
Rules of
Department of Health
Division 30–Division of Health Standards
and Licensure
Chapter 62–Licensing Rules for Group Day
Care Homes and Child Day Care Centers

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**Title 19—DEPARTMENT OF
HEALTH**

**Division 30—Division of Health Standards
and Licensure**

**Chapter 62—Licensing Rules for Group
Day Care Homes and Child
Day Care Centers**

19 CSR 30-62.010 Definitions

PURPOSE: This rule defines the terms used in the licensing rules for group day care homes and child day care centers.

PUBLISHER'S NOTE: The publication of the full text of the material that the adopting agency has incorporated by reference in this rule would be unduly cumbersome or expensive. Therefore, the full text of that material will be made available to any interested person at both the Office of the Secretary of State and the office of the adopting agency, pursuant to section 536.031.4, RSMo. Such material will be provided at the cost established by state law.

- (1) Adult is any individual eighteen (18) years of age or older.
- (2) Caregiver is the child care provider or other child care staff.
- (3) Child care provider, group day care home provider or provider is the person(s) licensed or required to be licensed under section 210.211, RSMo in order to establish, conduct or maintain a child care facility. This person(s) shall have the following rights and responsibilities as determined by the division:
 - (A) Ultimate responsibility for making and implementing decisions regarding the operation of the facility; and
 - (B) Ultimate financial control of the operation of the facility.
- (4) A child day care center or center, whether known or incorporated under another title or name, is a child care program conducted in a location other than the provider's permanent residence, or separate from the provider's living quarters, where care is provided for children not related to the child care provider for any part of the twenty-four (24)-hour day.
- (5) Day care is care of a child away from his/her own home for any part of the twenty-four (24)-hour day for compensation or otherwise. Day care is a voluntary supplement to parental responsibility for the child's protection, development and supervision. Day care may be given in a family day care home, group day care home or day care center.
- (6) A day care facility or facility is a day care home, day care center or group day care home.
- (7) Director is the director of the Missouri Department of Health.
- (8) Department is the Missouri Department of Health.
- (9) A family day care home or home, whether known or incorporated under another title or name, is a child care program where care is given by a person licensed as a day care home provider for no more than ten (10) children not related to the provider for any part of the twenty-four (24)-hour day. The provider may be licensed to operate no more than one (1) family day care home or group day care home.
- (10) Graded boarding school is a public or private school which provides education in at least the first through the sixth grade and which provides lodging and meals for the pupils for the standard school term.
- (11) A group day care home, whether known or incorporated under another title or name, is a child care program where care is given by a person licensed as a group day care home provider for eleven (11), but not more than twenty (20), children not related to the child care provider for any part of the twenty-four (24)-hour day. A group day care home shall be in a location other than the provider's permanent residence or separate from the provider's living quarters. The provider may be licensed to operate no more than one (1) group day care home or family day care home.
- (12) Infant is any child under twelve (12) months of age.
- (13) Night is the part of the twenty-four (24)-hour day between 9:00 p.m. and 6:00 a.m.
- (14) Nursery school is a program operated by a person or organization with the primary function of providing an educational program for preschool-age children for no more than four (4) hours per child per day.
- (15) Premises is a house(s), dwelling(s) or building(s) and its adjoining land.
- (16) Preschool child is any child two through five (2—5) years of age who is not in kindergarten for five (5)-year-old children.
- (17) Related is any of the following relationships by marriage, blood or adoption between the provider and the children in care: parent, grandparent, great-grandparent, brother, sister, stepparent, stepbrother, stepsister, uncle, aunt, niece, nephew or first cousin.
- (18) Review board is the Child Care Licensing Review Board.
- (19) School-age child is any child five (5) years of age or older who is in kindergarten or elementary school.
- (20) School system is a program established primarily for education and which meets the following criteria:
 - (A) Provides education in at least the first through the sixth grade; and
 - (B) Provides evidence that the school system's records will be accepted by a public or private school for the transfer of any student.
- (21) Staff/child ratio is the number of caregivers required in relation to the number of children in care.
- (22) Summer camp is a program operated from May to September by a person or organization with the primary function of providing a summer recreational program for children no younger than five (5) years of age, and providing no day care for children younger than five (5) years of age in the same building or in the same outdoor play area.
- (23) Toddler is any child between twelve to twenty-four (12—24) months of age.
- (24) A well-known religious order is defined as—
 - (A) An entity that qualifies for federal tax exemption status as a not-for-profit religious organization under Section 501(c)(3) of the *Internal Revenue Code of 1954*; and
 - (B) An entity whose real estate on which the child care facility is located is exempt from taxation because it is used for religious purposes.

*AUTHORITY: sections 210.221.1(3), RSMo Supp. 1993. * This rule previously filed as 13 CSR 40-62.010 and 19 CSR 40-62.010. Original rule filed in 1956. Amended: Filed Dec. 19, 1975, effective Jan. 1, 1976. Amended: Filed Dec. 14, 1976, effective March 11, 1977. Rescinded: Filed April 13, 1982, effective Aug. 31, 1982. Readopted: Filed April 13, 1982, effective Sept. 1, 1982. Amended: Filed March 14, 1985, effective Aug. 11, 1985. Amended: Filed Oct. 7, 1987, effective March 25, 1988. Rescinded and readopted: Filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-62.010.*

effective Dec. 9, 1993. Emergency amendment filed Aug. 18, 1993, effective Aug. 28, 1993, expired Dec. 25, 1993. Emergency amendment filed Jan. 4, 1994, effective Jan. 14, 1994, expired May 13, 1994. Amended: Filed Aug. 18, 1993, effective April 9, 1994. Changed to 19 CSR 30-62.010 July 30, 1998.

*Original authority 1949, amended 1955, 1987, 1993.

19 CSR 30-62.022 Exemption of Day Care Facilities

PURPOSE: This rule defines the basis on which a group day care home or a child day care center may qualify for exemption from licensure.

(1) A day care facility does not qualify for exemption from licensure unless it is under the exclusive control of an entity qualifying for exemption under section 210.211, RSMo.

(2) When a nonreligious organization, having as its principal purpose the provision of child care services, enters into an arrangement with a well-known religious order to provide continuing assistance in the maintenance or operation of a child care facility, the facility is not under the exclusive control of the well-known religious order and does not qualify for exemption from licensure under section 210.211(5), RSMo.

(3) If the person(s) operating the facility claims exemption from licensure, s/he shall file all information requested by the department to make a determination of exemption prior to opening. Facilities may waive the right to apply for exemption and request voluntary licensure. These facilities shall comply with all licensing rules.

AUTHORITY: sections 210.211.1(3), RSMo Supp. 1993.* This rule previously filed as 13 CSR 40-62.035, 13 CSR 40-62.022 and 19 CSR 40-62.022. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-62.022, effective Dec. 9, 1993. Emergency amendment filed Aug. 18, 1993, effective Aug. 28, 1993, expired Dec. 25, 1993. Emergency amendment filed Jan. 4, 1994, effective Jan. 14, 1994, expired May 13, 1994. Amended: Filed Aug. 18, 1993, effective April 9, 1994. Changed to 19 CSR 30-62.022 July 30, 1998.

*Original authority 1949, amended 1955, 1987, 1993.

19 CSR 30-62.032 Organization and Administration

PURPOSE: This rule defines the requirements for the organization and administration of group day care homes and child day care centers.

(1) Each day care facility shall be organized according to written policies and procedures which clearly establish job responsibilities and lines of administrative authority.

(2) If a group day care home is incorporated, the corporation shall designate one (1) of the officers of the corporation to be responsible for the daily operation of the facility and to meet the requirements of the group day care home provider. When the responsibility for the operation of a group day care home rests with a board of directors, the Child Care Licensing Unit shall be notified immediately if there is a change of the officer designated to be responsible for the daily operation of the facility and to meet the requirements of the group day care home provider. References and child abuse/neglect screening information shall be provided as required by 19 CSR 40-62.042 Initial Licensing Information.

(3) When the responsibility for operation of a facility rests with a board of directors, the Child Care Licensing Unit shall be notified immediately if there is a change of the board president or chairperson. Child abuse/neglect screening information shall be provided as required by 19 CSR 40-62.042 Initial Licensing Information.

(4) The person(s) operating a day care facility shall be responsible for meeting all debts and obligations incurred by the facility and for maintaining compliance with all licensing rules for group day care homes and day care centers.

AUTHORITY: section 210.221.1(3), RSMo Supp. 1993.* This rule previously filed as 13 CSR 40-62.061, 13 CSR 40-62.032 and 19 CSR 40-62.032. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-62.032, effective Dec. 9, 1993. Changed to 19 CRS 30-62.032 July 30, 1998.

*Original authority 1949, amended 1955, 1987, 1993.

19 CSR 30-62.042 Initial Licensing Information

PURPOSE: This rule describes the procedures for application for licensure, the licensing investigation and provisions for continued

licensing investigations after the initial license is granted.

(1) Licensing Authority.

(A) According to section 210.221, RSMo, the department has the authority to issue uniform rules deemed necessary and proper to establish standards of service and care to be rendered by the provider. To implement the rules, the department shall be responsible for inspecting, evaluating and licensing all group day care homes and child day care centers.

(B) The department or any other agency of Missouri that the department asks to assist it is authorized to make an inspection and investigation of any proposed or operating child-care facility, and of any personnel connected with that facility to the extent that this inspection and investigation is required to determine if the facility will be, or is being, operated in accordance with state statutes and licensing rules for group day care homes and day care centers.

(2) Persons Subject to Licensure.

(A) Any person(s) planning to offer day care for more than four (4) unrelated children at any one (1) time, except those coming under the exceptions of the law, shall apply for licensure and meet the requirements of the licensing rules before accepting more than four (4) unrelated children for care.

(B) Group day care homes shall meet all the requirements of these rules unless otherwise indicated in these rules.

(C) Licensing rules shall not apply to children related to the owner(s) of the facility as defined in 19 CSR 40-62.010(17). In order to document the exemption for related children, identifying information shall be on file at the facility on related children as required by 19 CSR 40-62.132 Admission Policies and Procedures.

(D) In an incorporated facility, the exemption for related children does not apply since a corporation cannot have relatives.

(3) Licensing Process.

(A) Upon receipt of an inquiry regarding day care licensing, an interview shall be held to discuss the licensing rules and the licensing process.

(B) Upon receipt of a completed application for license on the form provided by the department, a licensing investigation shall be made. If licensing rules are not met within six (6) months, the application shall be void and another application shall be filed.

(C) The licensing investigation shall include an inspection of the entire premises of the facility by the licensing representative.

(D) Prior to the granting of a license, the following shall be submitted by the applicant:

1. A sketch or diagram of the facility showing the arrangement of the rooms, including the location of toilet and handwashing facilities, the kitchen, the office and the doors. The licensing representative and the applicant shall measure the facility jointly;

2. A sketch or diagram of the outdoor play area and placement of equipment. The licensing representative and the applicant shall measure the area jointly;

3. Written policies pertaining to the program goals, admission, care and discharge of children;

4. A schedule of daily activities for each age group in care (infant/toddler, preschool and school-age);

5. A sample weekly menu;

6. An itemized list of available materials and equipment to be used by children;

7. A written narrative description of child care practices and concepts, including discipline and guidance policies;

8. A staff sheet;

9. If a facility is not incorporated, the names and addresses of two (2) references not related to the applicant who have knowledge of the applicant's character, experience and ability;

10. If a group day care home is incorporated, the names and addresses of two (2) references for the officer designated to be responsible for the daily operation of the facility and to meet the requirements of the group day care home provider. The references shall not be related to the officer designated by the corporation;

11. Sample forms used, other than those supplied by the department;

12. Evidence of compliance with a fire and safety inspection as conducted by the state fire marshal or his/her designee;

13. Evidence of compliance with local or state, or both, sanitation requirements;

14. Evidence of compliance, if applicable, with local building and zoning requirements;

15. If the facility is incorporated, Articles of Incorporation, Certificate of Incorporation and the Annual Registration Report (if applicable) (see 19 CSR 40-61.055) as issued by the Missouri secretary of state;

16. Written policies and procedures which clearly establish job responsibilities and lines of administrative authority. This shall include a statement of the kind and extent of authority and the duties delegated to the director employed to carry out the program;

17. Official verification of the center director or group day care home provider's education and experience; and

18. Other information required by the department to make a determination regarding licensure of the facility.

(E) Medical examination reports for all adults working in the facility, as required by 19 CSR 40-62.122 Medical Examination Reports, shall be on file at the facility and available for review.

