

## CHAPTER 5

### FAMILY CHILD CARE HOME (FCCH)

#### **Section 1. Program Specific Certification Standards.**

(a) All Family Child Care Homes shall comply with all sections of this Chapter and the following Chapters and Sections of these Rules:

- (i) Chapter 1: All;
- (ii) Chapter 2: All;
- (iii) Chapter 3: All;
- (iv) Chapter 4: All;
- (v) Chapter 8: All; and
- (vi) Chapter 9: All.

#### **Section 2. Capacity/Supervision Requirements.**

(a) The licenser shall determine total capacity up to 10 children for the facility, which shall be located in the owner's primary residence. The licensed capacity shall never be exceeded.

(i) The children counted in the capacity for a Family Child Care Home (FCCH) in the owner's primary residence, include the owner's infant, toddler and/or children ages three (3) to five (5). The owner's own children who have completed kindergarten or are enrolled in the first grade or higher or are six (6) years or older are not included in the capacity.

(A) All foster children and children related to staff, under the age of 13, on the premises shall be included in the capacity; and

(B) School age childhood friends shall be limited to two (2) at any given time without being counted in the overall capacity.

(b) There shall be at least one (1) adult staff supervising the care of children at all times and the following supervision requirements also apply:

(i) Awake infants and toddlers shall be directly supervised by staff at all times;

(ii) Children who have completed kindergarten or are enrolled in first grade or are six (6) years old or older may be located in adjacent fenced outdoor areas of the facility if there is direct access, the staff person can clearly hear what happens in the adjacent area and the

staff person remains attentive and moves from one area to the other every couple of minutes;

(iii) Children ages three (3) and older may be located in adjacent indoor areas of the facility if there is direct access, the staff person can clearly hear what happens in the adjacent area and the staff person remains attentive and moves from one area to the other every couple of minutes;

(iv) If children are in more than two (2) non-adjacent areas, a staff person shall be present and attending the children in each area;

(v) All children shall be located on the same level as staff at all times; and

(vi) Napping children who are not within sight of the staff person shall be within easy hearing distance at all times, be checked on every few minutes and meet all other requirements.

### **Section 3. Owner and Staff Requirements.**

(a) The owner shall have attained the age of majority and be physically and mentally able to care for children.

(b) The owner shall have a high school diploma or an equivalent certificate; or

(i) Shall be able to document a minimum of three (3) months of supervised work experience or education in the care of children other than his/her own;

(ii) Shall have completed six (6) training credits of child care training in addition to pre-service training prior to licensing; or

(iii) Shall have received a professional credential from an organization recognized by the Department.

(c) The owner shall ensure all records and reports required are maintained onsite.

(d) The owner shall be onsite and available in the facility a minimum of 75% of the operating week, unless an exception by the licenser for good cause is given.

(e) When an owner is not present at the facility, a qualified adult staff person with sufficient knowledge and training in the operation of the facility, as well as decision-making authority, shall be left in charge.

### **Section 4. Evening and Overnight Care.**

(a) Whenever any facility cares for children past 7:00 p.m., the following rules shall apply in addition to all other rules and regulations specific to the type of facility:

(i) Sleeping child(ren) shall sleep on the same level as the staff person and the staff person shall be able to hear the child(ren); and

(ii) There shall be a staff person awake and on duty to release or receive a child.