

**LICENSE EXEMPT
DEPARTMENT OF WORKFORCE SERVICES (DWS) APPROVAL REQUIREMENTS**

Approvals

- 1) The provider is the administrator of the child care facility or out of school program. To receive an initial approval for Department of Workforce Services (DWS) subsidy payments and/or CCDF grants, providers must do all of the following:
 - a) Submit a completed Child Care Licensing Application indicating they are requesting a DWS Approval.
 - b) Submit background check information and fees for each Covered Individual.
 - c) Complete New Provider Training.
 - d) Have Covered Individuals who passed the CCL background check.
 - e) Have an onsite inspection and be in compliance with the health and safety regulations at that inspection or show compliance with noncompliance items no later than 6 months after the day the application was received.
- 2) License Exempt DWS Approvals are active for one year unless noncompliance items found during inspections are not in compliance by required dates.
- 3) To receive a renewal approval, providers must have an Announced Inspection and be in compliance with all health and safety regulations at that inspection or show compliance with noncompliance items by the required date.

Inspections

- 1) Before the initial approval, the director will have an announced inspection to assess compliance with the health and safety regulations. When noncompliance to any regulation is found during this inspection, the director will be given a date to come into compliance with the regulation(s). The approval will not be issued when the director does not show compliance with the regulation(s) by the required date.
- 2) During the approval year, the director or the director designee will have an unannounced inspection to assess compliance with the health and safety regulations. When noncompliance to any regulation is found during this inspection, the director or the director designee will be given a date to come into compliance with the regulation(s). The approval will be deactivated when the director does not show compliance with the regulation(s) by the required date.
- 3) Before the expiration date of the approval, the director will have an announced inspection to assess compliance with the health and safety regulations. When noncompliance to any regulation is found during this inspection, the director will be given a date to come into compliance with the regulation(s). The approval will be deactivated when the director does not show compliance with the regulation(s) by the required date.
- 4) When there are concerns with compliance, the director or the director designee will have an unannounced inspection to assess compliance with the health and safety regulations. When noncompliance to any regulation is found during this inspection, the director or the director designee will be given a date to come into compliance with the regulation(s). The approval will be deactivated when the director does not show compliance with the regulation(s) by the required date.

Appeals

Providers can appeal any action taken by the Child Care Licensing staff by submitting a Child Care Licensing Appeal Request Form through their Child Care Licensing Portal.

Health and Safety Regulations

1) Administration and Personnel

- a) There must be a qualified provider of the facility or the program. The provider is the administrator of the child care facility or the out of school program. The provider must be at least 21 years old and ensure:
 - i) compliance with all federal, state, and local laws and rules, including fire requirements, pertaining to the operation of the program and the facility that houses the program;
 - ii) compliance with all Health and Safety Regulations;
 - iii) caregivers do not engage in or allow conduct that is adverse to the public health, morals, welfare, and safety of the children in care; and
 - iv) caregivers take all reasonable measures to protect the safety of children in care.
- b) There must be a qualified director of the facility or the program. The director is the person responsible for the day-to-day operation of the facility or program. The director must be at least 21 years old and have one of the following:
 - i) an associates, bachelors, or graduate degree from an accredited college/university or successful completion of at least 12 semester credit hours of college/university level coursework in child development, early childhood education, elementary education, or a related field; or
 - ii) 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
 - iii) a currently valid Child Care Licensing-approved National Administrator Credential (NAC) plus at least 60 hours of approved Utah Early Childhood Career Ladder courses in child development or 60 hours of equivalent training as approved by the Department.
- c) The provider and the director can be the same person.
- d) There must be a director designee with authority to act on behalf of the director. The director designee must be at least 21 year old.
- e) The director or the director designee must be at the facility whenever children are in attendance.
- f) Caregivers are employees (those who receive direct or indirect compensation) or volunteers (those who do not receive direct or indirect compensation) who provide direct care to children. All caregivers who count in caregiver to child ratios must be at least 18 years old. All assistant caregivers must be at least 16 years old and work under the immediate supervision of caregivers.
- g) The provider must have written policies and procedures that are on the Child Care Licensing Health and Safety Plan form and that were approved by Child Care Licensing staff.
- h) All directors, director designees, caregivers, and assistant caregivers must complete at least 2.5 hours of preservice training no more than 6 months before their first day of interacting with the children in care. Preservice training must include at least the following topics:
 - i) prevention of Sudden Infant Death Syndrome and use of safe sleeping practices;
 - ii) prevention of Shaken Baby Syndrome and Abusive Head Trauma;
 - iii) recognition and reporting of child abuse and neglect in accordance with the local child abuse reporting procedures and laws;
 - iv) recognizing the signs of homelessness and available assistance;
 - v) review of the program's policies and procedures;
 - vi) review of the program's emergency preparedness plan; and
 - vii) review of the Health and Safety Regulations.

