



Georgia Department of Early Care and Learning

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Nathan Deal
Governor

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Commissioner

Notice of Public Hearing for Proposed Rulemaking
Bright from the Start: Georgia Department of Early Care and Learning

Rule Chapter 591-1-1, Rules and Regulations for Child Care Learning Centers

Proposed Amendment of Rule 591-1-1-.14
Proposed Amendment of Rule 591-1-1-.21
Proposed Amendment of Rule 591-1-1-.27
Proposed Amendment of Rule 591-1-1-.31
Proposed Amendment of Rule 591-1-1-.33

Notice Date: July 18, 2016

Dear Sir or Madam:

Bright from the Start: Georgia Department of Early Care and Learning (DECAL) proposes to amend our Child Care Learning Center rules in Rule Chapter 591-1-1 in the *Rules and Regulations for Child Care Learning Centers*.

Bright from the Start proposes these changes to these rules and regulations in order for Georgia to be in compliance with the federal Child Care and Development Block Grant (CCDBG) Act of 2014.

The passage of the federal legislation warrants changes to Georgia's existing rules and regulations in the following areas:

- Increased requirements to have procedures in place for evacuation, relocation, shelter-in-place, lock-down, communication and reunification with families, continuity of operations, accommodation of infants and toddlers, children with disabilities, and children with chronic medical conditions.
- Requirements that child care providers have procedures for staff and volunteer emergency preparedness training and practice drills.
- Increased training on key health and safety topics that must be completed within the first 90 days of hire.

The proposed amendments to the *Rules and Regulations for Child Care Learning Centers* as noted below have been posted to Bright from the Start's website at <http://dec.al.ga.gov/ChildCareServices/ProposedRevisions.aspx>.

The proposed changes are being considered for adoption on a permanent basis, and Bright from the Start invites interested parties to comment on them. All comments, written and verbal, will be given full consideration.

Interested parties may submit written comments by mail to 2 Martin Luther King, Jr. Drive SE, Suite 754, East Tower, Atlanta, GA 30334, by fax to (404) 656-0351, or by e-mail to CCSRuleRevisions@dec.al.ga.gov. To be considered, Bright from the Start must receive written comments on or before 5 p.m., August 17, 2016.

Interested parties who prefer to make verbal comments or hand deliver written comments on the proposed rule changes may do so at a public hearing before the Board of Early Care and Learning. The public hearing will be held beginning at 1 p.m. at 2 Martin Luther King Jr. Drive SE, East Tower 8th Floor, Oak Room, Atlanta, Georgia 30334 on Thursday, August 18, 2016. Speakers should sign in to speak before 1 p.m. If no guest speakers have arrived by 1 p.m., the board will resume its regular meeting. If no guest speakers arrive by the end of the board's regular business meeting, the board will adjourn. Comments made in writing will be given the same consideration as those that are made verbally.

All interested parties are invited to attend the public hearing even if they choose not to make verbal comments regarding the rule amendment proposals.

I. Proposed Amendments to Chapter 591-1-1, *Rules and Regulations for Child Care Learning Centers*

A. Bright from the Start: Georgia Department of Early Care and Learning proposes to amend Rule 591-1-1-.14 entitled “*First Aid and CPR*” in its *Rules and Regulations for Child Care Learning Centers*. This amendment shall include the following:

591-1-1-.14 First Aid and CPR

(1) Training.

~~(a) In a Center with a licensed capacity of nineteen (19) children or more, t~~The Center Director must successfully complete a biennial training program in cardiopulmonary resuscitation (CPR) and a triennial training program in first aid. The first aid program must be done by certified or licensed health care professionals and must deal with the provision of emergency care to infants and children. In addition, at any given time, at least fifty percent (50%) of the caregiver Staff shall have completed such training.

~~—(b) In a Center with a licensed capacity of eighteen (18) children or fewer, the Center Director must successfully complete a biennial training program in cardiopulmonary resuscitation (CPR) and a triennial training program in first aid if no other full time Staff member has such training.~~

~~The first aid program must be done by certified or licensed health care professionals and must deal with the provision of emergency care to infants and children.~~

(2) Staffing Requirement. Whenever any child is present, there must always be a Staff member on the Center premises who is trained in CPR and first aid. All Staff who provide direct care to children must obtain certification in first aid and cardiopulmonary resuscitation within the first 90 days of employment. The hours obtained completing this certification will not count toward required annual training hours. Staff employed prior to September 30, 2016 must satisfactorily complete certification by December 29, 2016. Staff members employed after September 30, 2016 must satisfactorily complete certification within 90 days from date of hire.

