



**Georgia Dept  
of Early Care  
and Learning**

**BRIGHT FROM THE START**

# **Health and Safety Standards For License-Exempt Programs Receiving Subsidy**

**Effective October 1, 2016**

**Revised July 1, 2025**



## OVERVIEW

In September 2016, the Office of Child Care (OCC), Administration for Children and Families (ACF), Department of Health and Human Services (HHS) issued a final rule which made regulatory changes to the Child Care and Development Fund (CCDF) based on the Child Care and Development Block Grant (CCDBG) Act of 2014. The changes strengthen requirements to protect the health and safety of children in child care; help parents make informed consumer choices and access information to support child development; provide equal access to stable, high-quality child care for low-income children; and enhance the quality of child care and the early childhood workforce.

As part of the reauthorization of CCDBG, the Childcare and Parent Services (CAPS) division at Bright from the Start: Georgia Department of Early Care and Learning (DECAL) made policy changes to comply with the federal mandates.

One requirement of the reauthorization is annual inspections of license-exempt providers. This provision is addressed in section 98.42(b)(2)(ii) of the final rule, which clarifies that the annual monitoring requirements for licensed programs also applies to license-exempt providers that are eligible to provide CCDF services (receive CAPS funding). The only types of exempt programs eligible to receive CAPS per policy are government-owned/operated and day camp programs.

This Health & Safety Standards manual is intended to be a guide for exempt programs in what to expect during annual monitoring inspections. It outlines the categories of standards that will be reviewed by child care licensing staff during on-site visits.

For the purpose of these standards, please reference Rules and Regulations for Child Care Learning Centers Chapter 591-1-1-.02 Definitions.

Health and Safety Standards  
For License-Exempt Programs  
Receiving Subsidy

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# Excerpt from “Rules and Regulations for Child Care Learning Centers, Chapter 591-1-1”

## 591-1-1-.46 Exemptions

- (1) All programs providing group care for children shall obtain either a License, Permit or a commission for an early care and education program or an exemption from the Department, as applicable. Any person or entity operating or planning to operate a program that meets the criteria for exemption from licensure, as listed below, shall either apply to the Department for exemption by submitting the Department’s online application for exemption or complete an online self-assessment through the Department, whichever is applicable.

### (a) Requirements for Exemption Applications

1. The following exemption categories are required to complete an online application for an exemption through the Department: Category (1) - Government Owned and Operated, if receiving Childcare and Parent Services (CAPS), Category (5) – Licensed Faith Based Accredited or Religious Schools, and Category (7) - Day Camp Programs or School Breaks for School-Aged Children, if receiving Childcare and Parent Services (CAPS). The application for exemption shall include the following:
  - (i) A valid and current e-mail address.
  - (ii) A written description of services, fees, ages of children to be served, months, days, and hours of operation and location.
  - (iii) Verification documentation of ownership type (e.g. Inc. or LLC, board sponsored, individual owner, etc.).
  - (iv) Copies of written policies, advertisements, parental agreement forms, and other materials to support the criteria for exemption as determined by the Department.
  - (v) A sworn statement that the information provided to the Department is accurate and truthful.
2. The exemptions granted by the Department are exemptions from licensure, and do not affect the authority of local, regional or state health department officials, the state fire marshal, local fire prevention officials, local or regional building officials or zoning officials to inspect and approve facilities and locations. Programs operated in a residence are not eligible for exemption. Additionally, the exemption is only valid at the address listed on the application.
3. A program granted an exemption shall post in a prominent place near the front entrance of the facility both a copy of the exemption approval letter issued by the Department and a notice provided by the Department that will notify a Parent that the program is not licensed and is not required to be licensed by the state. The notice shall be at least 1/2-inch letters and shall contain the Department’s telephone number and website address.
4. A program approved for an exemption shall maintain attendance records for children. When a Parent initially registers a child with an exempt program, the Parent shall sign a form indicating the Parent has been advised and understands that the program is not licensed and is not required to be licensed by the state. The program must maintain the attendance records and parental notification forms during the time the child is enrolled in the program and for one year after the child no longer attends the program. All records shall be made available to any authorized representative of the Department upon request.
5. Any program granted an exemption from licensure that subsequently loses accreditation, closes and/or ceases operation shall notify the Department in writing within five (5) business days of such a change. A program granted an exemption that has subsequent material changes in the operation of their program, such as, but not limited to, a change of physical location, a change in operating months, days, and/or hours, or a change in the ages served shall be required to submit an amendment or a new application for exemption to the Department.

6. Programs granted an exemption may be required to periodically update the Department on the status of their exemption and operating information such as but not limited to submitting an annual report that would contain information related to the exemption approval.
7. The Department may rescind an approval for exemption when one or more of the following is determined by the department:
  - (i) The program no longer meets the criteria for the exemption.
  - (ii) The program provided false information during the exemption request process or during an investigation.
  - (iii) The program failed to comply with local, regional, or state health department, fire marshal, fire prevention, or building/zoning guidelines/requirements.
  - (iv) The program failed to provide the Department with a valid and current e-mail address or with other information requested by the department, such as but not limited to, the months, days, and hours of operation, ages of children served or operating address.
8. A program granted an exemption from licensure that receives funding under the Childcare and Parent Services (CAPS) program must comply with the background check requirements as outlined in Rule 591-1-1-.09, Criminal Records and Comprehensive Background Checks.

(b) Requirements for Exemption Self-Assessments

1. The following exemption categories shall complete an online self-assessment through the Department: Category (2) - National Membership School Aged, Category (3) - Private Schools, and Category (4) - Short Term Care. In addition, Category (1) - Government Owned and Operated and Category (7) - Day Camp Programs or School Breaks for School-Aged Children that will not participate in the Childcare and Parent Services (CAPS) program, shall also complete a self-assessment.
2. Programs that self-assess, do not affect the authority of local, regional, or state health department officials, the state fire marshal, local fire prevention officials, local or regional building officials or zoning officials to inspect and approve facilities and locations. Programs operated in a residence are not eligible for self-assessment. Additionally, the self-assessment is only valid at the address listed and for the services indicated.
3. A program that completes a self-assessment and deems itself exempt but has subsequent material changes in the operation of the program, such as, but not limited to, a change of physical location, a change in operating months, days, and/or hours, or a change in the ages served, shall complete a new self-assessment.