- i) Preservice training must be documented and the documentation available for review by the Child Care Licensing staff. The documentation of preservice training must include at least the following:
 - i) the name of the director, director designee, caregiver or assistant caregiver;
 - ii) the training topic;
 - iii) the first date the person interacted with children in care;
 - iv) the date of the training;
 - v) the length of the training; and
 - vi) the source of the training.
 - (1) for face-to-face training - the name of the training and the presenting agency (certificates of attendance are required and must be available for review)
 - (2) for non-face-to-face training – the name of the document, article, book, video, etc.
- j) Directors, director designees and caregivers who count in caregiver to child ratios must complete at least 2 hours of ongoing child care training for each month they have been employed or volunteered or at least 20 hours each exemption year (between the start and end date of the exemption). At least half of the training must be face-to-face training. Ongoing training must include at least the following topics:
 - i) prevention of Sudden Infant Death Syndrome and use of safe sleeping practices;
 - ii) prevention of Shaken Baby Syndrome and Abusive Head Trauma;
 - iii) recognition and reporting of child abuse and neglect in accordance with the local child abuse reporting procedures and laws;
 - iv) recognizing the signs of homelessness and available assistance;
 - v) review of the program's policies and procedures;
 - vi) review of the program's emergency preparedness plan; and
 - vii) review of the Health and Safety Regulations.
- k) Ongoing training must be documented and the documentation available for review by the Child Care Licensing staff. The documentation of ongoing training must include at least the following:
 - i) the name of the director, director designee, or caregiver;
 - ii) the training topic;
 - iii) the first date the person counted in ratios;
 - iv) the date of the training;
 - v) the length of the training;
 - vi) the source of the training; and
 - (1) for face-to-face training – the name of the training and the presenting agency (certificates of attendance are required and must be available for review)
 - (2) for non-face-to-face training – the name and source of the training
 - vii) if the training was face-to-face.

2) Background Checks

a) Covered Individuals are:

- i) owners and members of a governing body
- ii) directors
- iii) director designees
- iv) caregivers and assistant caregivers
- v) employees
- vi) anyone 12 years old and older living where care is provided
- vii) anyone who has unsupervised contact with a child in care

b) All Covered Individuals must pass current Child Care Licensing (CCL) background checks.

- i) A Background Check form and the background check fee must be submitted every year. Fingerprints and the fingerprint processing fee for the FBI Next Generation Identification check are required with the first Background Check form for all Covered Individuals 18 years old and older and for all 16 and 17 year old assistant caregivers.
- ii) Covered Individuals must pass the (CCL) background check before being with children in the facility or program.
- iii) Covered Individuals with current CCL background checks that are associated with other facilities must be associated with the facility before being with children in the facility or program.

c) Guests are not Covered Individuals and are at the facility with the provider's permission. Guests cannot count in caregiver to child ratios and must always be in the same room/area with an individual who passed a current CCL background check.

- i) Guests are not required to have CCL background checks.
- ii) Guests are required to wear guest name tags.

d) Volunteers are individuals who do not receive any form of direct or indirect compensation for their services.

- i) When volunteers count in caregiver to child ratios or are ever left unsupervised with children (they are not in the same room/area as an individual who passed a current CCL background check), they are caregivers and are required to pass current CCL background checks.
- ii) Volunteers who never count in caregiver to child ratios and are never left unsupervised with children are considered guests and are not required to have CCL background checks and are required to wear guest name tags.

e) Parent volunteers are individuals with legal guardianship of children currently enrolled at the facility or in the program.