(F) Medical examination reports shall be on file at the facility within thirty (30) days following the admission of each infant, toddler or preschool child as required by 19 CSR 40-62.122 Medical Examination Reports. A health report for school-age children shall be on file as required by 19 CSR 40-62.122.

(G) Enrollment information for each child shall be on file at the facility as required by 19 CSR 40-62.132 Admission Policies and Procedures.

(H) Identifying information shall be on file at the facility for each child to be cared for who is related to the facility owner(s) as required by 19 CSR 40-62.132 Admission Policies and Procedures.

(I) The facility owner(s), board president or chairperson and the center director or group day care home provider shall be screened for child abuse/neglect prior to initial issuance of the license.

(J) The child abuse/neglect screening request form shall be submitted to the department for all personnel employed during child care hours, with a copy on file at the facility.

(K) The facility shall not provide care for more than four (4) unrelated children until it is in compliance with state statutes and licensing rules for group day care homes and day care centers.

(L) After approval by a licensing representative and a licensing supervisor, a temporary license may be granted by the department for a period not to exceed sixty (60) days.

(M) The official license shall be granted for up to two (2) years and may be renewed upon reapplication and reinvestigation. Until the official license is received, the temporary license shall be posted near the entrance of the facility where it may be seen easily by parents or others who visit. Thereafter, the official license shall be posted near the entrance of the facility.

(N) The address and telephone number of the Child Care Licensing Unit shall be posted near the license.

(O) The granting of a license shall be denied by the director upon failure of the applicant to comply with state statutes and licensing rules for group day care homes and day care centers.

(P) The name(s), address(es) and telephone number(s) of the facility owner(s), or the board president or chairperson, or his/her designee shall be posted prominently near the license.

(Q) The license shall not be transferable and shall apply only to the person(s) and address shown on the license.

(R) If there is a change of ownership of the facility, the new owner(s) shall meet the requirements of the current licensing rules. A licensing investigation shall be made as required by 19 CSR 40-62.042 Initial Licensing Information.

(S) The license shall be the property of the department and shall be subject to revocation by the director upon failure of the provider to comply with state statutes and licensing rules for group day care homes and day care centers. The license shall be returned to the department if revoked or not renewed.

(T) If a facility's license is revoked or denied due to failure to comply with state statutes and licensing rules, the department shall not accept a subsequent application from the provider for that facility within twelve (12) months after the effective date of revocation or denial, or within twelve (12) months after all appeal rights have been exhausted, whichever is later. Any subsequent application shall be reviewed by the Day-Care Licensing Review Board prior to a decision being made to grant a license.

(U) The number and ages of children the facility is authorized to have in care at any one (1) time shall be specified on the license and shall not be exceeded except as permitted within these rules.

(V) All day care provided on the premises of a licensed facility shall be in compliance with the licensing rules and the conditions specified on the license.

(W) Upon issuance of the license, a licensing representative shall visit the facility throughout the licensing period for supervision and consultation. Both announced and unannounced visits shall be made. Visits shall be at varying times during the hours child care is provided, with the entire premises subject to inspection.

(X) Upon the department's receipt of a complaint regarding the facility, a complaint investigation shall be made as determined necessary by the department.

(Y) The provider shall permit the department access to the facility, premises and records during all visits.

(Z) A child care provider shall not deny a child admission to, or the benefits of, any program provided by the facility on the basis of race, sex, religion or national origin.



(AA) Licensing records are public records and may be reviewed by appointment with the Child Care Licensing Unit as authorized by sections 610.010—610.150, RSMo.

AUTHORITY: section 210.221.1(3), RSMo 1994. This rule previously filed as 13 CSR 40-62.021, 13 CSR 40-62.042 and 19 CSR 40-62.042. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-62.042, effective Dec. 9, 1992. Emergency amendment filed Aug. 18, 1993, effective Aug. 28, 1993, expired Dec. 25, 1993. Emergency amendment filed Jan. 4, 1994, effective Jan. 14, 1994, expired May 13, 1994. Amended: Filed Aug. 18, 1993, effective April 9, 1994. Amended: Filed Sept. 12, 1995, effective March 30, 1996. Changed to 19 CSR 30-62.042 July 30, 1998.

**Original authority 1949, amended 1955, 1987, 1993, 1995.*



MISSOURI DEPARTMENT OF SOCIAL SERVICES
DIVISION OF FAMILY SERVICES/CHILD CARE LICENSING UNIT

**APPLICATION FOR LICENSE TO OPERATE A
GROUP DAY CARE HOME OR CHILD DAY CARE CENTER**

FACILITY TYPE	
<input type="checkbox"/> GROUP DAY CARE HOME	<input type="checkbox"/> CHILD DAY CARE CENTER
<input type="checkbox"/> INITIAL	PROPOSED OPENING DATE
<input type="checkbox"/> RENEWAL	

IDENTIFYING INFORMATION

A) NAME OF FACILITY

B) LOCATION (STREET, CITY, STATE, ZIP CODE, COUNTY)

C) MAILING ADDRESS (STREET, CITY, STATE, ZIP CODE)

FACILITY TELEPHONE ()

LICENSING LIMITATIONS REQUESTED

A) TOTAL CAPACITY	AGE RANGE	MONTHS OF OPERATION
NUMBER REQUESTED PER FOLLOWING AGE CATEGORY		DAYS OF OPERATION
INFANT/TODDLERS	PRESCHOOL/SCHOOLAGE	HOURS OF OPERATION

ADMINISTRATION

A) OWNER(S), ORGANIZATION OR CORPORATION OPERATING CHILD CARE FACILITY (IF MORE THAN ONE OWNER, INDICATE ON REVERSE)

NAME	ADDRESS (STREET, CITY, STATE, ZIP CODE)			
TELEPHONE NUMBER ()	DATE OF BIRTH	RACE	SEX	SOCIAL SECURITY NUMBER

B) CORPORATE STATUS

PROFIT NON-PROFIT

DATE INCORPORATED

C) BOARD PRESIDENT OR CHAIRPERSON

NAME	ADDRESS (STREET, CITY, STATE, ZIP CODE)			
TELEPHONE NUMBER ()	DATE OF BIRTH	RACE	SEX	SOCIAL SECURITY NUMBER

D) DIRECTOR/GROUP DAY CARE HOME PROVIDER

NAME	ADDRESS (STREET, CITY, STATE, ZIP CODE)			
TELEPHONE NUMBER ()	DATE OF BIRTH	RACE	SEX	SOCIAL SECURITY NUMBER

REFERENCES FOR NON-INCORPORATED FACILITIES AND INCORPORATED GROUP DAY CARE HOMES (INITIAL APPLICATIONS ONLY)

NAME	ADDRESS (STREET, CITY, STATE, ZIP CODE)	TELEPHONE
		()
		()

PLEASE READ PRIOR TO SIGNING APPLICATION:

- The undersigned is the person(s) named as applicant(s). The information given is true and accurate. I/we have read Missouri Statutes, Sections 210.201 - 210.245, RSMo, and the **Licensing Rules for Group Day Care Homes and Child Day Care Centers in Missouri**.
- It is understood that a license will be granted after compliance with State Statutes and Licensing Rules has been determined. If rules are not met within six months, this application shall be void.
- The license is not transferable and applies only to the person(s) and address shown on the license. The license may be subject to revocation for failure to maintain compliance with State Statutes and Licensing Rules.
- It is understood that the licensing record is open to the public for review, if requested.
- The applicant(s) agrees to accept and render services to children without regard to race, sex, religion or national origin.
- The Facility Owner(s), Board President or Chairperson and the Center Director or Group Day Care Home Provider shall be screened for child abuse/neglect.

SIGNATURE OF OWNER(S), BOARD PRESIDENT OR CHAIRPERSON OR DESIGNEE	INSTRUCTIONS: COMPLETE AND RETURN ONE COPY TO:
TITLE DATE	
SIGNATURE OF OWNER(S)	
TITLE DATE	



**MISSOURI DEPARTMENT OF SOCIAL SERVICES
DIVISION OF FAMILY SERVICES
BACKGROUND SCREENING AND INVESTIGATION UNIT
APPLICATION FOR CHILD ABUSE/NEGLECT SCREENING**

IDENTIFYING DATA (PLEASE PRINT)									
1. APPLICANT'S NAME (LAST, FIRST, MIDDLE INITIAL)					(JR., SR., III)		2. DATE OF BIRTH		
							MM	DD	YY
3. SEX	4. RACE	5. SOCIAL SECURITY NUMBER		6. DRIVER'S LICENSE NUMBER		7. STATE			
				<input type="checkbox"/> NONE					
PLEASE ENTER RESPONSE TO 3 AND 4 ABOVE AS FOLLOWS									
SEX: M-MALE; F-FEMALE RACE: W-WHITE; B-BLACK; H-HISPANIC; I-AMERICAN INDIAN; A-ORIENTAL, ASIAN OR EAST INDIAN									

BACKGROUND INFORMATION															
1. ALL NICKNAMES															
2. MAIDEN NAME															
3. ALL ALIASES															
4. ALL OTHER NAMES FORMERLY USED															
5. PRESENT ADDRESS (STREET, CITY, STATE, ZIP CODE)															
6. ALL PREVIOUS RESIDENTIAL ADDRESSES FOR THE PAST 5 YEARS (USE BACK PAGE IF NECESSARY)															
STREET		CITY		STATE		ZIP		STREET		CITY		STATE		ZIP	
SIGNATURE OF EMPLOYEE (OPTIONAL)										DATE					
SIGNATURE OF EMPLOYER (IN INK)										TELEPHONE NO. ()					
TITLE										DATE					

FORM PURPOSE
<p>THIS FORM IS FOR THE PURPOSE OF REQUESTING INFORMATION PERTAINING TO THE NATURE AND DISPOSITION OF ANY REPORT OR REPORTS OF ABUSE OR NEGLECT REVEALED BY AN EXAMINATION OF THE CENTRAL REGISTRY AS PROVIDED BY SECTION 210.150 (6). THIS INFORMATION IS PROVIDED TO ANY FACILITY, SCHOOL, AGENCY, ETC. EXERCISING TEMPORARY SUPERVISION OVER A CHILD OR PROVIDING OR HAVING CARE OR CUSTODY OF A CHILD, WHO MAY REQUEST AN EXAMINATION OF THE CENTRAL REGISTRY FROM THE DIVISION OF FAMILY SERVICES FOR ALL EMPLOYEES AND VOLUNTEERS OR PROSPECTIVE EMPLOYEES AND VOLUNTEERS, OR WHO DO OR WILL PROVIDE SERVICES OR CARE TO CHILDREN. NOTE: FAILURE TO PROVIDE THE EMPLOYER'S ADDRESS IN THE SPACE BELOW MAY RESULT IN A DELAY IN THE RESPONSE.</p>

PLEASE COMPLETE BELOW (Print clearly as this will be your mailing label.)

