R381-100-7: PERSONNEL AND TRAINING REQUIREMENTS

This section provides an overview of the personnel and training requirements for those individuals involved with a child care facility.

Rationale / Explanation

Licensing rules require that individuals who work or associate with a child care program (including employees, volunteers, parents, household members, guests, etc.) have at least basic qualifications to do so. Individuals who are qualified and trained are more likely to have appropriate interactions with the children they associate with. Healthy relationships with caring adults are of utmost importance for each child's current and future development. *CFOC 3rd ed. Guiding Principle 4. p. xix.*

Staff training in child development and/or early childhood education is related to positive outcomes for children. Each person who interacts with children in a child care facility contributes to the child's total experience. *CFOC 3rd ed. Standard 1.3.2.3. p. 13.*

The National Association for the Education of Young Children's (NAEYC) recommends a multilevel training program that addresses both preservice and ongoing training for administrators and staff. *CFOC 3rd ed. Standard 1.3.2.1. p. 12.*

Preservice Training

All individuals who are newly involved with the child care program and will be caring for or supervising children, or will count in the caregiver-to-child ratio are required to receive preservice training.

Preservice training consists of at least 2.5 hours of training and must be:

- Completed before (but not earlier than 6 months before) beginning job duties, or
- Completed no later than 10 working days after beginning job duties as long as the individual does not have unsupervised contact with any child in care before their preservice training is completed.

Annual Child Care Training

Individuals who are required to have annual child care training include:

- All regular employees who care for children regardless of the number of hours worked each week. This includes employees who have dual roles such as a driver who cares for the children when not driving.
- Substitutes (including household members) who work at the facility 40 hours or more per month.
- Volunteers who help at the facility 40 hours or more per month and count in ratios.

Employees and volunteers who never have caregiving duties (i.e., they are not responsible for meeting the needs of the children, including protection and supervision), such as cooks, secretaries, receptionists, bookkeepers, custodians, drivers, and maintenance workers, do not need to complete annual training.

Annual child care training hours are calculated from the license start date through the license end date. To be in compliance:

- Caregivers must complete at least 20 hours of child care training each license year.
- Substitutes and volunteers who have caregiving duties must complete at least 1.5 hours of child care training for each month that they are involved with the facility for 40 hours or more.
- The provider must ensure that each individual's required annual child care training is complete before the license expiration date. A child care license will not be renewed until training hours have been completed for all individuals as required by rule.

(1) The provider shall ensure that all employees and volunteers are supervised, qualified, and trained to:
(a) meet the needs of the children as required by rule, and
(b) be in compliance with all licensing rules.

Rationale / Explanation

Research shows that the training and education of caregivers has a direct impact on the quality of care that children receive. All employees and volunteers need training and supervision to ensure that the provider is in compliance with licensing rules. *CFOC 3rd ed. Standards 1.3.2.3-1.3.2.6. pp. 13-16; Standards 1.4.2.1-1.4.2.3. pp. 21-24; Standards 1.4.4.1-1.4.4.2. pp. 26-29.*

(2) The provider shall ensure that the center has a qualified director as required by licensing rules.

Rationale / Explanation

The facility should have an identifiable, qualified director with the responsibility for and authority over the day-to-day operation and management of the center. *CFOC 3rd ed. Standard 9.1.0.1. p. 347.*

Compliance Guidelines

- To be considered qualified, the director must meet the requirements described in 100-7(3) and 100-7(4).
- More than one director may be listed on a center's license, as long as each individual meets all the director qualifications as defined in rule.

Moderate Risk Rule Violation
Corrective Action for 1st Instance

Citation Warning

(3) The director shall:
(a) be at least 21 years of age;
(b) pass a CCL background check;
(c) receive at least 2.5 hours of preservice training before beginning job duties;
(d) complete the new director training offered by the Department within 60 working days of assuming director duties;
(e) have knowledge of and follow all applicable laws and rules; and
(f) complete at least 20 hours of child care training each year, based on the facility's license date.

Rationale / Explanation

The director of a center plays a pivotal role in ensuring the day-to-day smooth functioning of the facility within the framework of appropriate child development principles. The well-being of the children in the facility depends largely upon the knowledge, skills, and dependable presence of a director who is able to respond to long-term and immediate needs, and who is able to engage staff in appropriate decision making that affects their day-to-day practices with children.
CFOC 3rd ed. Standard 1.3.1.1. p. 11.

Compliance Guidelines

- The director must pass a background check in accordance with rules in "Section 8: Background Checks."
- Personnel records must verify that the director has completed preservice and other training as required by rule.
  - Directors of new facilities and newly hired directors are required to attend the new director training.
  - The new director training meets a portion of the preservice training requirements.
  - When an owner is also the director, the individual must take both the new director training and the new provider training from CCL.
  - Training can be scheduled on the CCL website at: childcarelicensing.utah.gov.