(c) Exemption Categories. The following types of programs shall be exempt from licensure:

1. Category (1) - Government Owned and Operated. Programs which are owned and operated by any department or agency of state, county, or municipal government. This includes, but is not limited to, the customary school day, as defined in Georgia law, and before- and/or after- school programs in public schools operated by the public school system and staffed with school system employees, recreation programs operated by city or county parks and recreation departments and staffed with city or county employees, and charter schools that operate under the terms of a charter or contract, with an authorizer, such as the state and local boards of education in accordance with the Charter Schools Act, O.C.G.A. § 20-2-2060 et seq, and is recognized by the State Charter Schools Commission of Georgia.
2. Category (2) – National Membership School-Aged. Any program or facility providing care for school-aged children that is operated by, or in affiliation with a national membership non-profit organization that was created for the purpose of providing youth services and youth development, that charges a membership fee for children and may receive monthly, weekly, or daily fees for services. Such program or facility holds membership in good standing and is certified by its national association as complying with the association's purposes, procedures, minimum standards, and mandatory requirements.

3. Category (3) – Private Schools. Private school programs that meet one or more of the following:
- (i) A private, either accredited or non-accredited, educational program which provides education in any grades from kindergarten through 12th grade, that operates during the school term for the customary school day, as defined by Georgia law, but that does not provide care before, after, or both before and after the customary school day.
  - (ii) A non-accredited private educational program which provides education in any grades from kindergarten through 12th grade, and which provides care before, after, or both before and after the customary school day, as defined in Georgia law, to its students as an auxiliary service.
  - (iii) An accredited private educational program with an established curriculum for four-year-old children for the customary school day, as defined in Georgia law, that are not part of a full day Child Care Learning Center and are an integral part of an accredited private educational program that provides elementary or secondary instruction or both, providing the accreditation specifically covers these ages; any before and/or after school hours for four-year-old children who attend such a program as described above, provided the children do not leave the premises of the accredited private educational program and the program is staffed with employees of that private school.
4. Category (4) – Short Term Care. A program serving children for no more than four (4) hours a day, excluding before and after school care. This may include part-time preschool, parent’s morning or night out, short-term educational or recreational classes, or single skill activities.
5. Category (5) – Licensed Faith Based Accredited or Religious Schools. A Center that is licensed by the Department may request an exemption from licensure if the Center’s program is an integral part of an established religious congregation or religious school that conducts regularly scheduled classes, courses of study, or educational programs and is a member of, or accredited or certified by a state, regional, or national accrediting agency for religious educational instruction or a state, regional, or national accrediting agency for educational instruction as recognized and approved by the Department if such accrediting entity uses standards that are substantially similar to those established by the Department. In addition to the requirements listed above applicable to all exemptions, the following additional requirements shall apply to Centers seeking an exemption under this provision:
- (i) A Center seeking such exemption from licensure shall be required to submit to the Department documentation of certification or accreditation, including a copy of its most recent certification or accreditation inspection report, and any other pertinent documentation as requested by the Department, such as non-profit tax-exempt verification. The accrediting agency must conduct regularly scheduled visits to the program while such program remains accredited.
  - (ii) If such exemption is granted, the program shall submit documentation to the Department verifying its continued certification or accreditation, including a copy of its most recent certification or accreditation inspection report, and other pertinent documentation as may be requested by the Department.
  - (iii) Such exemptions granted by the Department are valid as long as the program remains certified or accredited for all ages in which the certification or accreditation is approved. The program shall provide the Department written notice within five (5) business days of the program’s loss of certification or accreditation, including a copy of such notification from the certifying or accrediting entity. The Department shall rescind the program’s exemption granted herein upon notification of the loss of certification or accreditation.
  - (iv) Any Center seeking such exemption shall comply with all applicable requirements for background checks for Directors, Provisional Employees and Employees as required in O.C.G.A. § 20-1A-30 et seq., Chapter 591-1-1, Rules for Child Care Learning Centers, Department policies, as well as applicable local, regional, and state health department, state fire marshal, and local fire prevention guidelines/requirements while such exemption is in effect. The Department retains jurisdiction over programs granted such exemption to conduct unannounced periodic background check audits and to conduct complaint investigations regarding compliance with background check

requirements, as well as compliance with local, regional, and state health department, state fire marshal, and local fire prevention guidelines/requirements.

- (v) The Department may rescind such exemption for a program's failure to comply with the requirements for background checks for directors/employees pursuant to O.C.G.A. § 20-1A-30 et seq., Chapter 591-1-1, Rules for Child Care Learning Centers, and Department policies.
- (vi) Any Center applying for such exemption that is owned and/or under the legal control/direction of the certifying or accrediting entity shall not be approved by the Department.
- (vii) A Center seeking such exemption shall adopt and comply with the minimum standards of its certifying or accrediting entity for the operation of the Center's program. Such minimum standards adopted by the Center shall be published and made available to Parents of enrolled or prospective children upon request.
- (viii) A program granted such exemption shall comply with the requirements regarding notification to Parents of enrolled children if the program does not carry liability insurance.

6. Category (6) – Reserved.

7. Category (7) – Day Camp Programs or School Breaks for School-Aged Children. Any program whose primary purpose is to provide organized recreational, religious, or instructional activities for children five (5) years and older that is operated during summer and other school breaks for no more than twelve (12) hours per day.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.46

Authority: O.C.G.A. § 20-1A-1et seq., 42 U.S.C. § 9857 et seq.

# Health & Safety Standards

## Chapter A. Activities

- (1) Providers should provide a daily planned program of varied and developmentally appropriate activities that promote the social, emotional, physical, cognitive, language and literacy development of each child. Staff should use a variety of teaching methods to accommodate the needs of the children's different learning styles.
- (2) Individual Attention. Personnel shall provide individual attention to each child as evidenced by:
  - (a) Responding promptly to the child's distress signals and need for comfort.
  - (b) Playing with and talking to the children.
  - (c) Providing and assisting the child with personal care in a manner appropriate to the child's age level (i.e., providing the child privacy in dressing, diapering and toileting functions), as the developmental age of the child dictates.
- (3) Staff shall not engage in, or allow children or other adults to engage in, activities that could be detrimental to a child's health or well-being, such as, but not limited to, horse play, rough play, wrestling, and picking up a child in a manner that could cause injury.