CONFIDENTIAL			
NAME OF EMPLOYER			
NAME OF FACILITY OR AGENCY			
ADDRESS (STREET)			
CITY	STATE	ZIP CODE	

MAIL COMPLETED FORM TO:

DIVISION OF FAMILY SERVICES
B.S.I.U. P.O. BOX 88
JEFFERSON CITY, MO 65103

19 CSR 30-62.052 License Renewal

PURPOSE: This rule defines the procedures for license renewal.

(1) An application for license renewal shall be filed at least sixty (60) days prior to expiration of the license. In addition, the following information is required:

(A) Evidence of compliance with a fire and safety inspection as conducted by the State Fire Marshal or his/her designee;

(B) Evidence of compliance with local or state, or both, sanitation requirements;

(C) Evidence of compliance with local building and zoning requirements, if applicable;

(D) If incorporated, a copy of the current Annual Registration Report filed with the Missouri secretary of state;

(E) Medical examination reports on file at the facility as required by 19 CSR 40-62.122 Medical Examination Reports;

(F) A health report on file at the facility for each school-age child in care as required by 19 CSR 40-62.122 Medical Examination Reports;

(G) Enrollment information on file at the facility for each child in care as required by 19 CSR 40-62.132 Admission Policies and Procedures;

(H) Identifying information on file at the facility regarding children who are related to the center owner(s) or group day care home provider as required by 19 CSR 40-62.132 Admission Policies and Procedures;

(I) A current list of available equipment;

(J) Current staff sheet; and

(K) Materials and information which have changed since the previous licensing period.

(2) The facility owner(s), board president or chairperson, and the center director or group day care home provider shall be screened for child abuse/neglect prior to renewal of the license.

(3) Upon determination of the applicant's continued compliance with state statutes and licensing rules for group day care homes and day care centers, an official license shall be granted for up to two (2) years.

AUTHORITY: section 210.221.1(3), RSMo Supp. 1993. This rule previously filed as 13 CSR 40-62.031, 13 CSR 40-62.052 and 19 CSR 40-62.052. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-62.052, effective Dec. 9, 1993. Changed to 19 CSR 30-62.052 July 30, 1998.*

**Original authority 1949, amended 1955, 1987, 1993.*

19 CSR 30-62.082 Physical Requirements of Group Day Care Homes and Day Care Centers

PURPOSE: This rule sets forth the requirements for the physical plant and indoor and outdoor space.

(1) General Requirements.

(A) The premises shall be safe and suitable for the care of children.

(B) The premises shall conform to the fire and safety requirements of the State Fire Marshal or his/her designee and requirements for state or local zoning, building and sanitation.

(C) Children shall have no access to areas not approved for child care.

(D) Stairways in approved child care space shall be well-lighted and free of obstructions. Stairways in approved child care space having more than three (3) steps shall have a handrail the children can reach.

(E) Porches, decks, stairwells or other areas in approved child care space having a drop-off of more than twenty-four inches (24") from which children might fall and be injured shall have an approved railing or approved barrier. The railing or barrier shall be constructed to prevent the child from crawling or falling through or becoming entrapped.

(F) Approved safety gates at stairways and doors shall be provided and used as needed.

(G) Protective outlet covers or twist-lock outlets shall be used in areas accessible to the children.

(H) Heaters, floor furnaces, radiators, hot water heaters or other equipment which pose a threat to children shall be separated from areas used by children by partitions, screens or other approved barriers.

(I) All flammable liquids, matches, cleaning supplies, poisonous materials, medicines, alcoholic beverages, hazardous personal care items or other hazardous items shall be inaccessible to children.

(J) Ammunition, guns, hunting knives, bows and arrows or other weapons shall be stored in a locked cabinet or locked closet.

(K) Smoking shall be prohibited in child care areas and in food preparation and food service areas.

(2) Indoor Space.

(A) General Requirements.

1. Any floor of a building used for child care shall be approved by the State Fire Marshal or his/her designee.

2. Any area initially approved for child care after the effective date of these rules

shall have ceilings at least seven feet (7') in height.

3. Open windows and doors shall be screened securely. Barriers to prevent children from falling against windows or falling from windows shall be provided when windows are less than twenty-four inches (24") from the floor and not constructed of safety glass or other nonbreakable material.

4. Clear glass doors shall be marked plainly at varying heights to avoid impact.

5. Artificial or natural lighting shall supply at least ten (10) footcandles of light throughout each room used for child care.

6. The facility shall be dry, temperature controlled, well-ventilated and free of drafts. Children shall not be overheated or chilled. The temperature of the rooms shall be no less than sixty-eight degrees Fahrenheit (68°F) and no more than eighty-five degrees Fahrenheit (85°F) when measured two feet (2') from the floor.

7. Walls, ceilings and floors shall be finished with material which can be cleaned easily and shall be free of splinters, cracks and chipping paint. Floor covering shall be in good condition. Lead-free paint shall be used for all painted surfaces.

8. Concrete floors in areas counted as child care space shall be covered with carpet, tile, linoleum or other floor covering.

9. Floor surfaces under indoor equipment over twenty-four inches (24") in height, from which children might fall and be injured, shall be protected with pads or mats which will effectively cushion the fall of a child. Carpeting alone is not an acceptable resilient surface under indoor equipment.

10. The facility shall be clean at all times and free of dirt, insects, spiders, rodents or other pests.

11. A telephone in working order shall be available for incoming and outgoing calls. If a telephone answering machine is used, it must be turned on so incoming messages can be heard and parents' calls can be returned promptly.

12. Telephone numbers for the police, fire department, ambulance and other emergency telephone numbers shall be posted near the telephone.

(B) Floor Space Calculations and Utilization.

1. General requirements.

A. At least thirty-five (35) square feet of usable floor space shall be provided for each preschool and school-age child coming into the facility for day care.

B. Floor space shall be measured wall-to-wall from the inside walls of areas used for children's activities.

C. Floor space shall not include kitchens, bathrooms, closets, staff lounges, office space, hallways used exclusively as passageways or floor space occupied by furniture or shelving not used by the children or for their activities.

D. Space occupied by permanently placed cots, cribs, beds or playpens used for napping cannot be counted as usable floor space. Cots shall not be set up early or left in place to interfere with children's play activities.

E. Storage space for play materials shall be provided. Some of the space shall be on low shelves and accessible to the children.

F. Each child shall be provided individual space, accessible to the child, for storage of each child's clothing and other personal belongings.

G. Space shall be provided for office equipment, the making and keeping of records and for transaction of business. This space shall not interfere with the children's play areas.

H. An area for staff breaks shall be provided in the facility separate from child care space.

I. In a facility located in a provider's permanent residence, the area used for child care, including play space and bathrooms, shall be separate from the family living quarters.

J. The family kitchen of a facility licensed for no more than twenty (20) children, located in a provider's permanent residence, may be used for food preparation with approval of the sanitarian.

K. If school-age children are in care, there shall be space apart from the preschool program equipped for their use.

2. Infant and toddler space.

A. For group day care homes licensed for a maximum of four (4) infants/toddlers or for day care centers licensed for a maximum of twenty (20) children, including no more than four (4) infant/toddlers, the following shall apply:

(I) At least thirty-five (35) square feet of usable floor space shall be provided for each infant and toddler. Space occupied by cribs and playpens used for napping shall be deducted from usable floor space; and

(II) A crawl area protected by stable dividers shall be provided. The area shall have a resilient and washable floor covering which shall be mopped and sanitized daily. Washable area rugs that are laundered daily may be used.

B. For all other group day care homes licensed for more than four (4) infant/toddlers and for all day care centers licensed for more than twenty (20) children or more than

four (4) infant/toddlers, the following shall apply:

(I) For facilities initially licensed for infant/toddler care after the effective date of these rules or facilities adding new infant/toddler space, at least forty-five (45) square feet of usable floor space shall be provided in the facility for each infant and toddler. Space occupied by napping equipment does not have to be deducted from usable floor space;

(II) Two (2)-year-old children may be cared for in an infant/toddler unit. At least thirty-five (35) square feet of usable floor space shall be provided for each child in groups composed solely of two (2)-year olds;

(III) If a unit for infants and toddlers is auxiliary to a facility for older children, centers initially licensed for infant/toddler care after the effective date of these rules or facilities adding new infant/toddler space, shall have play, sleeping and bathroom space in the infant and toddler unit. This space shall be separated from the space used for older children by floor-to-ceiling walls;

(IV) No more than eight (8) infant/toddlers or sixteen (16) two (2)-year olds shall be in a group;

(V) In facilities initially licensed for infant/toddler care after the effective date of these rules or facilities adding new infant/toddler space, no more than twenty-four (24) infants/toddlers and/or two (2)-year olds shall be in a room. A room shall be defined as an area separated from other parts of the building by floor-to-ceiling walls. Stable partitions a minimum of four feet (4') in height shall be used to separate the infant/toddler or two (2)-year old groups, or both, in a room;

(VI) Floors shall be tile, linoleum or wood and shall be mopped and sanitized daily. Washable area rugs that are laundered daily may be used. Centers initially licensed after the effective date of these rules or facilities adding new infant/toddler space shall not use carpet;

(VII) Facilities initially licensed after the effective date of these rules or facilities adding new infant/toddler space shall provide refrigeration for bottles and a method for heating bottles in the infant/toddler unit; and

(VIII) Infant/toddler areas may not be used by staff or older children as passageways to other areas of the building.

(3) Bathrooms.

(A) General Requirements.

1. One (1) flush toilet and one (1) adjacent handwashing facility with running water

shall be available for every twenty (20) children.

2. Urinals may be substituted for up to one-half (1/2) the required number of toilets, with a minimum of one (1) toilet per bathroom.

3. Toilet and handwashing facilities shall be in working order and convenient for the children's use.

4. Paper towels, soap and toilet paper shall be provided and easily accessible so the children can reach them without assistance.

5. Locks or latches shall not be used on bathroom or bathroom stall doors used by children below the first grade.

6. Children shall be monitored while in the bathroom.

7. Bathrooms shall be clean and odor free.

8. If a center is licensed for more than fifty (50) children, a separate bathroom or bathroom stall shall be available for staff.

(B) School Age.

1. When a center offers care for school-age children in first grade or above, bathroom facilities shall be provided as follows:

A. Separate girls' and boys' bathrooms shall be provided; or

B. If twenty (20) or fewer school-age children are in care, one (1) bathroom may be designated for school-age children only.

(C) Infants, Toddlers and Nontilet Trained Children.

1. One (1) flush toilet and one (1) adjacent handwashing facility with running water shall be available for every twenty-four (24) children in an infant/toddler unit.

2. One (1) potty chair, junior commode or toilet with an adapter seat shall be provided for every four (4) children being toilet trained. Potty chairs shall be located in the bathroom and shall be emptied, cleaned and disinfected after each use.

(4) Diapering Area.

(A) A safe diapering table with a waterproof washable surface shall be used for changing diapers. The diapering table shall be located within or adjacent to the group space so the caregiver using the diapering table can maintain supervision of his/her group of children at all times.

(B) Facilities initially licensed for infant/toddler care after the effective date of these rules or facilities adding new infant/toddler space shall have one (1) diapering table for every group of eight (8) infant/toddlers and one (1) diapering table for every group of sixteen (16) two (2)-year olds.

(C) Facilities initially licensed after the effective date of these rules and accepting two (2)-year olds for care in the preschool unit

shall have a diapering table available in the preschool unit.

(D) Diapering supplies and warm, running water shall be adjacent to the diapering area.

(5) Kitchens.

(A) A kitchen shall be required for meal preparation unless meals are catered from a source approved by the local or state sanitarian, or both.

(B) Kitchens used for meal preparation shall have sufficient equipment to accommodate the licensed capacity of the facility. The equipment shall include a stove, sink, hot and cold running water, a refrigerator and storage space for food, dishes and cooking utensils.