Moderate Risk Rule Violation
Corrective Action for 1st Instance

Citation Warning when the director:

- Is not at least 21 years old.
- Did not receive 2.5 hours of preservice training.
- Had unsupervised contact with a child in care before completing preservice training.
- Did not complete the Department's new director training within 60 working days of beginning job duties.
- Did not complete the annual child care training hours by the license expiration date.

Low Risk Rule Violation
Corrective Action for 1st Instance

Warning when the director:

- Received preservice training, but it was earlier than 6 months before or later than 10 days after beginning job duties.

(4) New directors shall have one of the following educational credentials:

(a) any bachelor's or higher education degree, and at least 60 clock hours of approved Utah Early Childhood Career Ladder courses in child development, social/emotional development, and the child care environment; or 60 clock hours of equivalent training as approved by the Department;

(b) at least 12 college credit hours of child development courses;

(c) a currently valid national certification such as a Certified Childcare Professional (CCP) issued by the National Child Care Association, a Child Development Associate (CDA) issued by the Council for Early Childhood Professional Recognition, or other equivalent credential as approved by the Department;

(d) at least a Level 9 from the Utah Early Childhood Career Ladder system; or

(e) a National Administrator Credential (NAC) and at least 60 clock hours of approved Utah Early Childhood Career Ladder courses in child development, social/emotional development, and the child care environment; or 60 clock hours of equivalent training as approved by the Department.

Rationale / Explanation

College level coursework has been shown to have a measurable, positive effect on quality child care, whereas experience by itself has not. *CFOC 3rd ed. Standard 1.3.1.1. p. 11.*

Compliance Guidelines

- The provider must ensure that the director has the required educational credentials and that documentation of the director's credentials has been submitted to CCL for verification.
- CCL must receive a copy of the certificate of completion or transcript that verifies the completion of a course.
- A course must appear on an official transcript from an accredited college or university in order to be counted toward college credit. Continuing Education Units (CEUs) are not the same as college credits.
- Successful completion of a college course means a passing grade of C or better.
- CDA and CCP certificates must be current in order to meet the educational qualifications of this rule.
- A Montessori credential is considered equivalent to a CDA or CCP.

To obtain more information about educational courses and credentials approved by CCL, refer to:

- Care About Childcare at: careaboutchildcare.utah.gov
- The Care Courses School at: www.carecourses.com
- National Institute of Child Care Management (NICCM) at: www.niccm.com
- National Early Childhood Program Accreditation (NECPA) at: www.necpa.net
- ChildCare Education Institute (CCEI) at: www.cceionline.com/director-training/

Moderate Risk Rule Violation
Corrective Action for 1st Instance

Citation Warning

(5) The director shall be on duty at the facility for at least 20 hours per week during operating hours and have sufficient freedom from other responsibilities to manage the center and respond to emergencies.

Rationale / Explanation

The dependable presence of the director is key in ensuring the day-to-day smooth functioning of the facility and ensuring that the facility is operated in compliance with licensing rules.
CFOC 3rd ed. Standard 1.3.1.1. p. 11.

Compliance Guidelines

- In centers with an average daily attendance of 40 children or fewer, the director may have permanent part-time (20 hours or less per week) caregiving duties. In centers with an average daily attendance of 30 children or fewer, the director may have permanent full-time caregiving duties.
- This rule does not prevent the director from taking a vacation or leave as long as there is a director designee.
- If a director will be absent from the center for longer than three months (for example, due to maternity leave), the provider must apply to CCL for a change of director and ensure that a qualified substitute director is present during the regular director's leave of absence.

Moderate Risk Rule Violation
Corrective Action for 1st Instance
Citation Warning

(6) The director shall arrange for a designee who shall have authority to act on behalf of the director in the director's absence.

Rationale / Explanation
There should always be a qualified individual on-site who assumes responsibility for the management of the center and the protection of the children's health and safety. Lines of responsibility need to be clearly delineated, including the presence at all times of an individual who is designated to have responsibility for compliance with licensing rules. *CFOC 3rd ed. Standard 9.1.0.2. p. 347.*

Compliance Guidelines
- The director designee may have caregiving duties. However, when the director is absent, the director designee must have sufficient freedom from other responsibilities to ensure that the health and safety of the children is maintained and to respond to any emergencies.
- Upon arrival at an on-site inspection, a licensor will ask to meet with the director to begin the inspection. If the director is not present, the licensor will ask to meet with the director designee.
- It is a rule violation if the child care program staff state that the center does not have a director designee or they do not know who the director designee is when the director is absent.