## Chapter B. Bathrooms

- (1) Flush toilets and lavatories (hand washing sinks) with running water shall be provided in the following minimum ratios for the use of all children:

Number of Children	Toilets and Restrooms *
1-12	1
13-25	2
26-50	3
51-75	4
76-100	5
101-125	6
126-150	7
151-175	8

Each additional group of twenty-five (25) children shall require one (1) additional toilet and lavatory.

\* For children being potty-trained, at least one (1) flush toilet shall be provided.  
If used, nursery potty chairs may not be substituted for a required flush toilet.

- (2) Location of Bathrooms. Bathrooms shall be located on each floor in or adjacent to child care areas and rooms.
- (3) In lieu of the requirements set forth in subparagraphs (1) and (2) above, School-age-only facilities shall provide at least one (1) toilet and (1) lavatory for each group of twenty-five 25 children on the premises.
- (4) Supplies. Bathrooms shall be within easy reach of children and equipped with soap, toilet tissue and single-use towels or cloth towels used only once between launderings.
- (5) Cleanliness. Bathrooms shall be cleaned daily with a disinfectant.



## Chapter C. Children's Records

- (1) Programs must maintain a file for each child while such child is in care and for a period of one (1) year after such child is no longer enrolled. The file shall contain emergency contact information including, but not limited to, the following:
  - (a) Identifying information about the child to include name, date of birth, sex, address, living arrangement if not with both Parents, and name of school if applicable.
  - (b) Identifying information about the Parent(s) to include names of both Parents, if applicable, home and work addresses, and home and work telephone numbers.
  - (c) Identifying information about the person(s) to contact in emergencies when the Parent cannot be reached to include name(s) and addresses of the person(s) to whom the child may be released including address, telephone numbers, relationship to child and to Parent(s), and other identifying information; name(s) and telephone number(s) of person(s) to contact in emergencies when the Parent cannot be reached.
  - (d) Identifying information about the child's primary source of health care to include physician's or clinic's name and telephone number; and a statement regarding known allergies or other physical problems, mental health disorders, or developmental disabilities which would limit the child's participation in the Program's program and activities.
- (2) Requires the Program Staff to maintain a file for each child that includes evidence of age-appropriate immunizations or a signed affidavit against such immunizations for each child enrolled in the Program on a form approved by the Department, and to allow no child to continue enrollment in the Program for more than 30 days without such evidence.
- (3) Requires Program Staff to maintain a file for each child that includes documentation of incidents requiring professional medical attention other than simple first aid performed by program staff to include: child's name, type of illness or injury, date of illness or injury, how injury or illness occurred, Staff present, method of notifying Parent(s) and services provided to the child.
- (4) All providers participating in CAPS must maintain original and accurate arrival and departure records, and transportation records (if applicable) for a minimum of three years of the last date service was provided.

## Chapter D. Criminal Records Check

- (1) Requires valid evidence of a satisfactory Fingerprint Records Check Determination be maintained at the Program for each employee and potential Director, Employee and Provisional Employee.
- (2) Requires every program to have a current and valid satisfactory Comprehensive Records Check Determination on file prior to being present at the Program while any child is present for care. The Comprehensive Records Check Determination must have a Records Check Clearance Date that is no older than the preceding 12 months of the hire date; provided, however, if the Employee has had a lapse of employment from the childcare industry that lasted for 180 days (six (6) months) or longer, a new satisfactory Comprehensive Records Check Determination is required. Comprehensive Records Check Determinations expire after five years from the fingerprint date, which appears in the first paragraph of the records check determination letter as the “based on information received” date. Any Program must obtain a new records check determination letter after any six (6) month break in service regardless of the expiration date. All records check determination letters are portable to other facilities during the first year and may be ported to as many locations as needed.
- (3) Valid evidence of a satisfactory Fingerprint Records Check Determination that must be maintained at the Program for provisional employees for the duration of employment or residency plus one year, and such electronic evidence must be made immediately available to the Department upon request.
- (4) Requires a Program to immediately require a new Comprehensive Background Check Determination if the program knows or reasonably should know that a Director or Employee has been arrested or charged for any covered Crime or if the records check is more than five years old.
- (5) Portability for Providers, Employees and Provisional Employees, excluding Students-in-Training. Only the most recently issued determination letter is eligible for portability and must be ported electronically. Every Employee must have a current and valid satisfactory Comprehensive Records Check Determination on file prior to being present at the Program while any child is present for care. The Comprehensive Records Check Determination must have a Records Check Clearance Date that is no older than the preceding 12 months of the hire date; provided, however, if the Employee has had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer, a new satisfactory Comprehensive Records Check Determination is required.

## Chapter E. Discipline

- (1) Disciplinary actions used to correct a child's behavior, guidance techniques and any activities in which the children participate or observe at the Program shall not be detrimental to the physical or mental health of any child.
- (2) Personnel shall not:
  - (a) Physically or sexually abuse a child or engage or permit others to engage in sexually overt conduct in the presence of any child enrolled in the Program;
  - (b) Inflict corporal/physical punishment upon a child;
  - (c) Shake, jerk, pinch or handle a child roughly;
  - (d) Verbally abuse or humiliate a child which includes, but is not limited to, the use of threats, profanity or belittling remarks about a child or his family;
  - (e) Isolate a child in a dark room, closet or unsupervised area;
  - (f) Use mechanical or physical restraints or devices to discipline children;
  - (g) Use medication to discipline or control children's behavior without written medical authorization issued by a licensed professional and given with the parent's written consent;
  - (h) Restrict unreasonably a child from going to the bathroom;
  - (i) Punish toileting accidents;
  - (j) Force-feed a child or withhold feeding a child regularly scheduled meals and/or snacks;
  - (k) Force or withhold naps;
  - (l) Allow children to discipline or humiliate other children;
  - (m) Confine a child for disciplinary purposes to a swing, highchair, infant carrier, walker or jumpseat;
  - (n) Commit any criminal act, as defined under Georgia law which is set forth in O.C.G.A. § 16-1-1 *et seq.*, in the presence of any child enrolled in the program.

