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

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**

Individuals who are newly involved with the child care program and are required to receive preservice training include:

- All new employees including directors, caregivers, drivers, cooks, secretaries, etc.
- Each new substitute
- Each new volunteer if they will count in the caregiver-to-child ratio

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 caregivers (regardless of the number of hours worked each week and including those 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

Employees and volunteers who never have caregiving duties, 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 and other required individuals must complete at least 20 hours of child care training each license year.
- Substitutes and volunteers must complete at least 1.5 hours of child care training for each month 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 Assessment and Guidance
Refer to the following guideline:
- 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.

Noncompliance Level
Level 2 Noncompliance

(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 Assessment and Guidance
To be in compliance:
• Confirm that the proposed director is at least 21 years old.
• Refer to “Section 8: Background Checks” for assessment of item (b).
• Review personnel records to verify that a new director received 2.5 hours of preservice training before beginning job duties.
• Verify that the director has attended the Department’s new director training offered by CCL.
  - 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.
- Assess annual child care training records to verify that the director completed a minimum of 20 hours of training before the license expiration date.

**Noncompliance Level**

**Level 2 Noncompliance if 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.

**Level 3 Noncompliance if 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 Assessment and Guidance**

To be in compliance:
- Review the submitted educational credentials of the proposed director.
- Determine whether the credentials meet the requirement of this rule.

To meet the requirements of this rule:
- 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.

The following courses are equivalent to the Care About Childcare (formerly CCR&R) classes and meet the requirements of this rule.

<table>
<thead>
<tr>
<th>Utah Early Childhood Career Ladder Courses</th>
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<tr>
<td>Learning in the Early Years</td>
<td>NA</td>
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</tr>
<tr>
<td>Advanced Child Development</td>
<td>Principles of Growth &amp; Development</td>
<td></td>
</tr>
</tbody>
</table>

To obtain more information about educational courses and credentials approved by CCL, refer to:
• Care About Childcare at https://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 http://www.cceionline.edu/index.cfm?id=462

Noncompliance Level
Level 2 Noncompliance

(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.
• 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 a qualified substitute is employed to meet the director’s responsibilities and CCL has been informed of the situation in advance of the absence when the absence is for more than 30 days.

• 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.

Noncompliance Level
Level 2 Noncompliance

(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 Assessment and Guidance
• The director designee may have caregiving duties. Rule 100-7(5) does not apply to the director designee.
• 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 out of compliance if the child care facility 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.

Noncompliance Level
Level 2 Noncompliance

(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
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 Assessment and Guidance
To be in compliance:
• Confirm that the director designee is at least 21 years old.
• Refer to “Section 8: Background Checks” for assessment of item (b).
• Review personnel records to verify that a new director designee received 2.5 hours of
  preservice training before beginning job duties.
• Assess annual child care training records to verify that the director designee completed a
  minimum of 20 hours of training before the license expiration date.

Noncompliance Level
Level 2 Noncompliance if 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.

Level 3 Noncompliance if 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
There must 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. CFOC 3rd ed.
Standard 9.1.0.2. p. 347.

Compliance Assessment and Guidance
It is out of compliance if the child care facility 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.

Noncompliance Level
Level 2 Noncompliance

(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 Assessment and Guidance**

To be in compliance:

- Confirm that each caregiver is at least 16 years old. Individuals younger than 16 years old are not approved to be caregivers. It is lack of supervision when a caregiver who is 16 years old or older is not present with the children.
- Refer to “Section 8: Background Checks” for assessment of item (b).
- Review personnel records to verify that each new caregiver received 2.5 hours of preservice training before beginning job duties.
- Assess annual child care training records to verify that each caregiver completed a minimum of 20 hours of training (or the prorated total) before the license expiration date.

**Noncompliance Level**

Level 2 Noncompliance if 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.

Level 3 Noncompliance if 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**

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

**Compliance Assessment and Guidance**

Substitutes including household members who substitute must always be at least 18 years old.

To be in compliance:

- Confirm that each substitute is at least 18 years old.
- Individuals younger than 16 years old are not approved to be caregivers. It is lack of supervision when a caregiver who is 16 years old or older is not present with the children.
- Refer to “Section 8: Background Checks” for assessment of item (b).
- Review personnel records to verify that each new substitute received 2.5 hours of preservice training before beginning job duties.
- Assess annual child care training records to verify that each substitute completed at least 1.5 hours of child care training for each month they worked 40 hours or more.
Noncompliance Level
Level 1 Noncompliance if a substitute:
• Is 16 or 17 years of age.

Level 2 Noncompliance if 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.