Moderate Risk Rule Violation
Corrective Action for 1st Instance
Citation Warning

(7) The director designee shall:
(a) be at least 21 years of age;
(b) pass a CCL background check;
(c) receive at least 2.5 hours of preservice training before beginning job duties;
(d) have knowledge of and follow all applicable laws and rules; and
(e) complete at least 20 hours of child care training each year, based on the facility's license date.

Rationale / Explanation
Individuals who are qualified and trained are more likely to have appropriate interactions with the children and staff they associate with. *CFOC 3rd ed. Guiding Principle 4. p. xix.*

Compliance Guidelines
- The director designee must pass a background check in accordance with rules in "Section 8: Background Checks."
- Personnel records must verify that the director designee has completed all training as required by rule.

Moderate Risk Rule Violation
Corrective Action for 1st Instance
Citation Warning when the director designee:

- Is younger than 18 years old.
- Did not receive 2.5 hours of preservice training.
- Had unsupervised contact with a child in care before completing preservice training.
- Did not complete the annual child care training hours by the license expiration date.

Low Risk Rule Violation
Corrective Action for 1st Instance
Warning when the director designee:

- Is at least 18 years old but not yet 21 years old.
- Received preservice training, but it was earlier than 6 months before or later than 10 days after beginning job duties.

(8) The director or the director designee shall be present at the facility whenever the center is open for care.

Rationale / Explanation
The well-being of the children, the confidence of the parents, and the morale and professional actions of the staff depend largely upon the presence of a qualified individual who is able to respond to the immediate needs of those involved with the child care facility. *CFOC 3rd ed. Standard 1.3.1.1. pp. 10-11.*

Compliance Guidelines
It is a rule violation if the child care program staff state that the center does not have a director designee or they do not know who the director designee is when the director is absent.

Moderate Risk Rule Violation
Corrective Action for 1st Instance
Citation Warning

(9) Caregivers shall:
(a) be at least 16 years old;
(b) pass a CCL background check;
(c) receive at least 2.5 hours of preservice training before caring for children;
(d) have knowledge of and follow all applicable laws and rules; and
(e) complete at least 20 hours of child care training each year, based on the facility's license date.

Rationale / Explanation
Many children attend child care programs every day. It is critical that they have the opportunity to grow and learn in a healthy and safe environment with caring and professional caregivers. The amount of education and child care experience impacts a caregiver's ability to respond appropriately to the needs of children. *CFOC 3rd ed. p. xvii; CFOC 3rd ed. Standard 1.3.2.2. p. 12.*

While caregivers can be as young as sixteen, age eighteen is the earliest age of legal consent and mature leadership is clearly preferable. *CFOC 3rd ed. Standard 1.3.2.3. p.13.*

Compliance Guidelines

- Individuals who are younger than 16 years old are not approved to be caregivers.
  - It is a lack of supervision if a child is left in the care of an individual younger than 16 years old.
- Each caregiver must pass a background check according to the rules found in "Section 8: Background Checks."
- Records must verify that each caregiver completed preservice and annual child care training as required by rule.
  - Any regular employee who cares for children (regardless of the number of hours) is required to have annual child care training.

Moderate Risk Rule Violation
Corrective Action for 1st Instance

Citation Warning when a caregiver:

- Did not receive 2.5 hours of preservice training.
- Had unsupervised contact with a child in care before completing preservice training.
- Did not complete the annual child care training hours by the license expiration date.

Low Risk Rule Violation
Corrective Action for 1st Instance

Warning when a caregiver:

- Received preservice training, but it was earlier than 6 months before or later than 10 days after beginning job duties.

(10) Substitutes shall:

(a) be at least 18 years old;

(b) pass a CCL background check;

(c) be capable of providing care, supervising children, and handling emergencies in the caregiver's absence;

(d) receive at least 2.5 hours of preservice training before caring for children; and

(e) complete at least 1.5 hours of child care training for each month they work 40 hours or more.

Rationale / Explanation

The purpose of this rule is to ensure that substitutes have the maturity and qualifications necessary to meet the responsibilities of independently caring for a group of children. Eighteen years is the age of legal consent. *CFOC 3rd ed. Standard 1.3.3.1. p.19.*

Compliance Guidelines

- Substitutes (including household members who substitute) must always be at least 18 years old.
- Each substitute must pass a background check according to the rules found in "Section 8: Background Checks."
- Records must verify that each substitute completed preservice and annual child care training as required by rule.

High Risk Rule Violation
Corrective Action for 1st Instance

Citation and CMP Warning when a substitute:

- Is younger than 18 years old.

Moderate Risk Rule Violation
Corrective Action for 1st Instance

Citation Warning when a substitute:

- Did not receive 2.5 hours of preservice training.
- Had unsupervised contact with a child in care before completing preservice training.
- Did not complete the annual child care training hours by the license expiration date.