(3) Supplies. Each building of the Center and any vehicle used by the Center for transportation of children shall have a first aid kit which shall at least contain: scissors; tweezers; gauze pads; adhesive tape; thermometer; band-aids, assorted sizes; antibacterial ointment; insect-sting preparation; an antiseptic cleansing solution; triangular bandages; rubber gloves; protective eye wear; a protective face mask; and cold pack. The first aid kit, together with a first aid instruction manual which must be kept with the kit at all times, shall be stored so that it is not accessible to children but is easily accessible to Staff.

B. Bright from the Start: Georgia Department of Early Care and Learning proposes to amend Rule 591-1-1-.21 entitled “Operational Policies and Procedures” in its Rules and Regulations for Child Care Learning Centers. This amendment shall include the following:

591-1-1-.21 Operational Policies and Procedures

A Center shall establish and implement written policies and procedures which shall be kept current and made available to the Parent(s) and used to govern the operations of the Center.

(1) The policies and procedures shall be consistent with applicable laws, regulations and these rules and shall include the following:

(a) A description of services to be provided which specifies the ages of children to be served, days and times of operations and days and times that the Center is closed;

(b) A description of enrollment and admission requirements which specifies the Parents’ responsibilities for supplying needed information to the Center and escorting the child to and from the Center;

(c) A fee and payment schedule that specifies the standard fees, fees related to absences and vacations and other charges and fees such as transportation and late fees;

(d) A description of the Center’s transportation and field trip services (see rule .36 about transportation requirements);

(e) A description of handling administration of medication (see rule .20 about medications), and notifying Parent(s) of noticeable adverse reactions to prescribed medications;

(f) A description of parental notification in cases of illnesses and injury and exclusion of sick children (see rule .07 about children's health);

- (g) A description of parental notification when a notifiable communicable disease is present (see rule .07 about children's health);
- (h) A description of handling medical emergencies (see rule .07 about children's health);
- (i) A description of meals and snacks served, including guidelines for food brought from the child's home;
- (j) Permission for access by the child's Parent(s) to all Center areas used by the child (see rule .22 about parental access);
- (k) Child abuse reporting law requirements;
- (l) A description of behavior management and discipline actions used by the Center;
- (m) Nondiscrimination statement;
- (n) Center-sponsored religious and cultural activities, if any;
- (o) If licensed for the care of an infant or toddler:
 1. Center's diapering procedures;
 2. Center's toilet training procedures;
 3. Center's feeding procedures;
- (p) A written plan for handling emergencies, including but not limited to severe weather, loss of electrical power or water and death, serious injury or loss of a child, a threatening event, or natural disaster which may occur at the Center. The Center will have in place procedures for evacuation, relocation, shelter-in-place, lock-down, communication and reunification with families, and continuity of operations. The plan must apply to all children in care and include specific accommodations for infants and toddlers, children with disabilities, and children with chronic medical conditions. Such plan shall include assurance that no Center Personnel will impede in any way the delivery of emergency care or services to a child by licensed or certified emergency health care professionals.
- (q) A description of the safe sleep practices followed by the Center that includes the following information:
 1. The initial placement of infants on their backs to sleep;
 2. No cover or other soft items in crib;
 3. Appropriate sleep clothing for infants to be provided by Parent ~~or guardian~~;
 4. Individual crib, cot or mat and bedding provided and changing and cleaning practices for these items;
 5. Infants who fall asleep in other equipment, on the floor or elsewhere will be moved to a crib to sleep; and
 6. No swaddling or positioning devices used.
- (2) The Center shall have written documentation signed by the Parent(s) ~~or guardian~~ in each child's file that the Director or designee has:
 - (a) Provided to the Parent(s) a copy of the Center's policies and procedures required by this rule;

- (b) Advised the Parent(s) of the safe sleep practices followed by the Center;
 - (c) Advised the Parent(s) of the child's progress, issues relating to the child's care and individual practices concerning the child's special needs;
 - (d) Encouraged participation by Parent(s) in Center activities.
- (3) The Center shall conduct drills for fire, tornado and other emergency situations. The fire drills will be conducted monthly and tornado and other emergency situation drills will be conducted every six months. The Center shall maintain documentation of the dates and times of these drills for two years.
- (4) The Center shall provide the Parent(s) with a copy of the Center's policies and procedures as required by this rule.

