hardware is permitted on a door or on a pair of doors. All door hardware must be within the reach of children.
- D. No children younger than school age can be cared for in areas above or below the main floor of exit unless in compliance with all Codes and Standards as adopted by the local jurisdiction and approved by the local fire department, or except as provided in the location exception in Section 7.702.81, A, 4.
- E. One (1) exit from each room must be directly to the exterior of the building or to a common hallway leading to the exterior. The exit path must not go through an intervening room such as a bathroom, another classroom, storage room, or kitchen.
- F. All stairways, interior and exterior, that are used by children must be provided with handrails within reach of the children.
- G. Regardless of the number of staff and children, exit doors shall be openable from the inside without the use of a key or any special knowledge or effort. Dead bolts may be installed on the main exit door, but the lock cannot be used during business hours, and there must a sign indicating that "this door must remain unlocked during business hours."
- H. Every exit must be clearly visible, or the route to reach it must be conspicuously indicated. Each path of escape must be clearly marked.
- I. Fire alarm and fire sprinklers must be provided in accordance with the locally adopted fire code. If a fire alarm system is installed, it must be used to warn occupants of the existence of fire or to facilitate the orderly conduct of fire exit drills.

7.702.100 DROP-IN, PART DAY, MOBILE PART-DAY PRESCHOOL, TEEN PARENT PROGRAMS, AND OTHER PROGRAMS OPERATED BY PUBLIC SCHOOL DISTRICTS

7.702.101 Drop-In Programs

- A. Director Requirements
 - 1. The Director or Assistant Director of an extended hour drop-in childcare center operating at least six (6) calendar days per week must be present at the center or involved in director activities at least fifty percent (50%) of the hours of operation of any day the center is in operation.
 - a. If the Director is not on site at the center for a portion of any day that center is in operation, the Director must be available by phone.

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- b. The Director must be present in the center at least thirty (30) hours each week.
2. Whenever the Director of a drop-in childcare center cannot be present fifty percent (50%) of any day the center is in operation, an Assistant Director that meets one (1) of the following qualifications must be present:
- a. At least one (1) year of experience as a qualified Early Childhood Teacher at the drop-in child care center;
 - b. Eighteen (18) months of experience as a qualified Early Childhood Teacher with children less than twelve (12) years of age and at least six (6) months experience at the drop-in child care center;
 - c. A Bachelor's, Master's, or Doctorate degree from an accredited college or university in one (1) of the human services field below:
 - (1) Child Development;
 - (2) Child Psychology;
 - (3) Early Childhood Education;
 - (4) Early Childhood Special Education;
 - (5) Educational Leadership and Administration;
 - (6) Elementary Education;
 - (7) Family and Human Development;
 - (8) Family Studies;
 - (9) Special Education; or,
 - d. Qualification as an Early Childhood Teacher and completion of at least half of the required coursework for Director qualifications, including one (1) of the following administration classes:
 - (1) Administration Of Early Childhood Care and Education Programs; or,
 - (2) Administration Human Relations for Early Childhood Professions or Introduction to Business.
- B. Staff to Child Ratios
- 1. Drop-in child care centers may follow a ratio of one (1) adult for every eight (8) children for children in a mixed age group of two (2) years of age to twelve (12) years.
 - 2. One (1) to two (2) children, one (1) year of age to two (2) years of age, may join the preschool age group of children for short periods of time for structured activities.

C. Health Care

1. For children attending a drop-in center, the parent(s)/guardian(s) of each child must submit a statement of the child's current health status or written verification of a scheduled appointment with a health care provider within thirty (30) calendar days or by the second visit, whichever is longer. The statement of the child's current health status must be signed and dated by a health care provider who has seen the child within the last twelve (12) months, or within the last six (6) months for children less than two and one-half (2 ½) years of age. Subsequent statements are not required if there have been no health changes in the child and the parent(s)/guardian(s) attest in writing to the health status of the child on an annual basis. Children attending drop-in childcare with special medical needs must have the statement from a health care provider as indicated in Section 7.702.51, A, 2, b-e.

D. Rest Time Equipment

1. Drop-in child care centers must provide mats or cots for at least fifty percent (50%) of the licensed capacity of the center.