Level 3 Noncompliance if 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 other employees and children is appropriate and in accordance with licensing rules.

Compliance Assessment and Guidance
To be in compliance:
• Refer to “Section 8: Background Checks” for assessment of item (a).
• Review personnel records to verify that each new employee received 2.5 hours of preservice training before beginning job duties.
• Refer to the following guideline:
  - If an employee cares for children in addition to other job duties, they will be considered a caregiver who must meet the requirements in 100-7(9).

Noncompliance Level
Level 2 Noncompliance if an employee:
• Did not receive 2.5 hours of preservice training.
• Had unsupervised contact with a child in care before completing preservice training.

Level 3 Noncompliance if 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.
Compliance Assessment and Guidance
The following guidelines apply to this rule:

- Any individual, except the parent of an enrolled child, who volunteers at the child care facility at any time a child is in care, is required to have a background check.
- 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.

To be in compliance:
- Refer to “Section 8: Background Checks” for assessment of item (a).
- Verify that no volunteer who is younger than 18 years of age has unsupervised contact with any child in care.

Noncompliance Level
Level 1 Noncompliance

(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 relationship between adults and children is of utmost importance and should be supported by caregivers who meet all personnel requirements. 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 Assessment and Guidance
To be in compliance:
- Verify that no guest has unsupervised contact with any child in care.
- Refer to the following guidelines:
  - The nametag must have the word “Guest” on it. Other information is optional.
  - 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.

Noncompliance Level
Level 1 Noncompliance if:
- A guest has unsupervised contact with a child in care.
Level 3 Noncompliance if:
- 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 relationship between adults and children is of utmost importance and should be supported by caregivers who meet all personnel requirements. 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 Assessment and Guidance
To be in compliance:
- Verify that no student intern has unsupervised contact with any child in care.
- Refer to the following guideline:
  - 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.

Noncompliance Level
Level 1 Noncompliance if:
- A student intern has unsupervised contact with a child in care.

Level 3 Noncompliance if:
- A student intern does not wear a nametag.

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 relationship between adults and children is of utmost importance and should be supported by caregivers who meet all personnel requirements. The purpose of this rule is to ensure that the interaction between any other individuals and children is appropriate and in accordance with licensing rules. CFOC 3rd ed. Guiding Principle 4. p. xix.

Compliance Assessment and Guidance
The following guideline applies to this rule:
- If a parent is employed at the center, they must have a background check and meet other personnel requirements as stated in rule.

Noncompliance Level
Level 1 Noncompliance

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 relationship between adults and children is of utmost importance and should be supported by caregivers who meet all personnel requirements. The purpose of this rule is to ensure that the interaction between any other individuals and children is appropriate and in accordance with licensing rules. CFOC 3rd ed. Guiding Principle 4. p. xix.
Compliance Assessment and Guidance
To be in compliance:
• Refer to “Section 8: Background Checks” to verify that all covered household members have passed current background checks.

Refer to the following guideline:
• A household member who is younger than 18 years old may not be alone in the facility, during transportation, or during offsite activities with any child in care. A caregiver or other adult who is at least 18 years old and has passed a CCL background check must be present.

Noncompliance Level
Level 1 Noncompliance
(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
The relationship between adults and children is of utmost importance and should be supported by caregivers who meet all personnel requirements. The purpose of this rule is to ensure that the interaction between any other individuals and children is appropriate and in accordance with licensing rules. CFOC 3rd ed. Guiding Principle 4. p. xix.

Compliance Assessment and Guidance
The following guideline applies to this rule:
• 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, and the child may be left alone with that individual. While services are being offered, the child will be considered the responsibility of the school or other agency.

Noncompliance Level
Level 2 Noncompliance
(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
The relationship between adults and children is of utmost importance and should be supported by caregivers who meet all personnel requirements. The purpose of this rule is to ensure that the interaction between any other individuals and children is appropriate and in accordance with licensing rules. CFOC 3rd ed. Guiding Principle 4. p. xix.

Compliance Assessment and Guidance
The following guideline applies to this rule:
• With proper identification, a child may be left alone with a law enforcement officer or a
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 Assessment and Guidance
To be in compliance:
• Review the preservice records and confirm that all individuals who are new to the child care program have received preservice training in all of the required areas.

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 Assessment and Guidance
A technical assistance form to record pre-service training is available at https://childcarelicensing.utah.gov/Forms.html
To be in compliance:
• Assess the preservice records of those individuals required by rule.

**Noncompliance Level**
Level 3 Noncompliance

(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 Assessment and Guidance**
Annual training must include a review of each licensing rule in sections 100-7 through 100-24 and not just the general topic of the section.