## **Chapter F. Equipment and Toys**

- (1) All indoor and outdoor furniture, activity materials, and equipment shall be used:
  - (a) In a safe and appropriate manner by each Employee and child in attendance; and
  - (b) In accordance with the manufacturer's instructions, recommendations, and intended use.
- (2) All equipment and furniture shall be used only by the age-appropriate group of children. Equipment and furniture shall be:
  - (a) Free from hazardous conditions such as, but not limited to, sharp rough edges or toxic paint;
  - (b) Kept clean;
  - (c) Placed so as to permit the children's freedom of movement and to minimize danger of accident and collision;
  - (d) Secured if equipment and furniture is of a weight or mass that could cause injury from tipping, falling, or being pulled or pushed over. Potentially unstable equipment and furniture that might injure a child if not secured include, but are not limited to, televisions, chests of drawers, bookcases, shelving, cabinets and fish tanks. Examples of items not required to be secured include, but are not limited to, child-sized tables and chairs, rocking chairs, and cribs.

## **Chapter G. First Aid and CPR**

- (1) Training
  - (a) All Staff who provide direct care to children must obtain certification in a biennial training program in pediatric cardiopulmonary resuscitation (CPR) and a triennial training program in pediatric first aid within the first 45 days of employment. Current and valid evidence of the successful completion of such training shall be maintained on the Program's premises. The hours obtained completing this certification will not count towards the required annual training hours.
  - (b) The training must be done by certified or licensed health care professionals or trainers and must deal with the provision of emergency care to infants and children.
- (2) Staffing Requirements
  - (a) When any child is present on the premises, at least fifty percent (50%) of the caregiver staff present shall be trained in pediatric cardiopulmonary resuscitation (CPR) and pediatric first aid.
  - (b) There must always be one staff person present in each classroom where children are present that has current and valid pediatric cardiopulmonary resuscitation (CPR) and pediatric first aid training.
  - (c) During any field trip or transportation of children, there must always be a staff member present who has current evidence of the successful completion of pediatric cardiopulmonary resuscitation (CPR) and pediatric first aid.
  - (d) The Program Director must have current evidence of successful completion of pediatric cardiopulmonary resuscitation (CPR) and pediatric first aid at all times.

## **Chapter H. Hygiene**

- (1) Handwashing, Children. Children's hands shall be washed with liquid soap and warm running water:
  - (a) Upon arrival for care;
  - (b) When moving from one child care group to another;
  - (c) Upon re-entering the child care area after outside play;
  - (d) Before and after eating meals and snacks, and handling or touching food; and
  - (e) After toileting and diapering;
  - (f) Playing in playing in sand, touching animals or pets, and contact with bodily fluids, and after contamination by any other means.
- (2) Handwashing, Staff. Staff shall wash their hands with liquid soap and warm running water:
  - (a) Before and after eating meals and snacks, and handling or touching food;
  - (b) After diapering each child; and
  - (c) After toileting or assisting children with toileting.

## **Chapter I. Medications**

- (1) Parental Authorization. Except for first aid or as authorized under Georgia law, Personnel shall not dispense prescription or non-prescription medications to a child without specific written authorization from the child's physician and/or parent. Such authorization will include when applicable, date; full name of the child; name of the medication; prescription number, if any; dosage; the dates to be given; the time of day to be dispensed; and signature of parent.
- (2) Dispensing Records. The program shall maintain a record of all medications dispensed to children by Personnel to include the date, time and amount of medication that was administered; any noticeable adverse reactions to the medication; and the signature or initials of the person administering the medication.
- (3) Storage. Medications shall be kept in a locked storage cabinet or container which is not accessible to children and stored separately from cleaning chemicals, supplies or poisons. Medications requiring refrigeration shall be placed in a leakproof container in a refrigerator that is not accessible to children.

## **Chapter J. Policies and Procedures**

- (1) The Program shall establish and implement written policies and procedures that describe the Program's operations as follows:
  - (a) The exclusion of children with contagious illness,
  - (b) Notification of parents in the event their child becomes ill while at the facility,
  - (c) The notification of all parents of enrolled children when a reportable contagious illness is present in the facility,
  - (d) The prevention of and response to food and allergic reactions,
  - (e) Emergency preparedness and response. 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 program. The program 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 will include specific accommodation for infants and toddlers, children with disabilities, and children with chronic medical conditions. Such plan shall include assurance that no Personnel will impede in any way the delivery of emergency care or services to a child by licensed or certified emergency health care professionals,
  - (f) The handling and appropriate disposal of bodily fluids and storage of hazardous materials (soiled clothing and bedding),
  - (g) Recognition and reporting of child abuse and neglect.
  - (h) To include the program's practices regarding the expulsion and suspension of children enrolled for care.
  - (i) A description of the practices followed by the Center to prevent shaken baby syndrome and abusive head trauma in children up to five years of age that includes the following information: how to recognize, respond to, and report the signs and symptoms of shaken baby syndrome and abusive head trauma; strategies to assist staff members in understanding how to care for infants and how to cope with a crying, fussing, or distraught child; strategies to ensure staff members understand the brain development of children up to five years of age; and a list of prohibited behaviors when dealing with children.
- (2) Programs shall conduct drills for fire, tornado, 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 Program; to have in place procedures for evacuation, relocation, shelter-in-place, lock-down, 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 program shall maintain documentation of the dates and times of these drills for two years.
- (3) The program shall provide the Parent(s) with a copy of the program's policies and procedures.

## **Chapter K. Personnel Records**

- (1) Programs must maintain a personnel file on all Staff for the duration of the term of employment plus one calendar year, and it shall contain the following:
  - (a) Identifying information to include name, date of birth, current address and current telephone number;
  - (b) All training required by these standards which shall include title of training, date of training, trainer's signature, location of training and number of clock hours obtained;
  - (c) Verification of a Satisfactory criminal backgrounds check.