Low Risk Rule Violation
Corrective Action for 1st Instance

Warning when a substitute:

- Received preservice training, but it was earlier than 6 months before or later than 10 days after beginning job duties.

(11) All other employees such as drivers, cooks, and clerks shall:

(a) pass a CCL background check,

(b) receive at least 2.5 hours of preservice training before beginning job duties, and

(c) have knowledge of and follow all applicable laws and rules, and

(d) not have unsupervised contact with any child in care if the employee is younger than 16 years of age.

Rationale / Explanation

The purpose of this rule is to ensure that the interaction between all employees and children is appropriate and in accordance with licensing rules. *CFOC 3rd ed. Guiding Principle 4. p. xix.*

Compliance Guidelines

- Each employee must pass a background check according to the rules found in "Section 8: Background Checks."
- Personnel records must verify that each employee completed preservice training according to rule.
- Any employee who cares for children (regardless of their other job duties) must be at least 16 years old and receive annual child care training.

Moderate Risk Rule Violation
Corrective Action for 1st Instance

Citation Warning when an employee:

- Did not receive 2.5 hours of preservice training.
- Had unsupervised contact with a child in care before completing preservice training.

Low Risk Rule Violation
Corrective Action for 1st Instance

Warning when an employee:

- Received preservice training, but it was earlier than 6 months before or later than 10 days after beginning job duties.

(12) Volunteers shall:

(a) pass a CCL background check, and

(b) not have unsupervised contact with any child in care if the volunteer is younger than 18 years of age.

Rationale / Explanation

The purpose of this rule is to ensure that the interaction between volunteers and children is appropriate and in accordance with licensing rules. *CFOC 3rd ed. Guiding Principle 4. p. xix.*

Compliance Guidelines

- Each individual who volunteers at the child care facility at any time a child is in care (except the parent of an enrolled child) is required to have a background check in accordance with rules in "Section 8: Background Checks."
- If an individual volunteers only when there are no children in care, for example, they only volunteer after child care hours, they will not be required to have a background check.
- Licensing statute defines child care as care for children through age 12 years and for children with disabilities through age 18 years. Thirteen- to fifteen-year-olds are not considered children in care. If they help care for younger children (and are not paid), they are considered volunteers and must meet the requirements of a volunteer.
- It is a rule violation if a child is left in the care of a volunteer who is younger than 18 years old.

High Risk Rule Violation
Corrective Action for 1st Instance

Citation and CMP Warning

(13) Guests:

(a) shall not have unsupervised contact with any child in care,

(b) shall wear a guest nametag, and

(c) are not required to pass a CCL background check.

Rationale / Explanation

The purpose of this rule is to ensure that the interaction between guests and children is appropriate and in accordance with licensing rules. *CFOC 3rd ed. Guiding Principle 4. p. xix.*

Compliance Guidelines

- A guest may not be alone in a room or area with any child in care. A caregiver or other employee who is at least 18 years old and has passed a CCL background check must be in the same room or area.
- The required nametag must have the word "Guest" on it. Other information is optional.

High Risk Rule Violation
Corrective Action for 1st Instance

Citation and CMP Warning when:

- A guest has unsupervised contact with a child in care.

Low Risk Rule Violation
Corrective Action for 1st Instance

Warning when:

- A guest does not wear a nametag.

(14) Student interns who are registered and participating in a high school or college child care course:

(a) are not required to pass a CCL background check,

(b) shall not have unsupervised contact with any child in care, and

(c) shall wear a guest nametag.

Rationale / Explanation

The purpose of this rule is to ensure that the interaction between student interns and children is appropriate and in accordance with licensing rules. *CFOC 3rd ed. Guiding Principle 4. p. xix.*

Compliance Guidelines

- A student intern may not be alone in a room or area with any child in care. A caregiver or other employee who is at least 18 years old and has passed a CCL background check must be in the same room or area.
- The required nametag must have the words "Student Intern" or "Guest" on it. Other information is optional.

High Risk Rule Violation

Corrective Action for 1st Instance

Citation and CMP Warning when:

- A student intern has unsupervised contact with a child in care.

Low Risk Rule Violation

Corrective Action for 1st Instance

Warning when:

- A student intern does not wear a nametag.

(15) Parents of children in care:

(a) shall not have unsupervised contact with any child in care except their own, and

(b) do not need a CCL background check unless involved with child care in the center.

Rationale / Explanation

The purpose of this rule is to ensure that the interaction between the children and any individuals involved with them is appropriate and in accordance with licensing rules. *CFOC 3rd ed. Guiding Principle 4. p. xix.*

Compliance Guidelines

- If a parent is employed at the child care center, they must have a background check and meet other personnel requirements as stated in rule.