To be in compliance:
• If training is not complete for all required individuals by the time of the Annual Announced Inspection, the provider may upload the training documentation to the Care About Childcare Training Registry or to the CCL provider portal, or mail, fax, or e-mail the documentation to CCL before the provider’s license expires.

**Noncompliance Level**
Level 3 Noncompliance

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

**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.*

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.
Compliance Assessment and Guidance
The following guidelines apply to the assessment of annual child care training:

- 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.

Examples of approved face-to-face training include:
- Training offered by CCL on licensing rules
- All classes offered by Care About Childcare (refer to https://careaboutchildcare.utah.gov/)
- Classes and workshops at child care, early childhood, and parenting conferences
- Real-time, interactive webinars
- 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

Anyone may deliver face-to-face training including providers and staff who train other providers. 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 not 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
- 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

The following guidelines apply to the assessment of this rule:
- Annual training does not have to be complete until the end of the licensing year.
- During the Annual Announced Inspection, the licensor will review if annual training is complete for all individuals as required by rule.
- 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.
- To be complete, each person has to have both hours and topics as required in rule.

To be in compliance:
- If training is not complete for all required individuals by the time of the inspection, the provider may upload the training documentation to the Care About Childcare Training Registry or to the CCL provider portal, or mail, fax, or e-mail the documentation to CCL before the provider’s license expires.

**Noncompliance Level**

Level 3 Noncompliance

(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 caring for children need training and supervision to better meet the needs of children in care 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 Assessment and Guidance**

To assess compliance to this rule, a licensor will:
- Ask the name of each new caregiver hired during the licensing year.
- Calculate the number of annual training hours that each new caregiver must complete before the end of the license year.
- Issue a noncompliance finding if a new caregiver did not receive the required number of hours of training including face-to-face instruction by the license expiration date.

The following guidelines apply to the assessment of this rule:
- 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

<table>
<thead>
<tr>
<th>Month Person Started</th>
<th>Jan</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>June</th>
<th>July</th>
<th>Aug</th>
<th>Sept</th>
<th>Oct</th>
<th>Nov</th>
<th>Dec</th>
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<tbody>
<tr>
<td>Jan</td>
<td>0</td>
<td>1.5 hr</td>
<td>3 hr</td>
<td>4.5 hr</td>
<td>6 hr</td>
<td>7.5 hr</td>
<td>9 hr</td>
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<td>12 hr</td>
<td>13.5 hr</td>
<td>15 hr</td>
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<td>Feb</td>
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<td>16.5 hr</td>
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<td>16.5 hr</td>
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<tr>
<td>Dec</td>
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<td>13.5 hr</td>
<td>15 hr</td>
<td>16.5 hr</td>
<td>0</td>
</tr>
</tbody>
</table>

**Noncompliance Level**

Level 2 Noncompliance if:
- 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.

Level 3 Noncompliance if:
- An individual who began employment partway through the licensing year 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 Assessment and Guidance
A technical assistance form to record annual training is available at
https://childcarelicensing.utah.gov/Forms.html

To be in compliance:
• Check the annual training records for each individual as required by rule.
• Confirm that each training record includes the information listed in rule.
• If not complete and revised by CCL by the time of the Annual Announced Inspection, make sure it is submitted and revised by CCL by the end of the licensing year.

Noncompliance Level
Level 3 Noncompliance

(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 Assessment and Guidance
This rule will be considered out of compliance if:
• A child’s health or safety has been jeopardized due to noncompliance to this rule, and
• There is no other licensing rule that specifically addresses the situation.

Noncompliance Level
The noncompliance level will be determined on a case-by-case basis depending on the severity of the 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.

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 Assessment and Guidance
To be in compliance:
• Confirm that at least one staff member who is certified in first aid and CPR is always present when 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.
• Make sure the first-aid and CPR documentation of those individuals required to have them is available for review by CCL.
• Check that the CPR training is a Red Cross or American Heart Association certification or 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.
• Confirm that the certification includes infant/child 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.)
  - Infant CPR certification is not required if the provider does not care for infants or toddlers.
• Verify that the certification is 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, but the issue date is less than a year old, accept the certification as being current.
  - When the expiration date on the card has been added or altered, call the training source to verify that the certification is current.

Noncompliance Level
Level 2 Noncompliance

(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 Assessment and Guidance
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.

Noncompliance Level
Level 2 Noncompliance

(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.


**Compliance Assessment and Guidance**

To be in compliance:

- Have the required individuals’ records available for review by CCL.

**Noncompliance Level**

Level 3 Noncompliance