Authority: O.C.G.A. § 20-1A-1 *et seq.*

C. Bright from the Start: Georgia Department of Early Care and Learning proposes to amend Rule 591-1-1-.27 entitled "Posted Notices" in its Rules and Regulations for Child Care Learning Centers. This amendment shall include the following:

591-1-1-.27 Posted Notices

Each Center shall post in a designated area for public viewing near the front entrance the following:

- (a) The Center's current License or Permit;
- (b) A copy of these rules;
- (c) A notice provided by the Department which advises Parents of their right to review a copy of the Center's most recent licensure evaluation report upon request to the Center Director. The Center shall provide any Parent with a copy of this evaluation report upon request.
- (d) A copy of the current communicable disease chart;
- (e) A statement allowing Parent(s)' access to all child care areas upon notifying any staff member of his or her presence;
- (f) Names of persons responsible for the administration of the Center in the administrator's absence;
- (g) The current week's menu for meals and snacks;
- (h) Emergency plans for severe weather, ~~and fire, and other emergency situations.~~
- (i) A statement requiring visitors to check in with Staff when entering the Center;
- (j) No smoking signs.

Authority: O.C.G.A. § 20-1A-1 *et seq.*

D. Bright from the Start: Georgia Department of Early Care and Learning proposes to amend Rule 591-1-1-.31 entitled “Staff” in its Rules and Regulations for Child Care Learning Centers. This amendment shall include the following:

591-1-1-.31 Staff

(1) Director.

(a) A Center must have a Director who is responsible for the supervision, operation and maintenance of the Center. The Director must be on the Center’s premises. If the Director is absent from the Center at any time during the hours of the Center’s operation, there shall be an officially designated person on the Center site to assume responsibility for the operation of the Center, and this person shall have full access to all records required to be maintained under these rules.

(b) Qualifications of Director. The Director must meet the minimum qualifications listed below.

1. Be at least twenty-one (21) years of age;
2. Possess at least one of the following sets of minimum academic requirements and qualifying child care experience:
 - (i) Child Development Associate (CDA) credential issued by the Council for Professional Recognition; Child Development and Related Care diploma from a vocational institute accredited by the Commission on Colleges of the Southern Association of Colleges and Schools; or similar credential where the course of study includes an intensive practicum in child care as part of the curriculum and which is approved by the Department; and six (6) months of qualifying child care experience;
 - (ii) Technical Certificate of Credit (TCC) in Early Childhood Education or Child Development and six (6) months of qualifying child care experience;
 - (iii) Technical Certificate of Credit (TCC) in Infant and Toddler and six (6) months of qualifying child care experience;
 - (iv) Technical Certificate of Credit (TCC) in Program Administration and six (6) months of qualifying child care experience;
 - (v) Technical Certificate of Credit (TCC) in School Age and Youth Care and six (6) months of qualifying child care experience;
 - (vi) Technical College Diploma (TCD) in Early Childhood Education or Child Development and six (6) months of qualifying child care experience;
 - (vii) Forty-hour (40) director training course approved by the Department and has been employed for a minimum of five (5) years as an on-site Child Care Learning Center Director or as an on-site Group Day Care Home Director;
 - (viii) Associate's degree in Early Childhood Education or Child Development and six (6) months of qualifying child care experience;
 - (ix) Paraprofessional Certificate issued by the Georgia Professional Standards Commission and six (6) months of qualifying child care experience;
 - (x) Twenty-five (25) quarter hours or fifteen (15) semester hours from an accredited college or university in Early Childhood Education or Child Development and six (6) months of qualifying child care experience;

(xi) Bachelor's degree from an accredited college or university in a field other than Early Childhood Education or Child Development and three (3) months of qualifying child care experience;