## **Chapter L. Physical Plant**

- (1) Required approvals. The construction of a new building or any planned structural changes to an existing program building shall obtain approval from the local zoning authorities, fire safety agencies and local building authorities. Construction and maintenance work shall take place only in areas that are not accessible to the children.
- (2) Fire Safety. A program must be in compliance with applicable laws and regulations issued by the state fire marshal, the proper local fire marshal or state inspector, including a certificate of occupancy if required prior to receiving any children for care.
- (3) Indoor Storage Areas. Potentially hazardous equipment, materials and supplies shall be stored in a locked area inaccessible to children. Examples of items to be stored include non-food related products under pressure in aerosol dispensing cans, flammable and corrosive materials, cleaning supplies, poisons, insecticides, office supplies and industrial-sized or commercial buckets with a capacity of three gallons or more or any other similar device with rigid sides which would not tip over if a toddler fell into the container head first.
- (4) Requires the Program and surrounding premises to be kept clean, free of debris and in good repair. Hygienic measures such as, but not limited to, screened windows and proper waste disposal procedures shall be utilized to minimize the presence of rodents, flies, roaches and other vermin at the Program.

## **Chapter M. Playgrounds**

- (1) Fence or Approved Barriers. It is recommended that playgrounds shall be protected from traffic or other hazards by a four (4) foot or higher secure fence or other barrier. Fencing material shall not present a hazard to children and shall be maintained so as to prevent children from leaving the playground area by any means other than through an approved access route. Fence gates should be kept closed except when persons are entering or exiting the area. If the outdoor play space has no fence or barrier, the program official must submit a plan to ensure children are protected from vehicular traffic, water hazards, and any other potential hazards while participating in outdoor play.
- (2) Equipment. Playground equipment shall provide an opportunity for the children to engage in a variety of experiences and shall be age-appropriate. The outdoor equipment shall be free from hazards such as, but not limited to, lead-based paint, sharp corners, and shall be regularly maintained in such a way as to be free of rust and splinters that could pose significant safety hazard to the children. All equipment shall be arranged so as not to obstruct supervision of children. Climbing and swinging equipment shall be anchored and have a resilient surface beneath the equipment.
- (3) Fall-zone and Surfacing. Requires climbing and swinging equipment to have a resilient surface beneath the equipment and the fall zone from such equipment must be adequately maintained by the program to assure continuing resiliency.
- (4) Safety and Upkeep of Playground. Playgrounds shall be kept clean, free from litter and free of hazards, such as but not limited to non-resilient surfaces under the fall-zone of play equipment, rocks, exposed tree roots and exposed sharp edges of concrete or equipment.

## **Chapter N. Staff Requirements**

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

## Chapter O. Staff:Child Ratios and Supervision

- (1) Program's must establish groupings of children for care and maintain Staff:child ratios as follows:

<u>Ages of Children</u>	<u>Staff:Child Ratio</u>	<u>Maximum Group Size</u>
Infants less than one (1) year old or children under eighteen (18) months who are not walking	1:6	12
One (1) year olds who are walking	1:8	16
Two (2) year olds	1:10	20
Three (3) year olds	1:15	30
Four (4) year olds	1:18	36
Five (5) year olds	1:20	40
Six (6) years and older	1:25	50

- (2) Mixed-Age Groups. The Staff:child ratios for a mixed-age group shall be based on the age of the youngest group of children that includes more than twenty percent (20%) of the total number of children in the mixed-age group.
- (3) Supervision. Children shall be supervised at all times. "Supervision" means that the appropriate number of Staff members are physically present in the area where children are being cared for and are providing watchful oversight to the children. The persons supervising in the child care area must be alert, and able to respond promptly to the needs and actions of the children being supervised.

## Chapter P. Staff Training

### Program Orientation.

- (1) Prior to assignment to children or tasks, all Employees (i.e., volunteers, students-in-training, independent contractors, etc.) and Provisional Employees must receive initial Program orientation.
- (2) The initial orientation must include the following subjects: the Program's policies and procedures; the portions of these rules dealing with the care, health and safety of children; the Employee's assigned duties and responsibilities; reporting requirements for suspected cases of child abuse, neglect or deprivation; communicable diseases and serious injuries; emergency plans; childhood injury control; the administration of medicine; reducing the risk of Sudden Unexpected Infant Death (SUID), which includes Sudden Infant Death Syndrome (SIDS); hand washing; fire safety; water safety; and prevention of HIV/Aids and blood borne pathogens.
- (a) The program's policies and procedures;
  - (b) The portions of these standards dealing with the care, health and safety of children;
  - (c) The staff member's assigned duties and responsibilities;
  - (d) Reporting requirements for suspected cases of child abuse, neglect or deprivation; communicable diseases and serious injuries;
  - (e) Emergency plans; severe weather, loss of electrical power or water, water and death, serious injury of loss of a child, a threatening event or natural disaster which may occur at the program, the program will have procedures for the following, evacuation, relocation, shelter in place, lock down, communication, and reunifications with families, and continuity of operations. The plan must apply to all children in care and will include specific accommodations for infants and toddlers, children with disabilities, and children with chronic medical conditions.



- (f) Childhood injury control;
  - (g) The administration of medicine;
  - (h) Reducing the risk of Sudden Unexpected Infant Death (SUID), which includes Sudden Infant Death Syndrome (SIDS);
  - (i) Hand washing;
  - (j) Fire Safety;
  - (k) Water Safety;
  - (l) Prevention of HIV/Aids and blood borne pathogens.
- (3) Health & Safety Orientation training. Each staff member with direct care responsibilities to complete health and safety training and Health and Safety Orientation training. Each staff member with direct care responsibilities shall complete health and safety orientation training within the first 90 days of employment. The state-approved training hours obtained will count toward required first year training hours. The training must address the following health and safety topics. 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).
  - (j) Recognition and reporting of child abuse and neglect;
  - (k) Child Development to include all major domains: cognitive; social and emotional; physical development and motor skills; communication, language, and literacy; and approaches to play and learning.
- (4) Staff complete annual training.
- (a) Every calendar year after the first year of employment, the Provider, Provisional Employees and Employees shall attend ten (10) clock hours of diverse training which is offered by an accredited college, university or vocational program or other Department-approved source.
  - (b) The annual ten (10) clock hours of training shall include the following:
    - 1. At least two (2) hours in evidence based, developmentally appropriate language and literacy practices;