(C) If meals are catered, a sink, hot and cold running water, a refrigerator and storage space for food, dishes and cooking utensils shall be provided.

(D) Kitchens shall be maintained in compliance with state or local rules, or both, governing food service sanitation.

(E) Kitchens shall not be used for children's play activities unless the activities are part of the learning program and the children are supervised by adults.

(F) Kitchens shall not be used for napping or as passageways for children.

(6) Outdoor Space.

(A) General Requirements.

1. A fenced outdoor play area shall be available on or adjoining the day care property. The play area shall be located so it is convenient and the children can gain access to it without hazard. For facilities initially licensed after the effective date of these rules or for the installation of new fences in existing facilities, the fence shall be at least forty-two inches (42") high. An outdoor play area used exclusively for school-age children shall not be required to have a fence. Fences shall be constructed to prevent children from crawling or falling through or becoming entrapped.

2. A minimum of seventy-five (75) square feet of outdoor play area per child at the time of use shall be provided. A sufficient area shall be available to accommodate one-third (1/3) the licensed capacity of the facility at one (1) time, with no less than seven hundred fifty (750) square feet.

3. Adult supervision shall be provided at all times when children are outside. For children three (3) years of age and above, staff/child ratios may be one and one-half (1 1/2) times the indoor staff/child ratios. The required indoor staff/child ratios shall be maintained on the premises at all times.

4. The play area shall be safe for children's activities, well-maintained, free of

hazards such as poisonous plants, broken glass, rocks or other debris and shall have good drainage.

5. The fall-zone area under and around outdoor equipment where children might fall and be injured shall be covered with impact-absorbing materials which will effectively cushion the fall of a child. This material may include sand, pea gravel, tanbark, shredded tires, wood chips, rubber matting or other approved resilient material.

6. The provider shall be responsible for the type, depth and fall-zone area of resilient material necessary for the protection of children.

7. Areas under and around outdoor equipment shall have continuous maintenance to ensure that the material remains in place and retains its cushioning properties. The resilient material shall be supplemented immediately or replaced as needed.

8. Concrete, asphalt, carpet, grass or bare soil is not an acceptable surface under outdoor equipment from which children might fall and be injured.

(B) Infants and Toddlers.

1. Outdoor play space for infants and toddlers shall be separate from that used for older children or the same space shall be used at different times. (This rule does not apply to group day care homes with a maximum of four (4) infant/toddlers or to day care centers licensed for a maximum of twenty (20) children, including no more than four (4) infant/toddlers.)

2. Staff/child ratios for infant/toddlers and two (2)-year olds shall be maintained at all times.

(7) Swimming and Wading Pools.

(A) Swimming and wading pools used by children shall be constructed, maintained and used in a manner which safeguards the lives and health of children.

(B) Swimming and wading pools shall have a water filtration system. The water in swimming and wading pools shall be treated, cleaned and maintained in accordance with health practices and rules as determined by the local or state health authority, or both.

(C) Swimming and wading pools shall be fenced to prevent access by children. For facilities initially licensed after the effective date of these rules, the fence shall be at least forty-two inches (42") high and shall have a locked gate. Above-the-ground pools may use a forty-two inch (42") fence around the top of the pool with barricades of the steps to the pool deck.

(D) Children using swimming or wading pools shall be instructed in water safety and supervised by an adult at all times.

(E) An adult with a current lifeguard training certificate, including infant/child cardiopulmonary resuscitation (CPR) training, shall be on duty at all times when a swimming or wading pool containing a depth of forty-eight inches (48") or more of water is being used.

(F) An adult who has completed a course in basic water safety, which includes infant/child CPR, shall be on duty when a swimming or wading pool containing less than forty-eight inches (48") of water is being used.

(8) Animals.

(A) Animals which may pose a threat to the health or safety of children shall not be permitted on the premises or shall be penned securely in an area which is inaccessible to the children.

(B) If an animal bites a child, the parent(s) shall be notified immediately. The provider shall contact a veterinarian to determine a course of action in the diagnosis of possible rabies in the animal. If possible, the provider shall restrain the animal for observation by a veterinarian.

(C) Animal pens shall be kept clean.

(D) No animals shall be permitted in food preparation areas.

(E) Areas used by children shall be free of animal excrement.

(F) Litter boxes shall not be located in areas used by children or in food preparation areas.

(G) Food and water dishes used by animals shall not be accessible to the children.

AUTHORITY: section 210.221, RSMo Supp. 1993. This rule previously filed as 13 CSR 40-62.071, 13 CSR 40-62.082 and 19 CSR 40-62.082. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-62.082, effective Dec. 9, 1993. Changed to 19 CSR 30-62.082 July 30, 1998.*

**Original authority 1949, amended 1955, 1987, 1993.*

19 CSR 30-62.092 Furniture, Equipment and Materials

PURPOSE: This rule sets forth the requirements for the furniture, equipment and materials needed in a group day care home or child day care center.

(1) Indoor Furniture and Equipment.

(A) General Requirements.

1. All furniture and equipment shall be constructed safely, in good condition and free

of sharp, loose or pointed parts. Only lead-free paint shall be used.

2. Furniture and equipment shall be arranged to provide a clear passage to all exits.

(B) Sleeping Equipment.

1. General requirements.

A. An individual cot or bed with an individually assigned sheet and blanket shall be provided for each child who naps or sleeps. Upper levels of bunk beds shall not be used.

B. All bedding shall be clean with sheets laundered at least once a week. Once bedding has been used by a child, it shall not be used by another child until it has been laundered.

C. If two (2)-year olds are in care, they shall be napped in an area separate from the other children so they can sleep undisturbed longer than the older children.

D. Sleeping equipment shall be arranged to provide at least a two foot (2') aisle on one (1) long side of the equipment.

2. Infants and toddlers.

A. An individually assigned crib, portable crib or playpen shall be provided for each infant and toddler. Stack cribs shall not be used.

B. With written parental consent on file, cots may be used for napping or sleeping for toddlers twelve (12) months and older.

C. Cribs and playpens shall have side rail spokes not more than two and three-eighths inches (2 3/8") apart. Cribs or playpens previously approved for licensed centers and which do not meet this requirement shall have bumper pads in place for children under twelve (12) months of age.

D. The crib mattress or playpen pad shall be sized correctly to the crib or playpen, in good condition, waterproof and kept clean and dry. Sheets and covers shall be changed immediately when soiled or wet.

E. Cribs and playpens shall be left consistently in place for infants and toddlers who use them for napping.

(C) Tables and Seating Equipment.

1. Preschool and school-age children.

A. Individual chairs and table space for the licensed capacity of the facility shall be available for children twelve (12) months of age and older. Chairs shall be proportioned so children's feet are firm on the floor when they are sitting back as far as possible on the chair.

B. Provision shall be made for seating during meals and for table space for eating and table activities.

2. Infants and toddlers. Infants and toddlers who are unable to sit at a table shall have one (1) piece of mealtime feeding equip-

ment for every four (4) infant/toddlers which may include feeding tables, high chairs, infant seats or other safely designed infant seating equipment. Equipment shall be provided which will allow the child to sit comfortably and securely while being fed. Appropriate restraints shall be used.

(2) Indoor Play Equipment and Materials.

(A) General Requirements.

1. Play equipment and materials shall be clean, in good condition with all parts intact and accessible to children.

2. Play equipment and materials shall be replaced as needed to maintain the number of items required for the licensed capacity of the facility.

3. Toys or materials that come in sets shall be considered one (1) item.

(B) Preschool and School-Age Children.

1. Children twenty-four (24) months of age and older shall have an ample variety of age-appropriate toys, books, creative materials and activities which provide fun, stimulation, development and opportunities for individual choices.

2. A minimum of forty (40) approved items shall be required for every ten (10) children in the licensed capacity of the facility. The forty (40) items shall include at least four (4) items from each of the following categories:

- A. Blocks, construction and transportation toys;
 - B. Manipulatives;
 - C. Creative arts;
 - D. Large muscle activities;
 - E. Library and language activities;
 - F. Music and rhythm activities;
 - G. Dramatic and housekeeping play;
- and
- H. Science activities or sensory experiences.

(C) Infants and Toddlers.

1. Infants and toddlers shall have safe toys which shall be washed when soiled. Toys, parts of toys or other materials shall not be small enough to be swallowed. Toys and materials shall include a minimum of one (1) approved item from each of the following categories for each infant and toddler in the licensed capacity of the facility:

- A. Push-pull toys;
- B. Balls or other large muscle equipment;
- C. Blocks, stacking toys or other manipulatives; and
- D. Cloth or plastic coated books.

(3) Outdoor Equipment.

(A) All outdoor equipment shall be constructed safely, in good condition and free of

sharp, loose or pointed parts. Only lead-free paint shall be used.

(B) Outdoor equipment shall be provided for the ages and number of children in care to meet their physical and developmental needs.

(C) Children shall be instructed in the safe use of outdoor equipment.

(D) Stationary equipment such as swings, slides and climbers shall be securely anchored, have no exposed footings and be placed to avoid accidents or collisions.

(E) For facilities initially licensed after the effective date of these rules or for facilities installing new equipment, any part of the equipment from which children might fall shall not be more than six feet (6') in height.

(F) Equipment with moving parts which might pinch or crush children's hands or fingers shall not be used unless the moving parts which pose a threat to children have guards or covers. "S" hooks shall be pinched together to avoid catching children's skin or clothing.

(G) Swings shall have lightweight seats of rubber, plastic, canvas or nylon.

(H) Exposed bolts and screws shall be recessed into the frame, covered or filed to avoid sharp edges.

(I) Ropes, loops or any hanging apparatus that might entrap, close or tighten upon a child shall not be permitted.

(J) Trampolines shall not be used. Mini-trampolines, aerobic bouncers or other similar small jumping equipment may be used with close supervision.

AUTHORITY: section 210.221.1(3), RSMo Supp. 1993. This rule previously filed as 13 CSR 40-62.081, 13 CSR 40-62.092 and 19 CSR 40-62.092. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-62.092, effective Dec. 9, 1993. Changed to 19 CSR 30-62.092 July 30, 1998.*

**Original authority 1949, amended 1955, 1987, 1993.*

19 CSR 30-62.102 Personnel

PURPOSE: This rule sets forth the general, educational and training requirements for staff.

PUBLISHER'S NOTE: The publication of the full text of the material that the adopting agency has incorporated by reference in this rule would be unduly cumbersome or expensive. Therefore, the full text of that material will be made available to any interested person at both the Office of the Secretary of State and the office of the adopting agency, pursuant to section 536.031.4, RSMo. Such

material will be provided at the cost established by state law.

(1) General Staff Requirements.

(A) Day care personnel shall be of good character and intent and shall be qualified to provide care conducive to the welfare of children.

(B) Day care personnel shall cooperate with the department.

(C) Individuals eighteen (18) years of age or older shall be counted in meeting the required staff/child ratios.

(D) Caregivers shall be capable of carrying out assigned responsibilities and shall be willing and able to accept training and supervision.

(E) Caregivers shall have knowledge of the needs of children and shall be sensitive to the capabilities, interests and problems of children in care.

(F) Caregivers shall be capable of handling emergencies promptly and intelligently.

(G) Caregivers, other personnel or volunteers shall not be under the influence of alcohol or illegal drugs while on the premises. These individuals shall not be in a state of impaired ability due to use of medication while on the premises.

(H) The provider shall have available a copy of the *Licensing Rules for Group Day Care Homes and Child Day Care Centers in Missouri*. All caregivers and volunteers working directly with children shall be required to review and be knowledgeable of the rules at the time they begin work and shall be able to understand and apply those rules which relate to their respective responsibilities.