E. Play-Equipment and Materials

1. Drop-in child care centers must provide indoor gross motor equipment, including, but not limited to, an indoor climbing structure, an open area for indoor, and must provide gross activities at least two (2) times during each six (6) hour period of time.

F. Building Site- Toddler Program

1. A toddler program located in a drop-in child care center licensed for five (5) or fewer toddlers may be separated from the rest of the center by a five (5) foot wall.
2. Drop-in child care centers must provide a minimum of one (1) sink and one (1) toilet for each twenty (20) or fewer children.
3. Toilet facilities are not required to be located in the toddler classroom for drop-in child care centers licensed for ten (10) or fewer toddlers.

7.702.102 PART-DAY PROGRAMS

A. Safe Sleep Environment

1. Supervised tummy time must be offered to infants one (1) month of age or older at least two (2) times per day for part day programs for short periods (3-5 minutes) and increase the amount of time as the infant shows they enjoy the activity. If the infant falls asleep during tummy time, immediately place him/her on their back in approved sleeping equipment.

B. Gross Motor Activities

1. Daily gross motor activities, with or without equipment or materials, must be provided outdoors, or indoors during inclement weather. Activities do not have to occur all at once.
 - a. Programs who qualify for an outdoor space hardship per Section 7.702.74, B, 1 must provide daily physical gross motor activities indoors or outdoors.

2. Daily physical gross motor activities must be provided for children toddler age and older based on the program's hours of operation:
 - a. For programs operating up to three (3) hours per day, fifteen (15) minutes of gross motor activities is required.
 - b. For programs operating between three (3) and five (5) hours per day, thirty (30) minutes of gross motor activities is required.

7.702.103 Mobile Part-Day Preschool Programs

A. Policies

1. Written schedules must be provided to parent(s)/guardian(s) and the department. Any changes to location must be provided to parent(s)/guardian(s) and the department in advance.
2. The program must have an emergency evacuation plan and location.
 - a. The program must develop a plan for transporting children, specific to each mobile unit, in the case of an emergency. The plan must be approved by the Department prior to caring for children.

B. Staff Qualifications

1. There must be a large childcare center qualified Director available during operating hours. A Director can oversee multiple mobile preschool programs under the same governing body.
2. Each mobile preschool program must have a qualified Early Childhood Teacher on site.

C. Supervision

1. Children must be directly supervised when entering and exiting the mobile preschool.

D. Child Care Equipment and Materials

1. A variety of developmentally appropriate materials, equipment, and learning activities from the following categories must be available so that for any one time at least half of the children for which the program is licensed can be individually involved:
 - a. Art;
 - b. Blocks and accessories;
 - c. Books and pictures;
 - d. Imaginative play;
 - e. Manipulatives;
 - f. Music; and
 - g. Science and math.

E. Facility Requirements

1. The mobile unit must be parked and appropriately secured prior to children arriving for care.
2. The use of handwashing sinks and toilets not located within the facility must be approved by the Colorado Department of Public Health and Environment.
3. If the mobile preschool is approved by the Colorado Department of Public Health and Environment to use a toilet located outside of the facility, there must be one (1) additional staff member, who is an Assistant Early Childhood Teacher or an Early Childhood Teacher, to properly supervise and accompany the children to the toilet facilities.
4. If the Colorado Department of Public Health and Environment approves the use of a public restroom, the restroom must not be shared with the public during the hours the preschool is in operation.
5. There must be a minimum of fifteen (15) square feet per child in the mobile classroom.
6. The mobile preschool must be capable of maintaining a draft-free temperature of a minimum of sixty-eight (68) degrees Fahrenheit.
7. The program must have safely accessible access to an outdoor area for daily planned activities, during inclement weather, an indoor space must be available for gross motor activities.
 - a. Programs who qualify for an outdoor space hardship per Section 7.702.74, B, 1 must provide daily physical gross motor activities indoors.

F. Safety

1. Space heaters must have screens, a safety overheat protection, a safety trip-over switch, and be inaccessible to children.
2. The mobile preschool must have two (2) means of emergency egress.