(xii) Bachelor's degree from an accredited college or university in Early Childhood Education or Child Development;

(xiii) Master's degree from an accredited college or university in Early Childhood Education or Child Development;

3. Have current evidence of successful completion of biennial training program in cardiopulmonary resuscitation (CPR) and a triennial training program in first aid provided by certified or licensed health care professionals and which covers the provision of emergency care to infants and children as defined in these rules;

4. Participate in the orientation and training required by these rules;

5. Must be able to perform adequately the job duties of providing for the care and supervision of the children enrolled in the Center in accordance with these rules;

6. Never have been shown by credible evidence, e.g., a court or jury, a department investigation or other reliable evidence to have abused, neglected or deprived a child or adult or to have subjected any person to serious injury as a result of intentional or grossly negligent misconduct. The Department may request an oral or written statement to this effect at the time of application or at any other time. Upon said request, the Director or Staff shall provide this statement to the Department;

7. Have a Satisfactory Records Check Determination as defined in these rules; and

8. Not have made any material false statements concerning qualifications requirements either to the Department or to the proposed or current License Holder, Permit Holder or commission holder.

(c) Required Records. A copy and/or written verification of the credential or degree awarded to the Director listed in 591-1-1-.31(1)(b)2.(i) through (xiii) shall be maintained by the Center in the Director's file, and such documentation shall be available for inspection and provided to Department staff upon request.

(2) Teacher/Lead Caregiver.

(a) A Center with a licensed capacity of 19 or more children must have a designated teacher/lead caregiver for each group of children.

(b) Qualifications of Teacher/Lead Caregiver. The teacher/lead caregiver must meet the minimum qualifications listed below.

1. Be at least eighteen (18) years of age;

2. Possess at least one of the following sets of minimum academic requirements and qualifying experience at the time of employment:

(i) Child Development Associate (CDA) credential issued by the Council for Professional Recognition; Child Development and Related Care diploma from a vocational institute accredited by the Commission on Colleges of the Southern Association of Colleges and Schools; or similar credential where the course of study includes an intensive practicum in child care as part of the curriculum and which is approved by the Department;

(ii) Technical Certificate of Credit (TCC) in Early Childhood Education or Child Development;

(iii) Technical Certificate of Credit (TCC) in Infant and Toddler;

(iv) Technical Certificate of Credit (TCC) in Program Administration;

(v) Technical Certificate of Credit (TCC) in School Age and Youth Care;

- (vi) Technical College Diploma (TCD) in Early Childhood Education or Child Development;
- (vii) Associate's degree in Early Childhood Education or Child Development (AA, AAS, AAT);
- (viii) Paraprofessional Certificate issued by the Georgia Professional Standards Commission;
- (ix) Twenty-five (25) quarter hours or fifteen (15) semester hours from an accredited college or university in Early Childhood Education or Child Development;
- (x) Bachelor's degree from an accredited college or university in a field other than Early Childhood Education or Child Development and three (3) months of qualifying child care experience;
- (xi) Bachelor's degree from an accredited college or university in Early Childhood Education or Child Development;
- (xii) Master's degree from an accredited college or university in Early Childhood Education or Child Development.

3. If the newly hired lead teacher does not possess one of the educational and qualifying child care experience requirements listed in 591-1-1-.31(2)(b)2.(i) through (xii), the Center may hire this individual as lead teacher if the following requirements are met:

(i) The lead teacher enrolls in a program of study to obtain one of the educational credentials and qualifying experience requirements listed in 591-1-1-.31(2)(b)2.(i) through (xii), within six (6) months after becoming employed at the Center and completes the credential or degree within eighteen (18) months after enrollment;

(ii) The Center prepares a written plan outlining the newly hired lead teacher's professional development in obtaining one of the credentials or degrees listed in 591-1-1-.31(2)(b)2.(i) through (xii). Such plan must include the following information:

- (I) Individual's identifying information (name, address and telephone numbers);
- (II) Technical college, university or school where enrolled (name, address and telephone number) or Department-approved trainer providing credential coursework (name, address and telephone number);
- (III) Credential or degree individual is seeking;
- (IV) Content area of credential or degree;
- (V) Anticipated date for completion of credential or degree;
- (VI) Names and numbers of courses to be completed during the current year and ongoing updates of the names and numbers of courses to be completed for the following year(s);
- (VII) Documentation of course work successfully completed throughout process (i.e., completion of quarter, semester or component of course work); and
- (VIII) A copy of the credential or degree awarded by the technical college, university, school or Department-approved trainer for specified credential upon completion.