High Risk Rule Violation

Corrective Action for 1st Instance

Citation and CMP Warning

(16) Household members who are:

(a) 12 to 17 years old shall pass a CCL background check;

(b) 18 years of age or older shall pass a CCL background check that includes fingerprints; and

(c) younger than 18 years of age shall not have unsupervised contact with any child in care including during offsite activities and transportation.

Rationale / Explanation

The purpose of this rule is to ensure that the interaction between household members and children is appropriate and in accordance with licensing rules. *CFOC 3rd ed. Guiding Principle 4. p. xix.*

Compliance Guidelines

- Each household member who is 12 years old or older must pass a background check according to the rules found in "Section 8: Background Checks."
- A household member who is younger than 18 years old may not be alone with any child in care in the facility, during transportation, or during offsite activities. A caregiver or other adult who is at least 18 years old and has passed a CCL background check must be present.

High Risk Rule Violation
Corrective Action for 1st Instance

Citation and CMP Warning

(17) Individuals who provide IEP or IFSP services such as physical, occupational, or speech therapists:

(a) are not required to have a CCL background check as long as the child's parent has given permission for services to take place at the center, and

(b) shall provide proper identification before having access to the facility or a child at the facility.

Rationale / Explanation

Releasing a child into the care of an unauthorized person may put the child at risk. It is the child care program's responsibility to check the written authorization in the child's file and verify the identity of any person requesting access to the child. *CFOC 3rd ed. Standard 9.2.4.8. pp. 371-372.*

Compliance Guidelines

- If the parent of a child with an IEP or an IFSP has an agreement with a school or other agency for their child to receive services at the child care facility, the individual providing the services is not required to have a CCL background check.
- With proper authorization and identification, the child may be left alone with the individual providing IEP or IFSP services..
- While services are being offered, the child will be considered the responsibility of the school or other agency.

Moderate Risk Rule Violation
Corrective Action for 1st Instance

Citation Warning

(18) Members from law enforcement or from Child Protective Services:

(a) are not required to have a CCL background check, and

(b) shall provide proper identification before having access to the facility or a child at the facility.

Rationale / Explanation

It is the child care program's responsibility to verify the identity of any person requesting access to the child. *CFOC 3rd ed. Standard 9.2.4.8. pp. 371-372.*

Compliance Guidelines

- With proper identification, a child may be left alone with a law enforcement officer or a caseworker from Child Protective Services (CPS).

Moderate Risk Rule Violation
Corrective Action for 1st Instance

Citation Warning

(19) Preservice training shall include the following:
(a) job description and duties;
(b) current Department rule sections R381-100-7 through 24;
(c) the Department-approved health and safety plan that includes preparing for and responding to emergencies;
(d) prevention, signs and symptoms of child abuse and neglect, including child sexual abuse, and legal reporting requirements;
(e prevention of shaken baby syndrome and abusive head trauma, and coping with crying babies;
(f) prevention of sudden infant death syndrome (SIDS) and the use of safe sleeping practices;
(g) recognizing the signs of homelessness and available assistance;
(h) a review of the information in each child's health assessment in the caregiver's assigned group; and
(i) an introduction and orientation to the children in care.

Rationale / Explanation

Preservice training ensures that all new staff members receive basic training for the work they will be doing and are informed about their duties and responsibilities. To ensure the health and safety of children in care, it is essential that new caregivers and volunteers never have unsupervised contact with children until they have completed the required preservice training. *CFOC 3rd ed. Standard 1.4.2.1. pp. 21-22.*

Compliance Guidelines

- Preservice records must confirm that all individuals who are new to the child care program have received preservice training in all of the required areas.
- An optional technical assistance form to document preservice training is available at: https://childcarelicensing.utah.gov/Forms.html.

Low Risk Rule Violation
Corrective Action for 1st Instance

Warning

(20) Documentation of each individual's preservice training shall be kept on-site for review by the Department and include the following:
(a) training topics,
(b) date of the training, and
(c) total hours or minutes of training.

Rationale / Explanation

Documentation of required preservice training serves as proof of compliance with this rule. The preservice records may also be useful to the provider if any personnel issues should arise. *CFOC 3rd ed. Standard 1.4.3.1. p. 24*

Compliance Guidelines

- The provider may use their own method of documenting each person's preservice training as long as the requirements of this rule are met.
- An optional technical assistance form to document preservice training is available at: childcarelicensing.utah.gov/Forms.html.