7.702.104 Teen Parent Programs Operated by a Public School District

- A. Infant programs affiliated with Teen Parent Programs that are operated by accredited public school systems and on school premises may substitute the following age requirements for those at Section 7.702.1, B, 3:
1. The minimum age of infants in care is seven (7) days.
 2. Infants between the ages of seven (7) and thirteen (13) days may be accepted for care only with written approval from a health care provider and if there are no medical complications for the infant and/or teen mother.
 3. Infants fourteen (14) days of age and over may be accepted for care if there are no medical complications for the infant and/or teen mother.
 4. The maximum age of infants in care may be extended only in those situations where no teen parent toddler program exists. In this circumstance, an infant may remain in the infant program until the end of the school semester in which the infant becomes eighteen (18) months old.

- B. Infant and toddler programs affiliated with teen parent programs that are operated by accredited public school systems on school premises may substitute the following staff requirements for those at Section 7.702.45 B, C:
1. The Director must be present in the infant program classroom or adjacent teen parent classroom at least sixty percent (60%) of any day the center is open.
 2. If the Director cannot be present sixty percent (60%) of any day, an individual who meets Assistant Director qualifications must substitute for the Director.
 3. Infant staff aides must be at least fifteen (15) years of age and may be parents-to-be, parents of enrolled infants, or students enrolled in a childcare related course with the sponsoring school system.
 4. Substitutes for infant program staff must be from the sponsoring school system's list of approved substitute staff members. Substitutes who do not meet minimum staff qualifications can work no more than ten (10) consecutive business days per assignment. The dates and times must be recorded and made available for review at all times.
 5. Substitutes for infant program staff must hold a current Department-approved First Aid and Safety certificate that includes CPR for all ages of children.
- C. Rest Time Equipment
1. Bassinets and playpens are allowed for use in a teen parent program when the teen parent(s) remain(s) on site.

7.702.105 Child Care Programs and Preschools Operated by a Public School District

- A. The administration of medical marijuana must comply with policies listed in Sections §12-255-120, 12-255-127, and 2-30-116. C.R.S.
- B. Director Requirements
1. Preschool age classrooms that are operated by public school districts are not required to have a Large Center Director qualified staff member assigned to each program when they have an organizational structure that includes at least ten (10) administrative support elements from the following:
 - a. Colorado Preschool Program Coordinator;
 - b. Parent Educational Specialist;
 - c. Principal;
 - d. Health Coordinator;
 - e. Nurse;
 - f. Health Technician;
 - g. Food Service Director;
 - h. A Registered Dietitian or an individual with a Master's level or higher education in Nutrition;

- i. Fire/Health/Safety Inspector;
 - j. Mental Health Team;
 - k. Speech Language Pathologist;
 - l. Occupational/Physical Therapist;
 - m. School Psychologist;
 - n. Family Outreach Worker;
 - o. Human Resource Specialist; or,
 - p. Transportation Manager.
2. The program must obtain a director who meets Large Center Director qualifications if substantial evidence has been found leading to an adverse licensing action for any of the following:
 - a. Lack of supervision;
 - b. Operating out of the approved staff member to child ratio;
 - c. Operating without sufficient qualified staff.
 3. Programs who have their Director privileges revoked may submit a request for consideration after a period of two (2) years from successful completion of the adverse licensing action.
- C. Substitutes
1. Substitutes for Directors of part-day public school preschools may be from the sponsoring school system's list of approved substitutes. Substitutes who do not meet director qualifications must consult with a qualified director on administering the center in accordance with early childhood principles and practices and licensing rules.
 2. In licensed programs operated by public school districts, substitutes may be from the sponsoring school system's list of approved substitutes. Substitutes who do not meet qualifications for the position that they are substituting for can be used up to ten (10) calendar days per year. The dates and times must be recorded and made available for review at all times.
- D. Outdoor Space Requirements
1. Licensed preschool programs operated by public school districts who do not meet fencing or barrier requirements in Section 7.702.74, A, 3 may use the school's perimeter fencing if they maintain a ratio of one (1) staff member to eight (8) children.

7.703 RULES REGULATING THERAPEUTIC FOSTER CARE

Child placement agencies' or county department of human/social services' therapeutic foster care programs shall comply with all rules in this section, the General Rules for Child Care Facilities in section 7.701, Rules and Regulations for Child Placement Agencies in section 7.710, and the Rules Regulating Foster Care Homes in section 7.708, 7714.532.