(iii) This professional development plan must be maintained in the lead teacher's file, and such plan shall be available for inspection and provided to Department staff upon request.

4. Have current evidence of successful completion of a biennial training program in cardiopulmonary resuscitation (CPR) and a triennial training program in first aid provided by certified or licensed health care professionals and which covers the provision of emergency care to infants and children if the caregiver is to be counted as part of the fifty percent (50%) of the child care Staff with the required current evidence of CPR and first aid training;

5. Participate in the orientation and training required by these rules;

6. Must be able to perform adequately the job duties of providing for the care and supervision of the children enrolled in the Center in accordance with these rules;

7. Never have been shown by credible evidence, e.g., a court or jury, a department investigation or other reliable evidence to have abused, neglected or deprived a child or adult or to have subjected any person to serious injury as a result of intentional or grossly negligent misconduct. The Department may request an oral or written statement to this effect at the time of application or at any other time. Upon said request, the teacher/lead caregiver or Staff shall provide this statement to the Department.

8. Have a Satisfactory Records Check Determination as defined in these rules; and

9. Not have made any material false statements concerning qualifications requirements either to the Department or to the proposed or current License Holder, Permit Holder or commission holder.

(c) Required Records. A copy and/or written verification of the credential or degree awarded to the lead teacher listed in 591-1-1-.31(2)(b)32.(i) through (xii) shall be maintained by the Center in the lead teacher's file, and such documentation shall be available for inspection and provided to Department staff upon request.

(3) Caregivers/Aides for a Center with Licensed Capacity of Nineteen (19) or More Children.

(a) A Center with a licensed capacity of nineteen (19) or more children may employ caregivers/aides to assist the teacher/lead caregiver in the care of children in any group within the Center. No caregiver/aide who is 16 or 17 years of age shall be solely responsible for children.

(b) Qualifications of Caregivers/Aides for a Center with Licensed Capacity of Nineteen (19) or More Children.

1. Be at least sixteen (16) years of age;

2. Have current evidence of successful completion of a biennial training program in cardiopulmonary resuscitation (CPR) and a triennial training program in first aid provided by certified or licensed health care professionals and which covers the provision of emergency care to infants and children if the caregiver is to be counted as part of the fifty percent (50%) of the child care Staff with the required current evidence of CPR and first aid training;

3. Participate in the orientation and training required by these rules;

4. Must be able to perform adequately the job duties of providing for the care and supervision of the children enrolled in the Center in accordance with these rules;

5. Never have been shown by credible evidence, e.g., a court or jury, a department investigation or other reliable evidence to have abused, neglected or deprived a child or adult or to have subjected any person to serious injury as a result of intentional or grossly negligent misconduct. The Department may request an oral or written statement to this effect at the time of application or at any other time. Upon said request, the caregiver/aide or Staff shall provide this statement to the Department.

6. Have a Satisfactory Records Check Determination if seventeen (17) years of age or older; and

7. Not have made any material false statements concerning qualifications requirements either to the Department or to the proposed or current License Holder, Permit Holder or commission holder.

(4) Caregivers/Aides for a Center with Licensed Capacity of Eighteen (18) or Fewer Children.

(a) A Center with a licensed capacity of eighteen (18) or fewer children may employ caregivers/aides to assist the Director in the care of children in any group within the Center.

(b) Qualifications of Caregivers/Aides for a Center with Licensed Capacity of Eighteen (18) or Fewer Children.