2. At least two (2) hours in on-going child development and health and safety related topics, which could include, but not be limited to:
    - (i) Child development (e.g., developmental domains (cognitive; social and emotional; physical development and motor skills; communication, language, and literacy; approaches to play and learning), discipline and guidance techniques, children with special needs);
    - (ii) Health (e.g., nutrition and the support of breast feeding, physical activity, prevention and control of illnesses and infectious diseases, immunizations, prevention of and response to emergencies due to food and allergic reactions, cleanliness, sanitation, and the appropriate disposal of bio contaminants);
    - (iii) Safety (e.g., prevention of Sudden Unexpected Infant Death (SUID) which includes Sudden Infant Death Syndrome (SIDS) and the use of safe sleeping practices, medication administration, injury control and prevention, transportation, handling and storage of hazardous materials, identification of and protection from hazards that can cause bodily injury such as electrical hazards, bodies of water, and vehicular traffic, and emergency preparedness planning and response);
    - (iv) Child abuse and neglect (e.g., identification and reporting, meeting the needs of abused and/or neglected children, prevention of shaken baby syndrome, abusive head trauma and child maltreatment).
  3. No more than two (2) of the required ten (10) hours in business-related topics (e.g., parental communication, recordkeeping, management, business planning).
- (5) Documentation of Training. Evidence of orientation and training shall be documented and maintained in the Personnel file and/or Georgia's workforce registry and professional development system of each Staff member which shall be available to the Department for inspection. Documentation shall include the title of the training courses, the dates, and the number of hours of the courses, and the names of the trainers or sponsoring organizations.

## Chapter Q. Swimming Pools and Water-related Activities

- (1) Accessibility of Pools. All swimming and wading pools shall be adequately fenced and inaccessible to children except during supervised activities.
- (2) Supervision of Children in Water Over Two (2) Feet Deep. For water-related activity (such as swimming, fishing, boating or wading) in water over two (2) feet deep, continuous supervision of children must be provided as follows:

<b>Ages of Children</b>	<b>Staff: Child Ratio*</b>
Under two and one-half (2 1/2) yrs.	1:2
Two and one-half (2 1/2) to four (4) yrs.	1:5
Four (4) yrs. and older who cannot swim a distance of fifteen (15) yards unassisted **	1:6
Four (4) yrs. and older who can swim a distance of fifteen (15) yards unassisted**	1:6

\* At least one person must have current evidence of having completed successfully a training program in lifeguarding offered by a water-safety instructor certified by the American Red Cross or YMCA or YWCA or other recognized standard-setting agency for water safety instruction. Such person may be a program staff member or an employee of a water facility (e.g., local swimming pool).

**\*\* In lieu of requiring each child to take a swimming test to determine whether the child can swim a distance of fifteen (15) yards unassisted, program staff may accept copies of certificates or cards from a recognized water-safety instruction organization showing that the child has successfully completed a swimming class which required the child to swim a distance.**

- (3) Supervision of Children in Water Less than Two (2) Feet Deep. For water-related activity (such as swimming, fishing, boating or wading) in water less than two (2) feet deep (such as a wading pool), continuous supervision must be provided in accordance with normal Staff:Child ratios which are as follows:

<b>Ages of Children</b>	<b>Staff:Child Ratio*</b>
Infants less than one (1) year old or children under eighteen (18) months who are not walking	1:6
One (1) year olds who are walking	1:8
Two (2) year olds	1:10
Three (3) year olds	1:15
Four (4) year olds	1:18
Five (5) year olds	1:20
Six (6) years and older	1:25

- (4) Additional Supervision. At least one (1) additional Staff member above the required Staff:child ratios for any water-related activity (such as swimming, fishing, boating, or wading) shall be available to rotate among the age groups as needed when any of the following circumstances are present:
- (a) The majority of the children in a group are not accustomed to or are afraid of the water;
  - (b) The majority of the children in a group comprised of children who cannot swim a distance of 15 yards unassisted cannot touch the bottom of the water facility without submerging their heads;
  - (c) The water facility is particularly crowded;
  - (d) The children have special needs which impact on their ability to participate safely in the water-related activity.
- (5) Swimming Local Approval. Requires the program to obtain and maintain applicable local approvals regarding the design, construction, and operation required for permanent swimming or wading pools located on the program premises.

## **Chapter R. Transportation**

- (1) Vehicle Safety. Vehicles used for transporting children shall be maintained as follows:
- (a) Annual Safety Check. Each vehicle shall have a satisfactory annual safety check, completed by a trained individual, of at least: tires, headlights, horn, taillights, turn signals, brake lights, brakes, suspension, exhaust system, steering, windows, windshields and windshield wipers. A copy of a standard inspection report used by the Department or an equivalent shall be kept on file with the program or on the vehicle and should include evidence of any repairs and/or replacements that were identified as needed in the inspection report.
  - (b) Interior. The interior of a transportation vehicle must be clean and in safe repair and free of hazardous items, objects and/or other non-essential items which could impede the children's access or egress from the vehicle or cause injury if the items were thrown about the vehicle as a result of a collision.
  - (c) Child Passenger Restraints. All children transported in a vehicle provided by or used by the program shall be secured in a child passenger restraining system or seat safety belt in accordance with current state and federal laws

and regulations. The child passenger restraining system and seat safety belts must be installed and used in accordance with the manufacturer's directions for such system and used in accordance with the manufacturer's directions with respect to restraining, seating or positioning the child being transported in the vehicle.