(I) Caregivers shall not be engaged in major housekeeping, cleaning or maintenance activities during the hours of child care, but may do routine cleanup to maintain order and sanitation in the facility.

(J) All staff shall acquaint themselves with the child abuse and neglect law and shall make a report of any suspected child abuse or neglect to the Division of Family Services at the toll free number, 1-800-392-3738.

(K) Volunteers counted in staff/child ratios, caregivers and other personnel shall be screened for child abuse/neglect. The screening shall be requested by the provider within ten (10) days of any individual beginning employment or volunteering in the facility. Any investigated allegation of child abuse or neglect involving these persons in which the investigator finds reasonable cause to believe that the individual is the alleged perpetrator of child abuse or neglect, shall be evaluated by the department. After review, the department may prohibit the person from being pre-

sent in the facility during child care hours. A copy of the screening request and the response shall be filed in the employee's record.

(L) Any person present at the facility during the hours in which child care is provided shall not present a threat to the health, safety or welfare of the children.

(M) If an employee reports licensing deficiencies in the facility, the child care provider shall not take any action against the employee because of the report that would adversely affect his/her employment, or terms or conditions of employment.

(2) Center Director or Group Day Care Home Provider.

(A) General Requirements.

1. The group day care home provider or the individual designated as the center director shall be responsible for planning, monitoring and managing the facility's daily program.

2. Center directors and group day care home providers routinely shall be on duty during the hours of highest attendance a minimum of forty (40) hours per week. If the facility operates less than forty (40) hours per week, the center director or group day care home provider shall be on duty at least fifty percent (50%) of the operating hours.

3. The duties and responsibilities of the center director or group day care home provider shall be defined clearly in writing.

4. In the absence of the center director or group day care home provider, another responsible individual shall be designated to be in charge of the facility.

5. The center owner(s), or the board president or chairperson shall notify the department immediately when there is a change of directors and shall submit child abuse/neglect screening information as required by 19 CSR 40-62.042 Initial Licensing Information.

(B) Education and Experience Requirements.

1. General requirements.

A. A child development associate (CDA) credential shall be considered the equivalent of twelve (12) months' experience and six (6) college semester hours in child-related courses toward meeting the educational and experience requirements for director of any size facility.

B. All experience must have been responsible, supervised, full-time (a minimum of thirty-five (35) hours per week) paid experience in working with children in a child care setting. Part-time experience may be prorated to a full-time equivalent.

C. Each month of full-time experience may be substituted for two (2) college semester hours in unspecified courses, but not for the required child-related courses.

D. All college semester hours must have been received from an accredited college or university.

E. The required courses may include child-related courses in early childhood education, elementary education, child development, child psychology, nutrition, first aid, recreation, nursing, health, marriage and family, social work, sociology or other related areas as approved by the department.

F. Official verification of the education and experience of the group day care home provider or center director shall be on file with the Child Care Licensing Unit prior to beginning employment.

G. Any college transcript used for verification of education must be an official transcript bearing the seal of the college or university.

2. Group day care home provider. The group day care home provider shall have at least thirty (30) college semester hours, with six (6) of the thirty (30) hours in child-related courses; or twelve (12) months' experience and six (6) college semester hours in child-related courses; or a CDA credential.

3. Center director.

A. Any individual approved as a qualified center director under the previous licensing rules and employed in a center in that position as of the effective date of these rules shall be exempt from these requirements for continued employment in the same center, or for employment in another center of the same or smaller licensed capacity category. If the same individual is to be employed in another center in a larger licensed capacity category, s/he shall meet the educational and experience requirements of that category.

B. Day care center directors employed after the effective date of these rules shall meet the following education or experience requirements, or both, as determined by the licensed capacity of the center in which they are to serve:



**Licensed Capacity
of the Center**

**Education and Experience
Requirements for Center Director**

Up to 20 Children

Thirty (30) college semester hours, with six (6) of the thirty (30) hours in child-related courses; or twelve (12) months' experience with six (6) college semester hours in child-related courses; or a CDA credential.

21—60 Children

Sixty (60) college semester hours. Twelve (12) of the hours must be in child-related courses; or twenty-four (24) months' experience and twelve (12) college semester hours in child-related courses.

61—99 Children

Ninety (90) college semester hours. Eighteen (18) of the ninety (90) hours must be in child-related courses; or thirty-six (36) months' experience and eighteen (18) college semester hours in child-related courses.

100 or More Children

One hundred twenty (120) college semester hours. Twenty-four (24) of the one hundred twenty (120) hours must be in child-related courses. Six (6) of the twenty-four (24) college semester hours may include courses in business or management; or four (4) years' experience and twenty-four (24) college semester hours in child-related courses. Six (6) of the twenty-four (24) college semester hours may include courses in business or management.

(3) Child-Care Training.

(A) The center director, group day care home provider, all other caregivers and those volunteers who are counted in staff/child ratios shall obtain at least twelve (12) clock hours of child-care related training during each year of employment in training which is approved by the department in—health, safety, nutrition, guidance and discipline, appropriate activities and learning experiences for children, positive communication and interaction with parents, planning and setting up an appropriate environment for children, professional and administrative practices, or other child related areas.

(B) All training shall be documented with the dates, the number of hours of training completed, the subject and the name of the individual(s) who conducted the training. This information shall be on file at the facility and available for review.

AUTHORITY: section 210.221.1(3), RSMo Supp. 1993. This rule previously filed as 13 CSR 40-62.091, 13 CSR 40-62.102 and 19 CSR 40-62.102. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-62.102, effective Dec. 9, 1993. Emergency amendment filed Aug. 18, 1993, effective Aug. 28, 1993, expired Dec. 25, 1993. Emergency amendment filed Jan. 4, 1994, effective Jan. 14, 1994, expired May 13, 1994. Amended: Filed Aug. 18, 1993, effective April 9, 1994. Changed to 19 CSR 30-62.102 July 30, 1998.*

**Original authority 1949, amended 1955, 1987, 1993.*

19 CSR 30-62.112 Staff/Child Ratios

PURPOSE: This rule provides the number of staff required for specific ages and numbers of children in care.

(1) The following staff/child ratios shall be maintained on the premises at all times:

(A) Birth Through Two (2) Years. Groups composed of mixed ages through two (2)-years shall have no less than one (1) adult to four (4) children, with no more than eight (8) children in a group;

(B) Age Two (2) Years. Groups composed solely of two (2)-year olds shall have no less than one (1) adult to eight (8) children, with no more than sixteen (16) children in a group;

(C) Ages Three Through Four (3—4) Years. Groups composed solely of three (3)- and four (4)-year olds shall have no less than one (1) adult to ten (10) children;

(D) Ages Five (5) and Up. Groups composed solely of five (5)-year olds and older shall have no less than one (1) adult to every sixteen (16) children; and

(E) Mixed Age Groups Two Years (2) and Up. Groups composed of mixed ages of children two (2) years of age and older shall have no less than one (1) adult to ten (10) children with a maximum of four (4) two (2)-year olds. When there are more than four (4) two (2)-year olds in a mixed group, the staff/child ratio shall be no less than one (1) adult to eight (8) children.

(2) If a center has an attendance of more than fifty (50) children, the center director or individual in charge shall not be included in staff/child ratios except during naptime or on an emergency substitute basis.

(3) If a center has an attendance of more than thirty (30) children at lunch or dinner time, staff shall be provided for meal preparation, serving and clean-up. The staff shall not be included in staff/child ratios during this time.

(4) Individuals employed for clerical, house-keeping, cleaning and maintenance shall not be included in staff/child ratios while performing those duties.

AUTHORITY: section 210.221.1(3), RSMo Supp. 1993. This rule previously filed as 13 CSR 40-62.100, 13 CSR 40-62.112 and 19 CSR 40-62.112. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-62.112, effective Dec. 9, 1993. Changed to 19 CSR 30-62.112 July 30, 1998.*

**Original authority 1949, amended 1955, 1987, 1993.*

19 CSR 30-62.122 Medical Examination Reports

PURPOSE: This rule sets forth the requirements for medical examinations for caregivers and children in care.

(1) Staff and Volunteers.

(A) All adults working in a day care facility in any capacity during child care hours, including volunteers counted in staff/child ratios, shall be in good physical and emotional health with no physical or mental conditions which would interfere with child care responsibilities. These persons shall have a medical examination report, signed by a licensed physician or registered nurse who is under the supervision of a licensed physician, on file at the facility at the time of initial

licensure or within thirty (30) days following employment.

(B) Medical examination reports shall include a tuberculin skin test, a chest X ray or appropriate follow-up of a previous examination that indicates the individual is free of contagion.

(C) Medical examination reports shall be completed not more than twelve (12) months prior to beginning work in the facility and may be transferable to another day care facility for subsequent employment.

(D) The medical examination report form shall be supplied by the department or the facility may use its own form if it contains all the information on the department's form (see 19 CSR 40-61.125).

(E) After the initial medical examination, all adults working in a day care facility in any capacity during child care hours, including volunteers counted in staff/child ratios, shall have an annual tuberculin skin test, a chest X ray or appropriate follow-up of a previous examination that indicates the individual is free of contagion.

(F) If at any time the department has reason to question the physical or emotional health of any adult working or volunteering in the facility, the department shall require a physical or mental examination of these persons.

(G) Staff or volunteers shall not work when ill if the health or well-being of children is endangered.

(2) Children.

(A) The provider, within thirty (30) days following the admission of each infant, toddler or preschool child, shall require a medical examination report signed by a licensed physician or registered nurse who is under the supervision of a licensed physician and completed not more than twelve (12) months prior to admission.

(B) The examination report shall determine if a child's medical history and current state of health is satisfactory participation in a day care program.

(C) Medical examination requirements shall not apply to any child if the parent(s) files a signed statement of objection based on religious beliefs.

(D) The parent(s) of a school-age child shall provide a report at the time of enrollment indicating the child's health history, any current health problems and any restrictions necessary for the child's care.

(E) The medical examination report form and the health history report for school-age children shall be supplied by the department

or the facility may use its own form if it contains all the information on the department's form (see 19 CSR 40-61.125).

AUTHORITY: section 210.221.1(3), RSMo Supp. 1993. This was previously filed as 13 CSR 40-62.110, 13 CSR 40-62.122 and 19 CSR 40-62.122. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-62.122, effective Dec. 9, 1993. Emergency amendment filed Aug. 18, 1993, effective Aug. 28, 1993, expired Dec. 25, 1993. Emergency amendment filed Jan. 4, 1994, effective Jan. 14, 1994, expired May 13, 1994. Amended: Filed Aug. 18, 1993, effective April 9, 1994. Changed to 19 CSR 30-62.122 July 30, 1998.*

**Original authority 1949, amended 1955, 1987, 1993.*

19 CSR 30-62.132 Admission Policies and Procedures

PURPOSE: This rule defines admission policies and procedures for children in care.

PUBLISHER'S NOTE: The publication of the full text of the material that the adopting agency has incorporated by reference in this rule would be unduly cumbersome or expensive. Therefore, the full text of that material will be made available to any interested person at both the Office of the Secretary of State and the office of the adopting agency, pursuant to section 536.031.4, RSMo. Such material will be provided at the cost established by state law.

(1) The provider shall establish written policies pertaining to the program goals, admission, care and discharge of children and shall provide a copy to the parent(s) at the time of enrollment.

(2) The provider shall have available a copy of the *Licensing Rules for Group Day Care Homes and Child Day Care Centers in Missouri* and shall advise the parent(s) at the time of enrollment of his/her child of the availability of the rules for review.

(3) Only children two (2) years of age and older shall be accepted for care unless the facility has been specifically licensed to include infant/toddler care.