Low Risk Rule Violation
Corrective Action for 1st Instance

Warning

(21) Annual child care training shall include the following topics:

(a) current Department rule sections R381-100-7 through 24;

(b) the Department-approved health and safety plan that includes preparing for and responding to emergencies;

(c) the prevention, signs and symptoms of child abuse and neglect, including child sexual abuse, and legal reporting requirements;

(d) principles of child growth and development, including brain development;

(e) positive guidance and interactions with children;

(f) prevention of shaken baby syndrome and abusive head trauma, and coping with crying babies;

(g) prevention of sudden infant death syndrome (SIDS) and use of safe sleeping practices; and

(h) recognizing the signs of homelessness and available assistance.

Rationale / Explanation

The benefits of having well-trained individuals working with children include: 1) caregivers are better able to prevent, recognize, and correct health and safety problems; 2) staff training in child development is related to more positive outcomes for children; and 3) caregivers are more likely to avoid abusive interactions with children. *CFOC 3rd ed. Standards 1.3.2.3-1.3.2.6. pp. 13-16; Standards 1.4.2.1-1.4.2.3. pp. 21-24; Standards 1.4.4.1-1.4.4.2. pp. 26-29.*

Compliance Guidelines

- Annual training must include a review of each licensing rule in sections 100-7 through 100-24 and not just the general category of the rule section.
- Training records must verify that each individual received training on the topics listed in 100-7(21)(b)-(h) as well as licensing rules.
  - An optional technical assistance form to record each individual's annual training can be found at: https://childcarelicensing.utah.gov/Forms.html.
- Complete training records must be available for review at the annual Announced Inspection or submitted to CCL by the license expiration date.
  - To submit the documentation, the provider may mail, fax, or email it to CCL, or upload it on the provider's Child Care Licensing portal.

Low Risk Rule Violation
Corrective Action for 1st Instance

Warning

(22) At least 10 of the 20 hours of annual child care training shall be face-to-face instruction.

Rationale / Explanation

There are many benefits of having well-trained individuals care for the children. Face-to-face training is important because class members have an opportunity to discuss with one another and

ask the trainer questions about the class content. *CFOC 3rd ed. Standards 1.3.2.3-1.3.2.6. pp. 13-16; Standards 1.4.2.1-1.4.2.3. pp. 21-24; Standards 1.4.4.1-1.4.4.2. pp. 26-29.*

Compliance Guidelines

Examples of approved face-to-face training include:

- Training offered by CCL on licensing rules
- All classes offered by Care About Childcare (Refer to careaboutchildcare.utah.gov.)
- Classes and workshops at child care, early childhood, and parenting conferences
- Real-time, interactive webinars dealing with child care
- Online instruction that requires completing a test for understanding
- Training conducted at in-house staff meetings, but only the training portion (Business matters, such as assignments and work schedules, do not count toward training hours.)
- Any high school or college class in child development or related subject (Hours of attendance count as clock time if the student attends in person as opposed to working online or independent study. One semester credit equals 15 clock hours and one quarter credit equals 10 clock hours.)
- Attendance at a CCL Committee meeting
- Training by a child care association, if the certificate has “child care related” in the topic

Anyone may deliver face-to-face training including child care providers and staff. When this is the case:

- The individual delivering the training can count it as non-face-to-face training.
- The individual being trained can count it as face-to-face instruction.

Examples of approved non-face-to-face child care training may include:

- Researching and planning curriculum (but not the time spent preparing materials such as making copies and presenting curriculum to the children)
- Watching recordings of webinars on topics relating to child care
- Reading books and watching videos related to child care
- Doing homework for a high school or college child development class
- Using training packets or watching recordings offered by Care About Child Care
- Listening to the audio recording of the Advisory Committee Meeting

The following topics and classes do <u>not</u> count toward annual child care training:

- Self-help classes such as anger or stress management
- Time spent doing yoga or meditating
- Technical assistance from CCL staff
- ESL and other language classes
- Craft classes, such as origami, scrapbooking, sewing, etc.
- Attendance at a child’s classes or lessons, such as music or dance lessons
- Watching reality TV and talk shows
- Preparing (making copies, cutting, etc.) and presenting curriculum to children
- Volunteering in a classroom
- Obtaining and submitting fingerprints to CCL
- DWS policy-related webinars

Additional guidelines:

- To count as face-to-face training, there must be a certificate or other documentation from the trainer or sponsoring organization, such as CAC, workshops, or conferences. If there is no certificate or other documentation, the training may count toward the required training hours, but not as face-to-face instruction.
- In-house training, including training from a guest presenter, must be documented. Any

documentation format is acceptable as long as it includes the required information.

- Annual training for all individuals as required in rule must be completed by the end of the licensing year.
  - This includes volunteers and substitutes who work 40 hours or more per month, and new employees who are required to have annual child care training.
- For training to be considered complete, each person must have received training on the required rules and topics, and for the required number of hours.
- If training is not complete for all required individuals at the time of the annual Announced Inspection, the provider may (before their license expires):
  - Upload the documentation to the provider's Child Care Licensing portal, or
  - Mail, fax, or e-mail the documentation to CCL.