1. Be at least eighteen (18) years of age;
2. Have current evidence of successful completion of a biennial training program in cardiopulmonary resuscitation (CPR) and a triennial training program in first aid provided by certified or licensed health care professionals and which covers the provision of emergency care to infants and children if no other full-time staff member is present on the premises with the required training;
3. Participate in the orientation and training required by these rules;
4. Must be able to perform adequately the job duties of providing for the care and supervision of the children enrolled in the Center in accordance with these rules;
5. Never have been shown by credible evidence, e.g., a court or jury, a department investigation or other reliable evidence to have abused, neglected or deprived a child or adult or to have subjected any person to serious injury as a result of intentional or grossly negligent misconduct. The Department may request an oral or written statement to this effect at the time of application or at any other time. Upon said request, the caregiver/aide or Staff shall provide this statement to the Department;
6. Have a Satisfactory Records Check Determination if seventeen (17) years of age or older;
7. Not have made any material false statements concerning qualifications requirements either to the Department or to the proposed or current License Holder, Permit Holder or commission holder; and
8. Have either a high school diploma or general education diploma (GED) or three (3) months qualifying child care experience as determined by the Department.

(5) Provisional Employees. The Center may hire Provisional Employees. All Provisional Employees:

- (a) Must be at least seventeen (17) years of age;
- (b) Must be informed of the rules for Child Care Learning Centers and the Center's policies and procedures for the age group for which they will be providing care;
- (c) Must be informed of the Center's policies and procedures necessary to the proper performance of their job duties in compliance with the rules for Child Care Learning Centers;
- (d) Must have current evidence of successful completion of a biennial training program in cardiopulmonary resuscitation (CPR) and a triennial training program in first aid provided by certified or licensed health care professionals and which covers the provision of emergency care to infants and children if the caregiver is to be counted as part of the fifty percent (50%) of the child care Staff with the required current evidence of CPR and first aid training;
- (e) Must participate in the orientation and training required by these rules;
- (f) Must be able to perform adequately the job duties of providing for the care and supervision of the children enrolled in the Center in accordance with these rules;
- (g) Must never have been shown by credible evidence, e.g., a court or jury, a department investigation or other reliable evidence to have abused, neglected or deprived a child or adult or to have subjected any person to serious injury as a result of intentional or grossly negligent

misconduct. The Department may request an oral or written statement to this effect at the time of application or at any other time. Upon said request, the Provisional Employee shall provide this statement to the Department;

(h) Must have a satisfactory Preliminary Criminal Records Check Determination as determined by the Center based on Georgia Crime Information Center (GCIC) information obtained only from local law enforcement that was issued by the law enforcement agency within the immediate preceding 10 days of the hire date on file;

(i) Must not have made any material false statements concerning qualifications requirements either to the Department or to the proposed or current License Holder or commission holder;

(j) May be hired for one period of provisional employment for up to 21 consecutive calendar days. This 21 day provisional employment period may be extended until the Department issues a Records Check Determination only if the individual:

1. Submitted for a Fingerprint Records Check Determination by the Department within the 21 calendar days of provisional employment; and

2. Submitted a Fingerprint Records Check Application to the Department within the 21 calendar days of provisional employment; and

3. If the potential Employee is a Student-in-Training, evidence of current enrollment in an early education curriculum through a high school recognized by the Department of Education or an accredited school of higher education; and

(k) May be hired as a permanent Employee by the Center only if the individual receives a satisfactory Fingerprint Records Check Determination by the Department and meets all other qualification requirements in these rules.

(6) Independent Contractors. A Center may have an independent contractor to offer consistent supplemental educational or physical activities for children in care.

(a) Such an independent contractor is an Employee of the Center for the purpose of these rules and must have a satisfactory Fingerprint Records Check Determination.

(b) Such an independent contractor is exempted from annual training and first-aid/CPR training requirements.

(c) Any independent contractor that does not offer consistent supplemental educational or physical activities for any child in care cannot be solely responsible for any child other than their own and must be under continuous direct supervision of a Director, Employee or Provisional Employee while in the presence of children other than their own.

(7) Parents. The Center may have Parents occasionally assist in a classroom, chaperone or accompany a group of children from the Center on a field trip.

(a) A Parent that is this type of occasional assistant is not required to obtain a criminal records check determination; however, an Employee that is also a Parent of a child in care at the Center is considered an Employee for purposes of these rules and must have a satisfactory Fingerprint Records Check Determination.

(b) No Parent shall be solely responsible for children other than their own and must be under continuous direct supervision of a Center Employee while in the presence of children in care other than their own.

(8) Volunteers. The Center may have volunteers other than Parents help in a classroom, chaperone or accompany a group of children from the Center on a field trip.