(4) If infant/toddler care is provided in a unit auxiliary to a licensed facility for older children, the following shall apply:

(A) Placement of a two (2) year old in either the infant/toddler unit or the unit for

older children shall be determined in consultation with the parent(s); and

(B) The infant/toddler unit shall not care for children older than two (2) years unless the total number of children in attendance at the time is four (4) or fewer.

(5) A child who has a special physical, developmental or behavioral need shall have on file an individualized plan for specialized care from a professionally qualified source.

(6) The provider shall assess his/her ability to provide care for the special needs child while also meeting the needs of the other children.

(7) The provider shall develop and implement a procedure for admitting children which shall include:

(A) A personal interview with the parent(s) and child to exchange information and arrive at a mutual decision about admitting a child;

(B) A plan for continuing communication between the child care provider and the parent(s);

(C) Discussion of the plan for providing for the care of the ill child as required by 19 CSR 40-62.192 Health Care;

(D) Discussion of the parental plan for providing for the care of the school-age child on scheduled days of school closings; and

(E) Completion by the parent(s) of the following written information, which shall be on file before the child is accepted for care:

1. All information required by 19 CSR 40-62.222 Records and Reports;

2. Information regarding a child's personal development, behavior patterns, habits and individual needs;

3. A diet plan for each infant/toddler signed by the parent(s);

4. Instructions for action to be taken if the parent(s) or physician designated by the parent(s) cannot be reached in an emergency and permission for emergency medical care;

5. Information indicating that the child has completed age-appropriate immunizations, is in the process of completing immunizations or is exempt from immunization requirements as defined by 19 CSR 40-62.192 Health Care;

6. Permission for field trips, transportation to and from school and other transportation;

7. Permission for school-age children to leave the facility to participate in classes, clubs or other activities, naming the activity, time of leaving and returning and the method of transportation to and from the activity (Permission for regular activities such as scouting may be given for the entire school term.); and

8. Acknowledgement by the parent(s) that—

A. They have received a copy of the provider's policies pertaining to the admission, care and discharge of children;

B. They have been informed that the *Licensing Rules for Group Day Care Homes and Child Day Care Centers in Missouri* are available in the facility for their review;

C. They and the provider have agreed on a plan for continuing communication regarding the child's development, behavior and individual needs; and

D. They understand and agree that the child may not be accepted for care when ill.

(8) If care is provided for children related to the center owner(s) or group day care home provider, the parent(s) shall complete and sign a form which is supplied by the department (see 19 CSR 40-61.135). The form shall be on file at the facility before children related to the center owner(s) or group day care home provider are accepted for care, and shall contain the following identifying information:

(A) Each child's name, address, birthdate and date of admission;

(B) Each child's relationship to the center owner(s) or group day care home provider; and

(C) The parent's(s') name(s), address(es) and telephone number(s).

(9) If a provider enrolls children for irregular or intermittent care, all procedures for admitting children shall be followed. Children enrolled on an irregular or intermittent basis shall be accepted only by appointment and shall not cause the facility to exceed its licensed capacity.

(10) After attempts have been made to meet a child's individual needs, any child who demonstrates an inability to benefit from the care offered by the child care provider or whose presence is detrimental to other children may be discharged from the facility.

(11) Care of a child may be discontinued if the provider and the parent(s) cannot establish a mutually satisfactory working relationship.

(12) Parents shall have access to the facility at any time during child care hours.

AUTHORITY: section 210.221.1(3), RSMo Supp. 1993. This rule previously filed as 13 CSR 40-62.120, 13 CSR 40-62.132 and 19 CSR 40-62.132. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-62.132, effective Dec. 9, 1993.*

Emergency amendment filed Aug. 18, 1993, effective Aug. 28, 1993, expired Dec. 25, 1993. Emergency amendment filed Jan. 4, 1994, effective Jan. 14, 1994, expired May 13, 1994. Amended: Filed Aug. 18, 1993, effective April 9, 1994. Changed to 19 CSR 30-62.132 July 30, 1998.

**Original authority 1949, amended 1955, 1987, 1993.*

19 CSR 30-62.142 Nighttime Care

PURPOSE: This rule sets forth requirements for facilities providing nighttime care for children.

(1) If nighttime care is to be offered on a regular basis, rules shall be met as set forth for nighttime care and the facility shall be specifically licensed to include nighttime care.

(2) Facilities licensed for nighttime care shall meet the requirements of the following additional rules:

(A) Special effort shall be made by caregivers to individualize care at children's bedtime and awakening. The parent(s) shall be consulted concerning his/her child's particular behavior patterns at bedtime and awakening;

(B) As parents will be calling for children at various hours during nighttime care, room arrangements shall take into consideration the child's need for undisturbed sleep;

(C) Combs, brushes, toothbrushes or other personal items shall be individually marked with the child's name;

(D) Night-lights shall be located in areas as required by individual children's needs;

(E) Separate sleeping and dressing areas shall be provided for school-age boys and girls;

(F) During sleeping hours, caregivers shall be in close proximity to sleeping areas in order to respond to children needing attention. Close proximity means that caregivers shall be close enough to the children to be able to hear any sounds they might make that would indicate a need for assistance. One (1) caregiver shall be awake at all times; and

(G) Adults on the premises shall be limited to staff, parents or authorized individuals.

AUTHORITY: section 210.221.1(3), RSMo Supp. 1993. This rule previously filed as 13 CSR 40-62.130, 13 CSR 40-62.142 and 19 CSR 40-62.142. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-62.142, effective Dec. 9, 1993. Changed to 19 CSR 30-62.142 July 30, 1998.*

**Original authority 1949, amended 1955, 1987, 1993.*

19 CSR 30-62.152 Hourly Care Facilities

PURPOSE: This rule sets forth requirements for facilities providing irregular, intermittent, hourly care for children.

(1) An hourly care facility is a facility licensed exclusively for irregular, intermittent, hourly care.

(2) Hourly care shall be limited to a maximum of fifty (50) hours per month per child. If a child is in care more than fifty (50) hours per month, other child care arrangements shall be made.

(3) Hourly care facilities shall meet all licensing rules for group day care homes and day care centers with the following exceptions:

(A) An outdoor play area is not required;

(B) Children may bring sack lunches; and

(C) The children's medical examination report is not required.

AUTHORITY: section 210.221.1(3), RSMo Supp. 1993. This rule previously filed as 13 CSR 40-62.140, 13 CSR 40-62.152 and 19 CSR 40-62.152. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-62.152, effective Dec. 9, 1993. Changed to 19 CSR 30-62.152 July 30, 1998.*

**Original authority 1949, amended 1955, 1987, 1993.*

19 CSR 30-62.162 Overlap Care of Children

PURPOSE: This rule defines overlap care and sets forth the requirements for overlap care.

(1) There may be situations (for example, to accommodate parents' work shifts, before- and after-school care or before- and after-summer camp care) when the number of children in care may exceed the licensed capacity of the facility at the time of overlap. The number in care shall never be more than one-third (1/3) over the licensed capacity of the facility. The overlap period(s) shall not exceed two (2) hours total in any twenty-four (24)-hour child-care day. The two (2) hours of available overlap time may be utilized in smaller time periods.

(2) Overlap care shall not be provided until an overlap request has been submitted, including the hours overlap care will be provided and written approval has been received from the department. Any changes in the hours of overlap care shall require that a new

overlap request form be submitted and approved (see 19 CSR 40-61.155).

(3) All procedures for admitting children shall be followed if a provider chooses to enroll children for overlap care.

(4) Staff/child ratios shall be maintained during overlap periods.

(5) When before- and after-summer camp care for children is provided, the provider shall require that the parent(s) sign a statement of consent for the child to be taken from the facility to the summer camp location.

(6) Overlap shall be granted to an infant/toddler unit or to a preschool/school-age unit based on the licensed capacity of each unit. A provider may not use the time period for one (1) unit to increase the overlap period for the other unit.

(7) Overlap approval shall not be granted to facilities licensed exclusively for before- and after-school child care programs.

AUTHORITY: section 210.221.1(3), RSMo Supp. 1993. This rule previously filed as 13 CSR 40-62.150, 13 CSR 40-62.162 and 19 CSR 40-62.162. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-62.162, effective Dec. 9, 1993. Emergency amendment filed Aug. 18, 1993, effective Aug. 28, 1993, expired Dec. 25, 1993. Emergency amendment filed Jan. 4, 1994, effective Jan. 14, 1994, expired May 13, 1994. Amended: Filed Aug. 18, 1993, effective April 9, 1994. Changed to 19 CSR 30-62.162 July 30, 1998.*

**Original authority 1949, amended 1955, 1987, 1993.*

19 CSR 30-62.172 Emergency School Closings

PURPOSE: This rule allows one-third additional attendance of school-age children on unscheduled days of school closings.

(1) On days when schools are closed due to emergencies such as inclement weather or physical plant failure, the facility may accommodate enrolled school-age children who need care. The provider shall be permitted to exceed for the day the licensed capacity of the facility by one-third (1/3). The one-third (1/3) excess attendance for emergency school closings shall not be in addition to the one-third (1/3) excess attendance allowed for

overlap care. At no time may the total number in care be more than one-third (1/3) over the licensed capacity of the facility.

(2) Staff/child ratios shall be maintained during emergency school closings.

(3) The provider shall maintain a written record including the date of the emergency school closing, the reason for the closing and the number of children in care on that date.

(4) Emergency school closing overlap shall not be permitted for scheduled days of school closing.

*AUTHORITY: section 210.221.1(3), RSMo Supp. 1993. * This rule previously filed as 13 CSR 40-62.160, 13 CSR 40-62.172 and 19 CSR 40-62.172. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-62.172, effective Dec. 9, 1993. Changed to 19 CSR 30-62.172 July 30, 1998.*

**Original authority 1949, amended 1955, 1987, 1993.*

19 CSR 30-62.182 Child Care Program

PURPOSE: This rule sets forth the requirements for the care of children, including supervision, emergency drills, discipline, diapering and toileting, and daily activities.

(1) Care of the Child.

(A) General Requirements.

1. Caregivers shall not leave any child without competent adult supervision.

2. A caregiver personally shall admit each child upon arrival and personally shall dismiss each child upon departure. Children shall be dismissed only to the parent(s), guardian, legal custodian or to individuals approved by the parent(s), guardian or legal custodian.

3. Caregivers shall provide frequent, direct contact so children are not left unobserved on the premises.

4. Children under three (3) shall be supervised and assisted while in the bathroom.

5. A caregiver shall remain in the room with preschool and school-age children while they are napping or sleeping and shall be able to see and hear them if they have difficulty during napping or when they awaken.

6. Preschool children who do not sleep shall rest on cots or beds at least thirty (30) minutes, but shall not be forced to remain on cots or beds for longer than one (1) hour. They shall then be permitted to leave the napping area to engage in quiet play.

7. Caregivers shall provide special attention on an individual basis for new children having problems adjusting, distressed children, etc. Children shall be encouraged, but not forced to participate in group activities.

8. Children shall not be subjected to child abuse/neglect as defined by section 210.110, RSMo.

(B) Fire and Tornado Drills.

1. Fire and tornado drills shall be conducted by the provider at least every three (3) months and shall include all children in care.

2. The emergency plan for fires and tornadoes shall be posted conspicuously and shall include the route for the drills and special instructions for nonambulatory infants and children.

3. A written record shall be kept of the dates and types of drills conducted.

(C) Discipline.

1. The provider shall establish simple, understandable rules for children's behavior and shall explain them to the children.

2. Expectations for a child's behavior shall be appropriate for the developmental level of that child.

3. Only constructive, age-appropriate methods of discipline shall be used to help children develop self-control and assume responsibility for their own actions.

4. Praise and encouragement of good behavior shall be used instead of focusing only upon unacceptable behavior.

5. Brief, supervised separation from the group may be used based on a guideline of one (1) minute of separation for each year of the child's age.