- i) When parent volunteers count in caregiver to child ratios or are ever left unsupervised with children other than their own (they are not in the same room/area as an individual who passed a current CCL background check), they are caregivers and are required to pass current CCL background checks.
- ii) Parent volunteers who never count in caregiver to child ratios and are never left unsupervised with children other than their own are considered guests and are not required to have CCL background checks and are required to wear guest name tags.

f) Student interns can be considered guests and count in caregiver to child ratios when:

- i) They are registered in a high school or college child care course and
- ii) They are always in the same room/area as an individual who passed a current CCL background check.

g) Owners and members of governing boards who live out of state and are never at the facility are not required to have CCL background checks.

- h) Individuals will not pass CCL background checks when they have any of the following:
 - i) any felony conviction
 - ii) any Class A misdemeanor conviction within the last 10 years
 - iii) certain Class A misdemeanor convictions older than 10 years
 - iv) certain Class B and Class C misdemeanor convictions such as:
 - (1) public assistance or unemployment fraud
 - (2) offenses against the family
 - (3) offenses against a person
 - (4) pornography
 - (5) prostitution or any type of sexual offense
 - (6) simple assault
 - (7) domestic violence
 - (8) lewdness
 - (9) child abuse
 - (10) contribution to the delinquency of a minor
 - v) any supported finding of child abuse or neglect as determined by the Division of Children and Family Services
 - vi) a pending indictment, a plea of no contest to, a plea in abeyance, or a diversion agreement to any charges whose conviction would result in a denial
 - vii) a juvenile record comparable to anything that would result in denial if on an adult record
 - viii) a listing on the sex offender registry
- i) Individuals who failed to pass a CCL background check cannot be at the facility or be part of the program.

3) Supervision and Ratios

- a) Caregivers must maintain active supervision of all children in care at all times. Active supervision means caregivers must be physically in the room/area with children younger than school age and must be able to hear school age children and be near enough to intervene; must know the number of children in their care at all times; must be focused on the children and not their personal interests; and must be aware of the entire group even when interacting with a small group or individual child.
- b) Children 3 years old and older may go to the bathroom by themselves if there is a policy to ensure their safety.
- c) The following minimum caregiver to child ratios and maximum group size must be maintained. Infants are children younger than 1 year old. Toddlers are children who are 1 year old. School age is children 5 years old and older. A group is the children who are in a defined area of a room or outdoor area or are in a vehicle.

Single Age Groups			
Minimum Number of Caregivers	Children's Age	Number of Children	Maximum Group Size
1	infant	4	8
1	toddler	4	8
1	2 years old	7	14
1	3 years old	12	24
1	4 years old	15	30
1	school age	20	40

2 Year Olds and 3 Year Olds			
Minimum Number of Caregivers	Children's Ages	Number of Children	Maximum Group Size
1	2 years old 3 years old	1-6 1-9	10
2	2 years old 3 years old	1-13 1-19	20

2 Year Olds and 4 Year Olds			
Minimum Number of Caregivers	Children's Ages	Number of Children	Maximum Group Size
1	2 years old 4 years old	1-6 1-10	11
2	2 years old 4 years old	1-13 1-21	22

2 Year Olds and School Age			
Minimum Number of Caregivers	Children's Ages	Number of Children	Maximum Group Size
1	2 years old school age	1-6 1-13	14
2	2 years old school age	1-13 1-27	28

3 Year Olds and 4 Year Olds			
Minimum Number of Caregivers	Children's Ages	Number of Children	Maximum Group Size
1	3 years old 4 years old	1-11 1-13	14
2	3 years old 4 years old	1-23 1-27	28

3 Year Olds and School Age			
Minimum Number of Caregivers	Children's Ages	Number of Children	Maximum Group Size
1	3 years old school age	1-11 1-15	16
2	3 years old school age	1-23 1-31	32

4 Year Olds and School Age			
Minimum Number of Caregivers	Children's Ages	Number of Children	Maximum Group Size
1	4 years old school-age	1-14 1-17	18
2	4 years old school age	1-29 1-35	36