- (2) Driver. Whenever the program transports children for any reason, the driver of the vehicle shall be at least eighteen (18) years of age and possess a valid driver's license as required for the class of vehicle that the driver will be operating for the program.
- (3) Pediatric CPR and First Aid Training. Either the driver or another Staff person present on the vehicle shall have current evidence of successful completion of a biennial training program in pediatric cardiopulmonary resuscitation (CPR) for infants and children and a triennial training program in pediatric first aid offered by certified or licensed health care professionals.
- (4) Additional Staff. When the program transports children for any reason, the following Staff:Child ratios shall be maintained:

Driver + One (1) Staff Members . The additional Staff must be at least more children under three years of age; eighteen (18) years of age or older.

- When transporting three (3) or
- When seven (7) or more children under five (5) years of age occupy vehicle;
- When eighteen (18) or more children five (5) years of age or older occupy the vehicle.

Driver + Two (2) Staff Members. One (1) of the additional Staff members must be at least eighteen (18) years of age.

- When eight (8) or more children under three (3) years of age occupy the vehicle with other children;
- When more than twenty (20) children under five years of age occupy the vehicle with other children.

- (5) Staffing Requirements When Transporting More Than Thirty-Six (36) Children.

- (a) When more than thirty-six (36) children under five (5) years of age occupy the vehicle, the Staff:Child ratios as stated in Standard EX-HS-R(5)(a), shall be met.

- (b) When more than thirty-six (36) children five (5) years of age and older are transported with no children under the age of five (5) years, there shall be a minimum of two (2) Staff persons for the first thirty-six (36) children and there must be one additional Staff person for each additional twenty (20) children. This means a third Staff person would be required if transporting thirty-seven (37) to fifty-six (56) children five (5) years and older.

- (6) Parental Authorization. For routine transportation provided by the program or on behalf of the program, the child's Parent(s) must provide written authorization for the transportation and specify routine pick-up location, routine pickup time, routine delivery location, routine delivery time, and the name of any person authorized to receive the child.
- (7) Transportation Plan. For all transportation conducted by the Program or on behalf of the Program, the following requirements shall be met:
  - (a) Program and Passenger Information. Each vehicle used to transport children shall contain current information including the full names of all children to be transported and each child's pick-up location, pick-up time, delivery location, alternate delivery location if a Parent is not at home and name of person authorized to receive each child. In addition, the vehicle shall contain current information identifying the Program's name and telephone number and the name of the driver of the vehicle.
  - (b) Emergency Medical Information. An emergency medical information record must be maintained in the vehicle for each child being transported. The emergency medical information record for each child shall include a listing of the child's full name, date of birth, allergies, special medical needs and conditions, current prescribed medications that the child is required to take on a daily basis for a chronic condition, the name and phone number of the child's doctor, the local medical facility that the Program uses in the area where the Program is located and the telephone numbers where the Parent(s) can be reached.
  - (c) Passenger Transportation Checklists. A passenger transportation checklist, provided by or in a format approved by the Department, shall be used to account for each child during transportation. A separate passenger checklist shall be used for each vehicle.

1. The first and last name of each child transported shall be documented on the passenger transportation checklist. Each child shall be listed individually; a sibling group shall not be listed as a single entry, for example, an entry of “Smith children” would be unacceptable.
2. The driver or other designated person shall immediately document in writing, with a check or other mark/symbol to account for each child listed on the passenger transportation checklist each time a child enters and exits the vehicle. The driver or other designated person shall document in writing with a different mark/symbol to account for each child listed on the passenger transportation checklist who was not present on the vehicle for any reason. An explanation shall be documented in writing whenever a child is transported to a field trip site but is not present on the return trip to the Program.
3. The driver or other designated Staff person shall also document in writing the departure/arrival times for all types of transportation on the passenger transportation checklist as follows: requires that the driver or other designated person document in writing the time of arrival and departure each time the vehicle departs from the Program, is loaded or unloaded at each school and when the vehicle returns to the Program; each time the vehicle departs from the Program, arrives at the location where any child is picked up or dropped off and when the vehicle returns to the Program; each time the vehicle leaves the Program, arrives at a field trip destination, leaves a field trip destination, and returns to the Program.
  - (i) Home and/or School Transportation - Each time the vehicle departs from the Program, arrives at the location where any child is picked up or dropped off and when the vehicle returns to the Program.
  - (ii) Field Trip Transportation- Each time the vehicle leaves the Program, arrives at a field trip destination, leaves a field trip destination, and returns to the Program.
4. The Staff person on the vehicle responsible for keeping the passenger transportation checklist shall give the completed passenger transportation checklist to the Director or the Director’s designated Staff person at the Program as set forth below:
  - (i) Immediately upon return to the Program at the completion of the trip once the vehicle has been checked; or
  - (ii) The next business day following the completion of the trip if the vehicle did not return to the Program at the end of the trip or if the Program was closed when the vehicle returned.
5. Passenger transportation checklists shall be maintained as Program records for three years of the last day of service.
6. Checking the Vehicle - To ensure that all children have been unloaded from transportation vehicles, regardless of whether the vehicle is equipped with a child safety alarm devices, the vehicle shall be thoroughly checked first by a designated Staff person who was present on the vehicle during the trip and then by a second designated Staff person, who may or may not have been present on the vehicle during the trip, to ensure that two checks of the vehicle have been completed.
7. The first check shall be conducted immediately upon unloading the last child at any location including, but not limited to, a field trip destination, arrival at the Program, and the last stop during transportation to home or school. The responsible person on the vehicle shall:
  - (i) Physically walk through the entire vehicle;
  - (ii) Visually inspect all seat surfaces, under all seats and in all compartments or recesses in the vehicle’s interior;
  - (iii) Sign the passenger transportation checklist(s), indicating all of the children have exited the vehicle; and give the passenger transportation checklist(s) to the second designated Staff person. The second designated Staff person shall conduct a check of the vehicle as referenced in EX-HS-.R The second check shall be conducted immediately upon the completion of the first check of the vehicle. There shall be continuous watchful oversight of the vehicle between the first check and second check.

- (iv) If a second designated Staff person is not available to conduct a second check of the vehicle, the driver shall check the vehicle as stated in EX-HS-R.(7)(d)1 above and then report by phone to the Director or designated Staff person that the check has been completed and no children remain on the vehicle. (Possible circumstances include but are not limited to: the Program has closed when the driver returns with the vehicle; the driver is the only Staff person on the vehicle at the last destination during home, school or field trip transportation; the driver takes the vehicle home at the end of the day.) The time and verification of such telephone contact shall be immediately documented and signed on the passenger transportation checklist(s) by the driver.