6. Firm, positive statements or redirection of behavior shall be used with infants and toddlers.

7. Physical punishment including, but not limited to, spanking, slapping, shaking, biting or pulling hair shall be prohibited.

8. No discipline technique which is humiliating, threatening or frightening to children shall be used. Children shall not be shamed, ridiculed or spoken to harshly, abusively or with profanity.

9. Punishment or threat of punishment shall not be associated with food, rest or toilet training.

10. Children shall not be placed in a closet, a locked or unlit room or any other place which is frightening.

11. Children shall not be permitted to intimidate or harm others, harm themselves or destroy property.

(D) Care of Infants and Toddlers.

1. Infants and toddlers shall have constant care and supervision.

2. Children shall be cared for by the same caregiver on a regular basis.

3. Caregivers shall be alert to various needs of the child such as thirst, hunger, diaper change, fear of or aggression by other children and the need for attention.

(E) Diapering and Toilet Training.

1. Disposable tissues or wipes shall be used to cleanse the child at each time of diapering. Any diapering creams, powders or other products applied at the time of diapering shall be provided by the parent(s) and labeled with the child's name.

2. The diapering table shall be cleaned thoroughly with a disinfectant after each use.

3. The child shall not be left unattended at any time while on the diapering table.

4. Diapers and wet clothing shall be changed promptly.

5. Wet or soiled diapers shall be placed in an airtight disposal container located in the diaper change area. If cloth diapers are provided by the parent(s), individual airtight plastic bags shall be used to store each soiled diaper for return each day to the parent(s).

6. Caregivers changing diapers shall wash their hands with soap and running water each time after changing a child's diaper.

7. The diapering area and handwashing area shall be separate from any food service area and any food-related materials.

8. No effort shall be made to toilet train a child until the parent(s) and provider agree on when to begin.

9. The routine for toilet training shall be discussed with the parent(s) so the same method will be used at the facility and the child's home.

10. Children shall not be punished, berated or shamed in any way for soiling their clothes. The parent(s) shall provide extra clothing for his/her child in case the child accidentally soils him/herself.

(2) Daily Activities for Children.

(A) A daily schedule shall be established in written form which shall include activities for all ages of children in care.

(B) Daily activities for preschool and school-age children shall include:

1. Developmentally appropriate play experiences and activities planned to meet the interests, needs and desires of the children;

2. Individual attention and conversation with adults;

3. Indoor and outdoor play periods which provide a balance of quiet and active play, and individual and small group activities. Activities shall provide some free choice experiences;

4. A total of at least one (1) hour of outdoor play for children in attendance a full day

unless prevented by weather or special medical reasons. (Based on wind chill factor or heat index, children shall not be exposed to either extreme element.);

5. Toileting and handwashing times;
6. Regular snack and meal times;
7. A supervised nap or rest period for preschool children after the noon meal;
8. A quiet time for school-age children after the noon meal with a cot or bed available for those who wish to nap or rest; and
9. A study time for school-age children who choose to do homework, with a separate, quiet work space.

(C) Daily activities for infants and toddlers shall include:

1. Developmental and exploratory play experiences and free choices of play appropriate to the interests, needs and desires of infants and toddlers;
2. Regular snack and meal times according to each infant's individual feeding schedule as stated by the parent(s);
3. A supervised nap period. After awakening, an infant may remain in the crib as long as s/he is content, but never for periods longer than thirty (30) minutes. Toddlers shall be taken out of bed for other activities when they awaken;
4. Individual attention and play with adults, including holding, cuddling, talking and singing;
5. Opportunities for sensory stimulation which includes visual stimulation through pictures, books, toys, nonverbal communication, games, and the like; auditory stimulation through verbal communication, music, toys, games, and the like; tactile stimulation through surfaces, fabrics, toys, games, and the like;
6. Encouragement in the development of motor skills by providing opportunities for reaching, grasping, pulling up, creeping, crawling and walking; and
7. Opportunity for outdoor play when weather permits.

AUTHORITY: section 210.221.1(3), RSMo Supp. 1993. This rule previously filed as 13 CSR 40-62.170, 13 CSR 40-62.182 and 19 CSR 40-62.182. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-62-182, effective Dec. 9, 1993. Changed to 19 CSR 30-62.182 July 30, 1998.*

**Original authority 1949, amended 1955, 1987, 1993.*

19 CSR 30-62.192 Health Care

PURPOSE: This rule sets forth the requirements for reporting communicable diseases, caring for a child when ill, medication, emergency care and handwashing.

(1) General Requirements. The provider shall report to the local health department if any child in the facility is suspected of having a reportable disease as defined by section 210.003, RSMo. In the event of an outbreak of communicable disease in the facility, caregivers shall implement control measures recommended by a local state health authority as required by the department.

(2) The Ill Child.

(A) Each child shall be observed for contagious diseases and for other signs of illness on arrival and throughout the day.

(B) Each child's parent(s) shall be notified immediately when any contagious disease occurs in the facility.

(C) Unusual behavior shall be monitored closely and parent(s) shall be contacted if the behavior continues or if other symptoms develop. These behaviors include, but shall not be limited to:

1. Is cranky or less active than usual;
2. Cries more than usual;
3. Feels general discomfort or seems unwell; or
4. Has loss of appetite.

(D) The parent(s) or his/her designee shall be contacted when signs of illness are observed. Unless determined otherwise by the parent(s) or provider, a child with no more than one (1) of the following symptoms may remain in care:

1. A child with a temperature of up to one hundred degrees Fahrenheit (100°F) by mouth or ninety-nine degrees Fahrenheit (99°F) under the arm;
2. After an illness has been evaluated by a physician, medication has been prescribed and any period of contagion has passed as determined by a licensed physician;
3. When it has been determined that a child has a common cold unless the director and the parent(s) agree that isolation precautions should be taken;
4. When a child has vomited once with no further vomiting episodes, other symptoms, or both; or
5. When a child has experienced loose stools only one (1) time with no further problems or symptoms.

(E) If children exhibit any of the following symptoms, they must be sent home:

1. Diarrhea—more than one (1) abnormally loose stool. If a child has one (1) loose

stool, s/he shall be observed for additional loose stools or other symptoms;

2. Severe coughing—if the child gets red or blue in the face or makes high-pitched croupy or whooping sounds after coughing;

3. Difficult or rapid breathing (especially important in infants under six (6) months);

4. Yellowish skin or eyes;

5. Pinkeye—tears, redness of eyelid lining, irritation, followed by swelling or discharge of pus;

6. Unusual spots or rashes;

7. Sore throat or trouble swallowing;

8. An infected skin patch(es)—crusty, bright yellow, dry or gummy areas of the skin;

9. Unusually dark, tea-colored urine;

10. Grey or white stool;

11. Fever over one hundred degrees Fahrenheit (100°F) by mouth or ninety-nine degrees Fahrenheit (99°F) under the arm;

12. Headache and stiff neck;

13. Vomiting more than once; and

14. Severe itching of the body or scalp, or scratching of the scalp. These may be symptoms of lice or scabies.

(F) Parental contact and the decision made shall be recorded and filed in the child's record.

(G) The ill child shall be kept isolated from the other children until the parent(s) arrives.

(H) The caregiver shall be in close proximity to the child until the parent(s) arrives. Close proximity means that a caregiver is close enough to hear any sounds a child might make that would indicate a need for assistance.

(3) Medication.

(A) The provider is not required to administer medication but may choose to do so.

(B) All medication shall be given to a child only with the dated, written permission of the parent(s) stating the length of time medication may be given.

(C) Prescription medication shall be in the original container and labeled with the child's name, instructions for administration, including the times and amounts for dosages and the physician's name. This may include sample medication provided by a physician.

(D) All nonprescription medication shall be in the original container and labeled by the parent(s) with the child's name, and instructions for administration, including the times and amounts for dosages.

(E) All medication shall be stored out of reach of children or in a locked container.

(F) Medication shall be returned to storage immediately after use.

(G) Medication needing refrigeration shall be kept in the refrigerator in a container separate from food.

(H) Medication shall be returned to the parent(s) or disposed of immediately when no longer needed.

(I) The date and time(s) of administration, the name of the individual giving the medication and the quantity of any medication given shall be recorded promptly after administration. This information shall be filed in the child's record after the medication is no longer necessary.

(4) Immunizations.

(A) No child shall be permitted to enroll in or attend any day care facility caring for ten (10) or more children unless the child has been immunized adequately against vaccine-preventable childhood illnesses specified by the department in accordance with recommendations of the Immunization Practices Advisory Committee (ACIP). The parent or guardian of the child shall provide satisfactory evidence of the required immunizations. Satisfactory evidence means a statement, certificate or record from a physician or other recognized health facility or personnel, stating that the required immunizations have been given to the child and verifying the type of vaccine and the month, day and year of administration.

(B) A child who has not completed all immunizations appropriate for his/her age may enroll, if—

1. Satisfactory evidence is produced that the child has begun the process of immunization (see form at 19 CSR 40-61.185). The child may continue to attend as long as the immunization process is being accomplished according to the ACIP/Missouri Department of Health recommended schedule; or

2. The parent(s) or guardian has signed and placed on file with the day care administrator a statement of exemption which may be either of the following:

A. A medical exemption (see form at 19 CSR 40-61.185), by which the child shall be exempted from immunization requirements upon certification by a licensed physician that the immunization would seriously endanger the child's health or life; or

B. A parent or guardian exemption, by which a child shall be exempted from immunization requirements if one (1) parent or guardian files a written objection to immunization with the day care administrator. Exemptions shall be accepted by the day care administrator when the necessary information as determined by the department is filed with the day care administrator by the parent or

guardian. Exemption forms shall be provided by the department (see 19 CSR 40-61.185).

(C) In the event of an outbreak or suspected outbreak of a vaccine-preventable disease in the facility, the administrator of the facility shall follow the control measures instituted by the local health authority or the department, or both the local health authority and the department.

(D) The administrator of each day care facility shall prepare a record of immunization of each child enrolled in or attending the facility. An annual summary report shall be made by January 15 showing the immunization status of each child enrolled, using forms provided by the department (see 19 CSR 40-61.185). The immunization records shall be available for review by department personnel upon request.

(5) Accidents, Injuries and Emergency Medical Care.

(A) In case of accident or injury to a child, the provider shall notify the parent(s) immediately. If the child requires emergency medical care, the provider shall follow the parent's(s') written instructions.

(B) Information regarding the date and circumstance of any accident or injury shall be noted in the child's record.

(C) When planning for activities away from the facility, the provider shall establish a procedure for handling emergencies.

(6) Handwashing.

(A) Caregivers shall wash their hands with soap and running water after toileting or assisting a child with toileting, after diapering a child, before food preparation or serving of food and at other times as needed.

(B) Caregivers shall teach children to wash their hands before eating and after toileting.

AUTHORITY: section 210.221.1(3), RSMo Supp. 1993. This rule previously filed as 13 CSR 40-62.192 and 19 CSR 40-62.192. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-62.192, effective Dec. 9, 1993. Emergency amendment filed Aug. 18, 1993, effective Aug. 28, 1993, expired Dec. 25, 1993. Emergency amendment filed Jan. 4, 1994, effective Jan. 14, 1994, expired May 13, 1994. Amended: Filed Aug. 18, 1993, effective April 9, 1994. Changed to 19 CSR 30-62.192 July 30, 1998.*

**Original authority 1949, amended 1955, 1987, 1993.*

19 CSR 30-62.202 Nutrition and Food Service

PURPOSE: This rule provides the requirements for nutritious meals, snacks and methods of food service.

(1) General Requirements.

(A) The provider shall supply and serve nourishing food according to the Meal and Snack Food Chart provided in this rule.