2 Year Olds, 3 Year Olds, and 4 Year Olds			
Minimum Number of Caregivers	Children's Ages	Number of Children	Maximum Group Size
1	2 years old 3 years old 4 years old	1-6 1-9 1-9	11
2	2 years old 3 years old 4 years old	1-13 1-20 1-20	22

2 Year Olds, 3 Year Olds, and School Age			
Minimum Number of Caregivers	Children's Ages	Number of Children	Maximum Group Size
1	2 years old 3 years old school age	1-6 1-11 1-11	13
2	2 years old 3 years old school age	1-13 1-24 1-24	26

2 Year Olds, 4 Year Olds, and School Age			
Minimum Number of Caregivers	Children's Ages	Number of Children	Maximum Group Size
1	2 years old 4 years old school age	1-6 1-12 1-12	14
2	2 years old 4 years old school age	1-13 1-26 1-26	28

3 Year Olds, 4 Year Olds, and School Age			
Minimum Number of Caregivers	Children's Ages	Number of Children	Maximum Group Size
1	3 years old 4 years old school age	1-11 1-14 1-14	16
2	3 years old 4 years old school age	1-23 1-30 1-30	32

2 Years Old, 3 Year Olds, 4 Year Olds, and School Age			
Minimum Number of Caregivers	Children's Ages	Number of Children	Maximum Group Size
1	2 years old 3 years old 4 years old school age	1-6 1-11 1-11 1-11	14
2	2 years old 3 years old 4 years old school age	1-13 1-25 1-25 1-25	28

- d) Infants and toddlers can be in mixed age groups only when there are less than 9 children in the group. When there are more than 2 infants and/or toddlers in a mixed age group, there must be at least 2 caregivers with the group.
- e) During nap times (which cannot exceed 2 hours), the minimum caregiver to child ratios may double for children 18 months old and older if the children are in a restful or non-active state and the caregiver can communicate with another onsite caregiver without leaving the napping children.
- f) Employees' children 4 years old and older do not count in caregiver to child ratios but do count in maximum group sizes.

4) Child Safety and Injury Prevention

- a) There must be a working telephone at the facility at all times children are in care.
- b) There must be a working fire extinguisher accessible to caregivers.
- c) Firearms must be stored separately from ammunition and in a cabinet or area that is locked with a key, combination, or fingerprint lock, unless the use is in accordance with the Utah Concealed Weapons Act, or as otherwise allowed by law.
- d) The following must be inaccessible to children in care: (Inaccessible means not on the floor OR on a shelf that is at least 36 inches from the floor when there are children in care younger than 5 years old and at least 48 inches from the floor when all children in care are school age old OR in an unlocked cupboard or drawer that is at least 36 inches from the floor when there are children in care younger than 5 years old and at least 48 inches from the floor when all children in care are school age old OR in a bathroom cupboard or on a bathroom shelf that is at least 36 inches or less from a surface on which a child could stand when there are children in care younger than 5 years old and at least 48 inches from a surface on which a child could stand when all children in care are school age.)
 - i) tobacco, e-cigarettes, and e-juice;
 - ii) open containers of alcohol
 - iii) sexually explicit materials
 - iv) illegal items
 - v) toxic or hazardous substances
 - vi) over the counter or prescription medications
 - vii) open flames
 - viii) trampolines
- e) All areas of the facility used for care must be clean and sanitary.
- f) All areas of the facility must be maintained and used in a safe manner to prevent injury to children.
- g) Children must be signed in and out of the facility or program with the time of arrival and the time of departure. These records must be kept for at least three years.
- h) When any child in care is younger than two years old:
 - i) High chairs must have T-shaped safety straps or devices that are used whenever a child is in the chair.
 - ii) Children's diapers must be changed at a diaper changing station with railings.
 - iii) Caregivers cannot leave children unattended when the children are on the diapering surface.
 - iv) Infants must sleep in equipment designed for sleep, such as a crib, bassinet, porta-crib or play pen. Infants must not be placed to sleep on mats or cots or in bouncers, swings, car seats, or other pieces of similar equipment.
 - v) Infants must be placed on their backs for sleeping unless there is documentation from a health care provider for the treatment of a medical condition.
 - vi) When there are more than eight children in the area, infants and toddlers cannot use the outdoor play area at the same time as older children.
- i) If there is an outdoor area that is used by children in care and that is maintained by the provider:
 - i) The area must be safely accessible.
 - ii) When there are children younger than school age in care:
 - (1) The area must be enclosed within a 4 foot high fence or wall, or a solid natural barrier that is at least 4 feet high.
 - (2) Fences cannot have gaps greater than 5 by 5 inches and gaps between the bottom of the fence and the ground cannot be more than 5 inches.
 - iii) Drinking water must be available to children in care.
 - iv) The following must be inaccessible (surrounded by a barrier that is at least 48 inches high) to children in care:
 - (1) metal animal swings;
 - (2) unanchored swings;
 - (3) unanchored slides; and
 - (4) standing water.