Low Risk Rule Violation
Corrective Action for 1st Instance
Warning

(23) Individuals who are required to receive annual child care training and who begin employment partway through the facility's license year shall complete a proportionate number of training hours including the face-to-face instruction.

Rationale / Explanation
All individuals who care for children need training and supervision to better meet the needs of the children and to ensure compliance with licensing rules. *CFOC 3rd ed. Standards 1.3.2.3-1.3.2.6. pp. 13-16; Standards 1.4.2.1-1.4.2.3. pp. 21-24; Standards 1.4.4.1-1.4.4.2. pp. 26-29.*

Compliance Guidelines

- When an individual begins work at the child care facility partway through the licensing year, they must complete an average of 1.5 hours of child care training for each month they work before the license expiration date. At least half of the training hours must be face-to-face instruction.
- Individuals who are hired within 60 calendar days before the license expires must complete the prorated number of training hours, but their review of all of the training topics is not required until the provider's next license year.
- If a staff member changes from a position that does not require annual training to a position that does, the total number of required training hours will be counted from the start date of their new position.
- When an individual is on approved leave of absence for more than one month, such as maternity leave, 1.5 hours for every full month of absence can be deducted from the total required annual training hours.

The table below may be used in calculating the required number of annual child care training hours for a new employee. (This is in addition to the required 2.5 hours of preservice training.) In the first column, find the month that the employee started work at the facility. Move horizontally across that row to the month that the provider's child care license expires. For example, if an employee began work in May and the provider's license expires in October, the new employee would need 7.5 hours of training before the end of October.

Annual Training Time Required for Employees Hired Partway Through Licensing Year												
Month Person Started	**Month Child Care License Ends**											
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Jan	0	1.5 hr	3 hr	4.5 hr	6 hr	7.5 hr	9 hr	10.5 hr	12 hr	13.5 hr	15 hr	16.5 hr
Feb	16.5 hr	0	1.5 hr	3 h	4.5 hr	6 hr	7.5 hr	9 hr	10.5 hr	12 hr	13.5 hr	15 hr
Mar	15 hr	16.5 hr	0	1.5 hr	3 hr	4.5 hr	6 hr	7.5 hr	9 hr	10.5 hr	12 hr	13.5 hr
Apr	13.5 hr	15 hr	16.5 hr	0	1.5 hr	3 hr	4.5 hr	6 hr	7.5 hr	9 hr	10.5 hr	12 hr
May	12 hr	13.5 hr	15 hr	16.5 hr	0	1.5 hr	3 hr	4.5 hr	6 hr	7.5 hr	9 hr	10.5 hr
June	10.5 hr	12 hr	13.5 hr	15 hr	16.5 hr	0	1.5 hr	3 hr	4.5 hr	6 hr	7.5 hr	9 hr
July	9 hr	10.5 hr	12 hr	13.5 hr	15 hr	16.5 hr	0	1.5 hr	3 hr	4.5 hr	6 hr	7.5 hr
Aug	7.5 hr	9 hr	10.5 hr	12 hr	13.5 hr	15 hr	16.5 hr	0	1.5 hr	3 hr	4.5 hr	6 hr
Sept	6 hr	7.5 hr	9 hr	10.5 hr	12 hr	13.5 hr	15 hr	16.5 hr	0	1.5 hr	3 hr	4.5 hr
Oct	4.5 hr	6 hr	7.5 hr	9 hr	10.5 hr	12 hr	13.5 hr	15 hr	16.5 hr	0	1.5 hr	3 hr
Nov	3 hr	4.5 hr	6 hr	7.5 hr	9 hr	10.5 hr	12 hr	13.5 hr	15 hr	16.5 hr	0	1.5 hr
Dec	1.5 hr	3 hr	4.5 hr	6 hr	7.5 hr	9 hr	10.5 hr	12 hr	13.5 hr	15 hr	16.5 hr	0

Moderate Risk Rule Violation
Corrective Action for 1st Instance

Citation Warning when:

- An individual who began employment partway through the licensing year did not complete the required number of annual training hours by the license expiration date.

Low Risk Rule Violation
Corrective Action for 1st Instance

Warning when:

- An individual who began employment partway through the licensing year completed the required number of annual training hours, but did not complete the required hours of face-to-face instruction by the license expiration date.

(24) Documentation of each individual's annual child care training shall be kept on-site for review by the Department and include the following:
(a) training topic,
(b) date of the training,
(c) whether the training was face-to-face or non-face-to-face instruction,
(d) name of the person or organization that presented the training, and
(e) total hours or minutes of training.