(B) The required meal schedule shall include breakfast or a midmorning snack, lunch and a midafternoon snack for children in care during daytime hours, with a maximum time of four (4) hours between any meal or snack. School-age children shall be served a snack after school.

(C) Children in care during evening hours shall be served a snack. Upon parental request, children in care during evening hours shall be served supper and children spending the night shall be served breakfast.

(D) Snacks of fruit juice, raw fruit or vegetable, milk, crackers, cheese, peanut butter or similar nutritious food shall be served.

(E) One (1) serving of fluid milk shall be served with each meal.

(F) If the facility is licensed exclusively for school-age care, the child may be permitted to bring sack meals. The provider shall supply one (1) serving of fluid milk with each sack meal and shall supply nutritious snacks.

(G) The acceptable food components and serving sizes for meals and snacks are outlined in the following chart for each age group. Menus and amounts served shall be based on this chart.

Meal and Snack Food Chart

	<u>Food Components</u>	<u>Age 1 and 2</u>	<u>Age 3 through 5</u>	<u>Age 6 through 12</u>
BREAKFAST				
Requirement—	Fluid Milk***	1/2 cup	3/4 cup	1 cup
	Juice**or Fruit or Vegetable	1/4 cup	1/2 cup	1/2 cup
1 serving from each of the 3 food component	Bread or Bread Alternate*	1/2 slice*	1/2 slice*	1 slice*
SNACK				
Requirement—	Fluid Milk***	1/2 cup	1/2 cup	1 cup
2 servings selected from 2 of the 4 food components	Juice**or Fruit or Vegetable	1/2 cup	1/2 cup	3/4 cup
	Meat or Meat Alternate	1/2 ounce	1/2 ounce	1 ounce
1 serving from the bread component	Bread or Bread Alternate*	1/2 slice*	1/2 slice*	1 slice*
LUNCH/SUPPER				
Requirement—	Fluid Milk***	1/2 cup	3/4 cup	1 cup
1 serving of milk component				
	MEAT/MEAT ALTERNATE			
	Meat, Poultry, or Fish or	1 ounce	1 1/2 ounces	2 ounces
1 serving from the meat/meat alternate component	Cheese or Egg or	1 ounce	1 1/2 ounces	2 ounces
	Cooked Dry Beans and Peas or	1/4 cup	3/8 cup	1/2 cup
	Peanut Butter	2 table- spoons	3 table- spoons	4 table- spoons
	FRUIT/VEGETABLE			
2 servings from the fruit/vegetable component:	1 Vegetable and 1 Fruit or 2 Different Vegeta- bles or 2 Different Fruits	1/4 cup total	1/2 cup total	3/4 cup total
1 serving Bread or Bread from the bread component.	1/2 slice* Alternate*	1/2 slice*	1 slice*	

* Or an equivalent serving of an acceptable bread alternate such as cornbread, biscuits, rolls, muffins, cereal, rice, pasta, and the like.

** All fruit juice shall be one hundred percent (100%) fruit juice.

*** See subsection (1)(H) for acceptable milk supply.

(H) The water and milk supply, and the method of dispensing, shall be approved by local or state health authorities, or both. Powdered milk shall not be used except for cooking purposes. Milk substitutes shall not be used for drinking or cooking.

(I) State or local rules, or both, governing food service sanitation shall be maintained in the storage, preparation and service of foods.

(J) Mealtime atmosphere shall be enjoyable and relaxed. No child shall be forced to eat, but shall be encouraged to set his/her own pace according to personal preferences.

(K) Menus shall be available to parents upon request.

(L) Drinking water shall be located conveniently near playrooms and the playground so children may be free to drink as they wish. Water fountains or individual cups shall be used.

(2) Nutrition and Food Service for Infants Up to Twelve (12) Months of Age.

(A) The provider shall serve nourishing foods appropriate for the infant's nutritional requirements and developmental stages as specified by his/her parent(s) in a written diet plan.

(B) The written diet plan for each infant/toddler shall be followed. The parent(s) shall update the plan according to the individual needs of the child until they grant permission in writing for the child to eat table foods.

(C) If preferred, formulas and special baby foods may be provided by the parent(s) with individual identification on each container.

(D) Until infants can hold a bottle comfortably, they shall be held by a caregiver during bottle feeding. Bottles shall not be propped.

(E) When an infant/toddler shows evidence of wanting to feed him/herself, the child shall be encouraged and permitted to do so.

AUTHORITY: section 210.221.1(3), RSMo Supp. 1993. This rule previously filed as 13 CSR 40-62.180, 13 CSR 40-62.202 and 19 CSR 40-62.202. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-62.202, effective Dec. 9, 1993. Changed to 19 CSR 30-62.202 July 30, 1998.*

**Original authority 1949, amended 1955, 1987, 1993.*

19 CSR 30-62.212 Transportation and Field Trips

PURPOSE: This rule sets forth the requirements of a day care provider when transporting children and on field trips.

(1) General Requirements.

(A) The provider shall be responsible for the care, safety and supervision of children on field trips or at any time they transport children away from the facility.

(B) Written parental consent shall be on file at the facility for field trips and transportation.

(C) Parents shall be informed when field trips are planned.

(D) Short, unscheduled walks may be taken without parent notification. These unscheduled outings shall be discussed with the parent(s) at the time of enrollment.

(2) Vehicle and Vehicle Operator.

(A) The driver of any vehicle used to transport children shall be no less than eighteen (18) years of age and shall have a valid driver's license as required by Missouri law.

(B) All vehicles used to transport children shall be licensed in accordance with Missouri law.

(C) Children shall not be transported in campers, trailers or in the back of trucks.

(3) Safety and Supervision.

(A) All children shall be seated in a permanent seat and restrained by seat belts or child restraint devices as required by Missouri law.

(B) Identifying information regarding the name of the provider, the names of the children and the names, addresses and telephone numbers of each child's parent(s) shall be carried in the vehicle.

(C) Staff/child ratios shall be maintained at any time the provider transports children away from the facility.

(D) Children shall be required to remain seated while the vehicle is in motion.

(E) Doors shall be locked when the vehicle is moving.

(F) Order shall be maintained in the vehicle at all times.

(G) Children shall not be left unattended in a vehicle at any time.

(H) Children shall enter and leave the vehicle from the curbside unless the vehicle is in a protected area or driveway.

(I) Children shall be assisted, when necessary, while entering or leaving the vehicle.

(J) Children shall be released only to the parent(s) or individual(s) authorized by the parent(s).

(K) The operator of the vehicle shall wait until the child is in the custody of the parent(s) or individual(s) authorized by the parent(s) to receive the child.

(L) Head counts shall be taken before leaving the facility, after entering the vehicle, during a field trip, after taking the children to

bathrooms, after returning to the vehicle and when back at the facility.

(M) When children leave the vehicle, the vehicle shall be inspected to ensure that no children are left on or under seats.

AUTHORITY: section 210.221.1(3), RSMo Supp. 1993. This rule previously filed as 13 CSR 40-62.212 and 19 CSR 40-62.212. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-62.2123, effective Dec. 9, 1993. Changed to 19 CSR 30-62.212 July 30, 1998.*

**Original authority 1949, amended 1955, 1987, 1993.*

19 CSR 30-62.222 Records and Reports

PURPOSE: This rule lists records and reports which must be on file at the facility.

(1) The child care provider shall maintain accurate records to meet administrative requirements and to ensure knowledge of the individual needs of children and their families.

(2) An individual file shall be kept to identify each child and enable the provider to communicate with the parent(s), guardian or legal custodian of the child in an emergency. Records shall include:

(A) The child's full name, address, birthdate and the date care begins and ends;

(B) Full name of the parent(s), guardian or legal custodian, home address, employers' name and address, work schedule, and home and work telephone numbers;

(C) Name, address and telephone number of another individual (friend or relative) who might be reached in an emergency when the parent(s), guardian or legal custodian cannot be reached;

(D) Name and phone number of the family physician, hospital, or both, to be used in an emergency;

(E) Name of the individual(s) authorized to take the child from the facility; and

(F) Field trip and transportation authorization.

(3) Records on related children, as required by 19 CSR 40-62.132 Admission Policies and Procedures, shall be on file.

(4) Health information shall be retained in each child's individual file and shall include:

(A) A medical examination report for each infant, toddler or preschool child or a health report for each school-age child as required

by 19 CSR 40-62.122 Medical Examination Reports;

(B) Parental authorization for medications and a record of medications administered;

(C) Information concerning any accident or injury to the child while at the facility or any emergency medical care; and

(D) Any significant information learned from observing the child.

(5) Individual children's records shall be retained a minimum of one (1) year after the child discontinues attendance.

(6) Daily child attendance records shall be maintained and kept on file a minimum of one (1) year.

(7) Daily staff and volunteer attendance records shall be maintained and kept on file a minimum of one (1) year.

(8) All enrollment records, medical examination records and attendance records shall be filed in a place known to caregivers and shall be accessible at all times. Records shall not be in a locked area or removed from the facility during the hours the facility is open and operating.

(9) Emergency school closing records, as required by 19 CSR 40-62.172 Emergency School Closings, shall be on file.

(10) A written record of the dates and types of emergency drills conducted, as required by 19 CSR 40-62.182 Child Care Program, shall be on file.

(11) Medical examination reports for staff, as required by 19 CSR 40-62.122 Medical Examination Reports, shall be on file.

(12) A copy of the child abuse/neglect screening request form and response, as required by 19 CSR 40-62.102 Personnel, shall be on file in each employee's record.

(13) Staff training records, as required by 19 CSR 40-62.102 Personnel, shall be on file.

(14) All records of children shall be confidential, protected from unauthorized examination and available to the parent(s) upon request.

(15) All records shall be available in the facility for inspection by the division upon request.

(16) Reports to the department shall be submitted as required.

AUTHORITY: section 210.221.1(3), RSMo Supp. 1993. This rule previously filed as 13 CSR 40-62.190, 13 CSR 40-62.222 and 19 CSR 40-62.222. Original rule filed March 29, 1991, effective Oct. 31, 1991. Changed to 19 CSR 40-62.222, effective Dec. 9, 1993. Emergency amendment filed Aug. 18, 1993, effective Aug. 28, 1993, expired Dec. 25, 1993. Emergency amendment filed Jan. 4, 1994, effective Jan. 14, 1994, expired May 13, 1994. Amended: Filed Aug. 18, 1993, effective April 9, 1994. Changed to 19 CSR 30-62.222 July 30, 1998.*

**Original authority 1949, amended 1955, 1987, 1993.*

19 CSR 30-62.230 Variance Request

PURPOSE: This rule explains how a provider may request a variance from the rules of this chapter.

(1) Any provider may request a variance from a rule. The request for a variance shall be written to the Child Care Unit and shall include the item(s) for which a variance is requested and the reason(s) the provider requests the variance. Local inspectors may request a variance on behalf of the provider.

(2) If a variance request is not approved by the Child Care Unit, the provider shall be advised in writing of the basis for the denial. The provider may request a review of the decision by the director within thirty (30) days of receipt. The director or designee shall have fifteen (15) days to make the final determination on the variance request. That determination is subject to Chapter 536, RSMo review for licensed facilities.

AUTHORITY: section 210.221.1(3), RSMo Supp. 1993. This rule previously filed as 19 CSR 40-62.230. Emergency rule filed Aug. 27, 1993, effective Sept. 5, 1993, expired Jan. 2, 1994. Emergency rule filed Jan. 4, 1994, effective Jan. 14, 1994, expired May 13, 1994. Original rule filed Aug. 27, 1993, effective April 9, 1994. Changed to 19 CSR 30-62.230 July 30, 1998.*

**Original authority 1949, amended 1955, 1987, 1993.*