- v) All stationary play equipment used by children in care must meet the following requirements for use zones. Stationary play equipment is equipment such as a climber, a slide, a swing, a merry-go-round, or a spring rocker that is meant to stay in one location when children use it. Stationary play equipment does not include sandboxes, stationary circular tricycles, sensory tables, or playhouses with no play equipment (such as slides, swings, ladders, and climbers) attached to them. A use zone is the area beneath and surrounding a play structure or piece of equipment that is designated for unrestricted movement around the equipment and onto which a child falling from or exiting the equipment could be expected to land.
- (1) When all children in care are at least two years old:
- (a) If the height of a designated play surface (any accessible elevated surface for standing, walking, crawling, sitting, or climbing or an accessible flat surface at least 2" by 2" in size and having an angle less than 30 degrees from horizontal) or climbing bar on a piece of equipment, excluding swings, is greater than 30 inches:
 - (i) The use zone must extend a minimum of 6 feet in all directions from the perimeter of each piece of equipment.
 - (ii) The use zones of two pieces of equipment that are positioned adjacent to one another may overlap if the designated play surfaces of each structure are no more than 30 inches above the protective cushioning underneath the equipment. When this is the case, there must be a minimum of 6 feet between the adjacent pieces of equipment.
 - (iii) There must be a minimum use zone of 9 feet between adjacent pieces of equipment if the designated play surface of one or both pieces of equipment is more than 30 inches above the protective cushioning underneath the equipment.
 - (b) The use zone in the front and rear of a single-axis swing must extend a minimum of twice the height of the pivot point of the swing and may not overlap the use zone of any other piece of equipment.
 - (c) The use zone of a multi-axis swing must extend a minimum of 6 feet plus the length of the suspending members and must never overlap the use zone of another piece of equipment.
 - (d) The use zone for merry-go-rounds must never overlap the use zone of another piece of equipment.
 - (e) The use zone for spring rockers must extend a minimum of 6 feet from the at-rest perimeter of the equipment.
- (2) When any child in care is an infant or toddler:
- (a) If the height of a designated play surface or climbing bar on a piece of equipment, excluding swings, is greater than 18 inches:
 - (i) The use zone must extend a minimum of 3 feet in all directions from the perimeter of each piece of equipment.
 - (ii) Use zones may overlap if two pieces of equipment are positioned adjacent to one another, with a minimum of 3 feet between the perimeters of the two pieces of equipment.
 - (b) The use zone in front of a slide must not overlap the use zone of any other piece of equipment.
 - (c) The use zone in the front and rear of all swings must extend a minimum distance of twice the height from the swing seat to the pivot point of the swing, and must not overlap the use zone of any other piece of equipment.
 - (d) The use zone for the sides of a single-axis swing must extend a minimum of 3 feet from the perimeter of the structure, and may overlap the use zone of a separate adjacent piece of equipment.
 - (e) The use zone of a multi-axis swing must extend a minimum distance of 3 feet plus the length of the suspending members, and must never overlap the use zone of another piece of equipment.
 - (f) The use zone for merry-go-rounds must never overlap the use zone of another piece of equipment.
 - (g) The use zone for spring rockers must extend a minimum of 3 feet from the at-rest perimeter of the equipment.