(8) Supervision of Vehicles. A child shall never be left unattended in a vehicle.

## **Chapter S. Field Trips**

- (1) Parental Permission. A program shall obtain written permission from Parent(s) in advance of the child's participation in any field trip and such permission must be signed and dated by a Parent.
- (2) List of Trip Participants. A list of children and adults participating in the trip shall be left at the program as well as be taken on the trip in the possession of the adult in charge of the trip.
- (3) Emergency Medical Information. Emergency medical information on each child to include allergies; special medical needs and conditions; current prescribed medications that the child is required to take on a daily basis for a chronic condition; the name and phone number of the child's doctor; the local medical facility that the program uses in the area where the program is located; and the telephone numbers where the Parent(s) can be reached shall be left at the program as well as be taken on the trip in the possession of the adult in charge of the trip.

## **Chapter S. Required Reporting**

- (1) The Administrator or designated person-in-charge shall report or cause to be reported the following:
  - (a) Child Abuse, Neglect or Deprivation. Suspected incidents of child abuse, neglect or deprivation shall be reported to the local County Department of Family and Children Services in accordance with state law.
  - (b) Communicable Diseases. Requires the Director or designated person-in-charge to report or cause to be reported any cases or suspected cases of notifiable communicable diseases (COVID-19, Tuberculosis, Measles, etc.) or any viruses or illnesses identified during a public health emergency, immediately to the Department and to the local County Health Department as required by the rules of the Georgia Department of Public Health, Notification of Disease.
  - (c) Incident Reports. The following incidents must be reported to the Department within twenty-four (24) hours or the next work day:
    - 1. Child Abuse, Neglect or Deprivation. Within twenty-four (24) hours or the next work day, suspected incidents of child abuse, neglect or deprivation shall be reported to the local County Department of Family and Children Services in accordance with state law and to the Department, notifying that such a report was made.
    - 2. Communicable Diseases. Any cases or suspected cases of notifiable communicable diseases (COVID-19, Tuberculosis, Measles, etc.) or any viruses or illnesses identified during a public health emergency, immediately to the Department and to the local County Health Department as required by the rules of the Georgia Department of Public Health, Notification of Disease.
    - 3. Death.

4. Serious illness or injury requiring hospitalization or professional medical attention.
5. Fire.
6. Structural disaster.
7. Any emergency requiring temporally relocation of children.
8. Any employee who acquires a Criminal record.

## **Chapter T. Diapering**

- (1) Handwashing Sink. A hand washing sink with running heated water shall be located adjacent to the diapering area.
- (2) Diaper Changing Surface. If diapers are changed on a diaper changing table/surface, the surface shall be smooth, nonporous, and equipped with a guard or rails to prevent falls. Between each diaper change, the diaper change surface shall be cleaned with a disinfectant and dried with a single-use disposable towel.
- (3) Child Unattended on Diapering Area. Requires Staff to not leave infants or children unattended while being diapered or having their clothes changed on the diaper changing surface.
- (4) Location of Diapering Area. The area used for diapering shall not be used for food preparation. It must be clear of formulas, food, food utensils and food preparation items.

## **Chapter U. Safe Sleep Requirements**

- (1) Cribs. A crib that is safety approved in compliance with Consumer Product Safety Commission (CPSC) and American Society of Testing and Materials International (ASTM) safety standards shall be provided for each infant. ("Infant" refers to any child under the age of twelve (12) months or any child who is under eighteen (18) months of age who is not walking.)
- (2) Crib Mattress. A mattress shall be provided for each crib and shall be firm, tight-fitting without gaps, at least two inches (2") thick and covered with waterproof, washable material. Before a change of occupant, each mattress shall be cleaned with a disinfectant.
- (3) Crib Sheet. Each crib shall have only an individual, tight-fitting sheet which is changed daily or more often as needed and prior to a change of occupant.
- (4) Infant Sleep Position. The Program shall provide a safe sleep environment in accordance with American Academy of Pediatrics (AAP), Consumer Product Safety Commission (CPSC) and American Society for Testing and Materials (ASTM) recommendations as listed in these rules for all infants. Program Staff shall place an infant to sleep on the infant's back in a crib unless the Program has been provided a physician's written statement authorizing another sleep position for that particular infant that includes how the infant shall be placed to sleep and a time frame that the instructions are to be followed. When an infant can easily turn over from back to front and back again, Staff shall continue to put the infant to sleep initially on the infant's back but allow the infant to roll over into his or her preferred position and not re-position the infant. Sleepers, sleep sacks and wearable blankets that fit according to the commercial manufacturer's guidelines and will not slide up around the infant's face may be used when necessary for the comfort of the sleeping infant. Swaddling shall not be used unless the Program has been provided a physician's written statement authorizing its use for a particular infant that includes instructions and a time frame for swaddling the infant.
- (5) Objects in Cribs. Staff shall not place objects or allow objects to be placed in or on the crib with an infant such as but not limited to toys, pillows, quilts, comforters, bumper pads, sheepskins, stuffed toys, or other soft items. Staff shall not attach objects or allow objects to be attached to a crib with a sleeping infant, such as, but not limited to, crib gyms, toys, mirrors and mobiles.

## **Chapter U. Exemption Requirements**

- (1) **Posted Notices.** A program granted an exemption to post in a prominent place near the front entrance of the facility both a copy of the exemption approval letter issued by the department and a notice provided by the department that will notify a parent or guardian that the program is not licensed and is not required to be licensed by the state.
- (2) **Parent Agreement.** When a parent or legal guardian initially registers a child with an exempt program, the parent or guardian shall sign a form indicating that the parent or guardian has been advised and understands that the program is not licensed and is not required to be licensed by the state.
- (3) **Operating outside conditions.** The program operates within the criteria of the exemption granted.
- (4) **Email address and operational information.** The program must provide the department with a valid e-mail address or with other information requested by the department such as but not limited to, the months, days and hours of operation, ages of children served and operating address.