(a) Volunteers age seventeen (17) and older that provide consistent services must have a satisfactory Fingerprint Records Check Determination.

(b) No volunteer shall be solely responsible for children other than their own and must be under continuous direct supervision of a Center Employee while in the presence of children other than their own.

(c) Such volunteer is exempted from annual training and first-aid/CPR training requirements.

(9) Students-in-Training. The Center may have Students-in-Training at the Center.

(a) Students-in-Training age 17 and older must have a satisfactory Fingerprint Records Check Determination.

(b) No Student-In-Training shall be solely responsible for children other than their own and must be under continuous direct supervision of a Center Employee while in the presence of children in care other than their own.

(c) Such Students-in-Training are exempted from annual training and first-aid/CPR training requirements.

(10) Staff for School-Age Centers.

(a) After-school programs serving children ages five (5) years and older (school-age) that routinely operate a maximum of four (4) hours per day, Monday through Friday, whether the School-age Center is the only licensed program at that location or operates a full day Child Care Learning Center, shall comply with the following:

(b) A School-age Center must have at least one lead teacher/caregiver who is responsible for:

1. Day-to-day programming and
2. Supervision of the assistant caregivers/aides assigned to each classroom or group of School-age Children.

(c) If there is only one lead teacher/caregiver and more than one classroom or group of School-age Children, the Director of the School-age Center shall assign an assistant caregiver/aide who is at least 18 years of age to each classroom or group of children.

(d) If there is a lead teacher/caregiver assigned to each classroom or group of children, the assistant caregiver/aide may be 16 or 17 years of age.

(11) Clerical, Housekeeping, Maintenance and Other Support Staff. The Center shall have qualified and sufficient direct-care, clerical, housekeeping, maintenance and other support staff to ensure full compliance with these rules without neglecting the supervision of the children.

(a) Other Staff That May Have Direct Contact With Children in Care. A Center may have additional staff at the Center. Any staff member that has any personal contact with any child in care must:

1. Have a Satisfactory Records Check Determination as defined in these rules; and
2. May be exempted from annual training and first-aid/CPR training requirements.

(b) Other Staff That Must Not Have Direct Contact With Children in Care. The Center may have individuals at the Center to repair and/or maintain the facility while children are in care that have no personal contact with any child in care. These individuals:

1. Must have no contact with children in care;
2. May not be required to obtain a criminal records check determination, unless they have contact with children in care; and
3. May be exempted from annual training and first-aid/CPR training requirements.

(12) Work Schedules.

Staff shall not regularly be scheduled to perform child care duties for more than twelve (12) hours within any twenty-four (24) hour period.

(13) First Aid and CPR.

At any given time, At least fifty percent (50%) of the caregiver Staff shall have current evidence of first aid training and cardiopulmonary resuscitation. There must always be an Employee with current evidence of first aid training and CPR on the Center premises whenever any child is present and on any Center-sponsored field trip. All Staff who provide direct care to children must obtain certification in first aid and cardiopulmonary resuscitation within the first 90 days of employment. The hours obtained completing this certification will not count toward required annual training hours. Staff employed prior to September 30, 2016 must satisfactorily complete certification by December 29, 2016. Staff members employed after September 30, 2016 must satisfactorily complete certification within 90 days from date of hire.

(14) Compliance with Applicable Laws and Regulations. Center Staff shall not commit any criminal act, as defined under Georgia law, in the presence of any child enrolled in the Center. Center staff shall comply with all applicable laws and regulations.

Authority: O.C.G.A. § 20-1A-1 *et seq.*

E. Bright from the Start: Georgia Department of Early Care and Learning proposes to amend Rule 591-1-1-.33 entitled “Staff Training” in its Rules and Regulations for Child Care Learning Centers. This amendment shall include the following:

591-1-1-.33 Staff Training

(1) Center Orientation. Prior to assignment to children or task, all Employees and Provisional Employees must receive initial Center orientation on the following subjects:

- (a) The Center's policies and procedures;
- (b) The portions of these rules dealing with the care, health and safety of children;
- (c) The Employee’s assigned duties and responsibilities;
- (d) Reporting requirements for suspected cases of child abuse, neglect or deprivation; communicable diseases and serious injuries;
- (e) Emergency ~~weather~~ plans;
- (f) Childhood injury control;
- (g) The administration of medicine;
- (h) Reducing the risk of Sudden Infant Death Syndrome (SIDS);
- (i) Hand washing;
- (j) Fire Safety;
- (k) Water Safety;
- (l) Prevention of HIV/Aids and blood borne pathogens.