- vi) There must be adequate protective cushioning in all use zones. Protective cushioning is a shock-absorbing surface under and around equipment that reduces the severity of injuries from falls.
- (1) If sand, gravel, or shredded tires are used as protective cushioning, the depth of the material must meet the Consumer Product Safety Commission (CPSC) guidelines in Table 1. The provider must ensure that the material is periodically checked for compaction, and if compacted, must loosen the material to the depth listed in Table 1. If the material cannot be loosened due to extreme weather conditions, the provider must ensure that children are not on the equipment until the material can be loosened to the required depth.

Highest Designated Play Surface, Climbing Bar, or Swing Pivot Point	Fine Sand	Coarse Sand	Fine Gravel	Medium Gravel	Shredded Tires
4' high or less	6"	6"	6"	6"	6"
Over 4' up to 5'	6"	6"	6"	6"	6"
Over 5' up to 6'	9"	9"	6"	9"	6"
Over 6' up to 7'	9"	Not Allowed	9"	Not Allowed	6"
Over 7' up to 8'	9"	Not Allowed	9"	Not Allowed	6"
Over 8' up to 9'	9"	Not Allowed	9"	Not Allowed	6"
Over 9' up to 10'	Not Allowed	Not Allowed	9"	Not Allowed	6"
Over 10' up to 11'	Not Allowed	Not Allowed	Not Allowed	Not Allowed	6"
Over 11' up to 12'	Not Allowed	Not Allowed	Not Allowed	Not Allowed	6"

Fine Sand is white sand in bags marked "play sand". 100% of the material must pass through a #16 screen.
 Coarse Sand is usually sand for landscaping or construction. 98% of the material must pass through a #4 screen.
 Fine Gravel is gravel with particles that are rounded and 3/8 inch or less in diameter.
 Medium Gravel is gravel with particles that are rounded and 1/2 inch or less in diameter.

- (2) If shredded wood products are used as protective cushioning, the depth of the shredded wood must meet the CPSC guidelines in Table 2.

Highest Designated Play Surface, Climbing Bar, or Swing Pivot Point	Engineered Wood Fibers	Wood Chips	Double Shredded Bark Mulch
4' high or less	6"	6"	6"
Over 4' up to 5'	6"	6"	6"
Over 5' up to 6'	6"	6"	6"
Over 6' up to 7'	9"	6"	9"
Over 7' up to 8'	9"	9"	9"
Over 8' up to 9'	9"	9"	9"
Over 9' up to 10'	9"	9"	9"
Over 10' up to 11'	9"	9"	9"
Over 11' up to 12'	9"	Not Allowed	Not Allowed

- (3) If a unitary cushioning material, such as rubber mats or poured rubber-like material is used as protective cushioning:
- (a) The provider must have documentation from the manufacturer verifying that the material meets the American Society for Testing and Materials (ASTM) Specification F1292.
 - (b) The provider must ensure that the cushioning material is securely installed so that it cannot become displaced or picked up by children.

- (4) Stationary play equipment may be placed on grass, but must not be placed on concrete, asphalt, dirt, or any other hard surface when:
- (a) all children in care are school age and the highest designated play surface (a flat surface on a piece of stationary play equipment that a child could stand, walk, sit, or climb on, and that is at least 2" by 2" in size) is less than 30 inches from the ground and there are no moving parts on which children sit or stand.
 - (b) all children in care are at least 2 years old and the highest designated play surface (a flat surface on a piece of stationary play equipment that a child could stand, walk, sit, or climb on, and that is at least 2" by 2" in size) is less than 20 inches from the ground and there are no moving parts on which children sit or stand.
 - (c) any child in care is an infant or toddler and the highest designated play surface (a flat surface on a piece of stationary play equipment that a child could stand, walk, sit, or climb on, and that is at least 2" by 2" in size) is less than 18 inches from the ground and there are no moving parts on which children sit or stand.
- vii) Stationary play equipment must have protective barriers on all play equipment platforms that are more than 48 inches above the ground. The bottom of the protective barrier must be less than 3-1/2 inches above the surface of the platform, and there can be no openings greater than 3-1/2 inches in the barrier. The top of the protective barrier must be at least 38 inches above the surface of the platform when all children in care are school-age and at least 30 inches above the ground when any child in care is younger than school-age. A protective barrier is an enclosing structure such as bars, lattice, or solid panels, around an elevated play equipment platform (a flat surface on a piece of stationary play equipment intended for more than one user to stand on and upon which the users can move freely) that is intended to prevent a child from either accidentally or deliberately passing through the barrier.
- viii) There can be no entrapment hazards on any piece of stationary play equipment or within or adjacent to the use zone of any piece of stationary play equipment. An entrapment hazard is an opening greater than 3 ½ inches by 6 ¼ inches and less than 9 inches in diameter through which a child's body but not head would fit.
- ix) There can be no strangulation hazards on any piece of stationary play equipment or within or adjacent to the use zone of any piece of stationary play equipment. A strangulation hazard is something on which a child's clothes or something around a child's neck could become caught.
- x) When any child in care is an infant or toddler:
- (1) There must be no designated play surface that exceeds 3 feet in height on any piece of stationary play equipment used by infants and toddlers.
 - (2) Swings used by infants and toddlers must have enclosed seats.