Rationale / Explanation

The annual training record should be used to assess each employee's need for additional training and to provide the Department with a tool to monitor compliance. *CFOC 3rd ed. Standard 9.4.3.3. p. 393.*

Compliance Guidelines

- There must be a training record for each individual as required by rule.
- Each training record must include the information listed in rule.
  - An optional technical assistance form may be used to record annual training. The form is available at: https://childcarelicensing.utah.gov/Forms.html.
- Complete training records must be available for review at the annual Announced Inspection or submitted to CCL by the license expiration date.

Low Risk Rule Violation
Corrective Action for 1st Instance

Warning

(25) Whenever there are children at the center, there shall be at least one caregiver present who can demonstrate English literacy skills needed to care for children and respond to emergencies.

Rationale / Explanation

Caregivers need at least basic English literacy skills in order to perform essential functions in protecting children's health and safety, such as reading warning labels on chemicals, instructions on medications and medication authorization forms, emergency information on child enrollment forms, information on a child's health assessment, and instructions on a fire extinguisher. English literacy skills are also important in communicating during an emergency, such as contacting poison control or calling 911.

Compliance Guidelines

- This rule will be considered out of compliance if a child's health or safety has been jeopardized due to a violation of this rule, and
- There is no other licensing rule that specifically addresses the situation.

Risk and Corrective Action for 1st Instance

The corrective action will be based on the severity of harm that was caused or likely to be caused as a result of a rule violation.

(26) At least one staff member with a current Red Cross, American Heart Association, or equivalent first aid and infant/child CPR certification shall be present when children are in care:
(a) at the facility,
(b) in each vehicle transporting children, and
(c) at each offsite activity.

Rationale / Explanation

Someone who is qualified to respond to emergencies must be present at all times when any child is in care, including during transportation and offsite activities. Injuries are more likely to occur when a child's surroundings or routine changes, so activities outside the facility may pose increased risk for injury. A person trained in first aid and CPR can lessen the severity of injury and reduce the potential for death from life-threatening conditions. Having these emergency skills, and the confidence to use them, are critically important to the outcome of an emergency situation. *CFOC 3rd ed. Standards 1.4.3.1-1.4.3.2. pp. 24-25.*

Compliance Guidelines

- At least one staff member who is certified in first aid and CPR must be present whenever a child is in care.

- The person with a current first-aid certification and the person with a current CPR certification do not have to be the same person.

- CPR training must be Red Cross or American Heart Association certified or be equivalent. A first-aid certification from any source is acceptable.
  - Current certification for RNs, LPNs, or First Responders will be accepted for both CPR and first aid.
  - Due to differences in training courses, a CNA certificate is not an approved CPR certification.
- CPR certification must include pediatric CPR training.
  - Training that includes basic life support (BLS) meets this requirement. (The card or certificate may not have the words "infant and child" written on them.)
  - Although child CPR training is required, training on infant CPR is optional if the provider does not enroll infants or toddlers.
- The CPR and first aid certification must be current.
  - The expiration date on the first-aid and CPR card determines whether the certification is current.
  - When there is no expiration date on the card, and the issue date is less than a year old, the certification is considered current.
  - When the expiration date on the card has been added or altered, the trainer will need to verify that the certification is current.
- First-aid and CPR documentation for those individuals who may be alone with the children at any given time must be available for CCL review.

Moderate Risk Rule Violation
Corrective Action for 1st Instance
Citation Warning

(27) CPR certification shall include hands-on testing.

Rationale / Explanation
Pediatric CPR skills should be taught by demonstration and practice to ensure the technique can be performed in an emergency. *CFOC 3rd ed. Standard 1.4.3.1. p. 24.*

Compliance Guidelines
- Online CPR training does not meet the requirement of this rule, unless there is a hands-on training component in addition to the online part of the training.

Moderate Risk Rule Violation
Corrective Action for 1st Instance
Citation Warning

(28) The following records for each covered individual shall be kept on-site for review by the Department:
(a) the date of initial employment or association with the program;
(b) a current first aid and CPR certification, if required in rule; and
(c) a six-week record of the times worked each day.

Rationale / Explanation
Maintaining complete records on each staff person is a sound administrative practice. Employment history, a daily record of days worked, performance evaluations, and who to notify in case of emergency provide important information for the employer. The signature of the employee confirms the employee's notification of responsibilities that might otherwise be overlooked by the

employee. *CFOC 3rd ed. Standard 9.4.3.1. pp. 392-393.*

Documentation of current first aid and CPR certification assists in implementing and in monitoring for proof of compliance. *CFOC 3rd ed. Standard 1.4.3.1. p. 24.*

Compliance Guidelines

- A six-week record of the times worked each day is only required for covered individuals who count in the caregiver-to-child ratio.

Low Risk Rule Violation
Corrective Action for 1st Instance

Warning