(2) Each staff member with direct care responsibilities shall complete health and safety training at the time of employment. The state-approved training hours obtained may count toward required annual training hours. Staff employed prior to September 30, 2016 will complete the training by December 29, 2016. Staff members employed after September 30, 2016 will complete the health and safety training within the first 90 days of employment. The training must address the following health and safety topics:

(a) Prevention and control of infectious diseases;

(b) Prevention of sudden infant death syndrome and use of safe sleeping practices;

(c) Administration of medication, consistent with standards for parental consent;

(d) Prevention of and response to emergencies due to food and allergic reactions;

(e) Building and physical premises safety, including identification of and protection from hazards that can cause bodily injury such as electrical hazards, bodies of water, and vehicular traffic;

(f) Prevention of shaken baby syndrome and abusive head trauma;

(g) Emergency preparedness and response planning for emergencies resulting from a natural disaster, or a human-caused event (such as violence at a child care facility);

(h) Handling and storage of hazardous materials and the appropriate disposal of bio contaminants; and

(i) Precautions in transporting children (if applicable).

~~(2)~~(3) First Year Training - Direct Care Staff. Within the first year of employment, all Staff who provide any direct care to children, except independent contractors, Students-in-Training and volunteers, shall obtain ten (10) clock hours of training or instruction in child care issues from an accredited school or Department-approved source. At least six (6) of the clock hours must be divided as follows:

(a) ~~F~~four (4) clock hours of training in any of the following topics: disease control, cleanliness, basic hygiene, illness detection, illness disposition and childhood injury control; ~~and-~~

(b) ~~T~~two (2) clock hours of training in identifying, reporting and meeting the needs of abused, neglected or deprived children.

~~(3)~~(4) First Year Training - Food Preparation. Within the first year of employment, the Director and the person primarily responsible for food preparation hired after the effective date of these rules shall receive four (4) clock hours of training in food nutrition planning, preparation, serving, proper dish washing and food storage.

~~(4)~~(5) Ongoing Training. On an annual basis, all supervisory and caregiver Personnel, except independent contractors, Students-in-Training and volunteers, shall attend ten (10) clock hours of training which is task-focused in early childhood education or child development or subjects relating to job assignment and is offered by an accredited college, university or vocational program or other Department-approved source.

~~(5)~~(6) Documentation of Training. Evidence of orientation and training shall be documented in the Personnel file of each Staff member which shall be available to the Department for inspection.

~~(6)~~(7) Exemptions from Training. Custodial, maintenance Personnel or volunteers who provide no direct care to children are not required to obtain first year training or ongoing training.

Authority: O.C.G.A. § 20-1A-1 *et seq.*

II. Public Comment on Proposed Amendments to *Rules and Regulations for Child Care Learning Centers*:

All written comments received by 5 p.m. August 17, 2016 will be shared with the Board members of Bright from the Start in reference to Bright from the Start's proposal to amend its Child Care Learning Center rules in Rule Chapter 591-1-1 in the *Rules and Regulations for Child Care Learning Centers*. After the Board decides to adopt or reject the proposed rule changes, an order adopting or rejecting the proposal will be posted on the department's website at www.decal.ga.gov.

This notice of proposed rulemaking is being issued pursuant to O.C.G.A §§ 20-1A-1 *et seq.* and 50-13-4. If you have any questions about the notice, contact Kristie Lewis, Assistant Commissioner for Child Care Services, at (404) 657-5562.

If, due to a disability, you need this notice in an alternate format or if you plan to make verbal comments and will require special accommodations, call Kristie Lewis at the number referenced above. Please do this as soon as possible but no later than ten (10) days before the above referenced public hearing.

We appreciate our partnership with you in meeting the early care and education needs of Georgia's children and families, and we value your expertise and experience as we refine the rules and regulations that ensure our children remain healthy and safe.

Sincerely,



Amy M. Jacobs
Commissioner