5) Child Health

- a) The provider must ensure that no child is subjected to physical, emotional, or sexual abuse while in care.
- b) All employees and volunteers must follow the reporting requirements for witnessing or suspicion of abuse, neglect, and exploitation found in Utah Code, Section 62A-4a-403 and 62A-4a-411.
- c) All employee and volunteer interactions with children in care cannot include:
 - i) any form of corporal punishment that produces pain or discomfort such as hitting, spanking, shaking, biting, or pinching;
 - ii) restraining movement by binding, tying, or other form of restraint;
 - iii) shouting at children;
 - iv) any form of emotional abuse (behavior that could impair a child's emotional development, such as threatening, intimidating, humiliating, or demeaning a child, constant criticism, rejection, or profane language);
 - v) forcing or withholding food, rest, or toileting; or
 - vi) confining a child in a closet, locked room, or other enclosure such as a box, cupboard, or cage.
- d) All employees, volunteers, and children in care must wash their hands thoroughly with liquid soap and warm running water:
 - i) before handling and/or preparing food;
 - ii) before serving and/or eating meals and snacks;
 - iii) after using the toilet;
 - iv) before administering and/or taking medication;
 - v) after coming into contact with body fluids (blood, urine, feces, vomit, mucous, and saliva);
 - vi) after playing with or handling animals; and
 - vii) after cleaning and/or taking out garbage.
- e) A body fluids clean up kit must be used to clean up spills of body fluids.
- f) There must be a record of current immunizations for each child younger than school-age.

6) Notifications

- a) On the day of its occurrence, parents must be notified of an incident, accident, or injury involving their child(ren).
- b) Immediately upon the recognition of the error, parents must be notified of an error in the administration of medication for their child(ren).
- c) Within 48 hours of the change, parents and Child Care Licensing staff must be notified of a change in the program's phone number or email address.
- d) By the next working day, Child Care Licensing staff must be notified of any fatality, hospitalization, emergency medical response, or injury that required attention from a health care provider unless the medical service was part of the child's medical treatment plan. Within five working days, Child Care Licensing staff must receive documentation of the details of the incident or injury.

7) Emergency Preparedness

- a) The facility's street address and emergency numbers, including ambulance, fire, police, and poison control, must be posted near each telephone in the facility and/or in the contact list of cell phones.
- b) At least one person at the facility at all times children are in care, at least one person in each vehicle transporting children, and at least one person present during off-site activities must have current Red Cross, American Heart Association, or equivalent First Aid and CPR certification. The CPR certification must be from a class that included hands-on testing. The certification must be available for review by the Child Care Licensing staff.
- c) The provider must have a written emergency preparedness plan that is on the Child Care Licensing Health and Safety Plan form and that was approved by the licensor. The plan must be reviewed annually and updated when needed and available for review by Child Care Licensing staff.
- d) Fire evacuation drills must be held during each month the program is open for care. The date and time of each drill must be documented and the documentation must be available for review by Child Care Licensing staff.
- e) Disaster (other than fire) drills must be held at least every six months that the program is open for care. The date and time of each drill must be documented and the documentation must be available for review by Child Care Licensing staff.