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**7.707 RULES REGULATING FAMILY CHILD CARE HOMES**

Rev. eff. 11/1/98 *All family child care homes must comply with the "General Rules for Child Care Facilities" as well as the "Rules Regulating Family Child Care Homes."*

Rev. eff. 8/1/99 *Rules in bold type apply only to infant/toddler homes or large homes, as indicated. The rules in bold type either replace other rules appearing in that section or are in addition to other rules in the section.*

**7.707.1 POLICY OF THE COLORADO DEPARTMENT OF HUMAN SERVICES**

Rev. eff. 11/1/98 It is the policy of the Colorado Department of Human Services ("the Department") to promote and encourage child care in environments that contribute to the safety, health, protection, and well-being of children. To verify compliance with standards intended to ensure such an environment, the Department requires thorough and ongoing appraisals of child care facilities, persons working in the child care profession, and the nature of care provided.

**7.707.2 DEFINITIONS**

*The capacity for a family child care home (generally referred to within these rules as "the home") is determined by the amount of indoor and outdoor space designated for child care, as well as the following factors.*

A. A "family child care home" is a type of family care home that provides less than 24-hour care for 2 or more children on a regular basis in a place of residence. Children in care are from different family households and are not related to the caregiver.

Rev. eff. 6/1/00 1. Care may be provided for 6 children from birth to 13 years of age with no more than 2 children under 2 years of age. This does not prohibit the care of children ages 13 to 18.

Rev. eff. 8/1/99 2. Care also may be provided for no more than 2 additional children of school age attending full-day school. School-age children are children enrolled in a kindergarten program a year before they enter the first grade and children 6 years of age and older.

3. Residents of the home under 12 years of age who are on the premises and all children on the premises for supervision are counted against the approved capacity, except where specifically indicated otherwise.

Rev. eff. 11/1/98 4. A family child care licensee may be approved to care for 3 children under 2 years of age with no more than 2 children under 12 months, including the caregiver's own children, under the following conditions.

a. The licensee has complied with all of the following requirements prior to approval of the license:

- The licensee has held a full license to operate a family child care home for at least 2 years immediately prior to the issuance of the license that would authorize the care of 3 children under 2 years of age.

THIS REVISION:	VII-00-2	LAST REVISION:	VII-99-4	REVISION NUMBER
Adopted:	4/7/2000	Adopted:	6/4/99	2
Effective Date:	6/1/2000	Effective Date:	8/1/99	

## 7.707.2 DEFINITIONS (continued)

- Rev. eff.  
11/1/98
- The licensee has completed 40 clock hours of approved training, which includes the required hours of training and first aid obtained when originally licensed (see Section 7.707.42, C, for content).
  - The licensee has had no substantiated complaints about care provided to children in the home in the past 2 years.
- b. No care of additional children of school age during non-school hours may be authorized.
- Add eff.  
11/1/01
- c. Licensees issued a 3 children under 2 years of age license are approved for both the 3 under 2 and the regular license capacities and may switch between the 2 capacities without notifying the Department as long as they are in compliance with all licensing rules.
- Rev. eff.  
11/1/98
- B. An infant/toddler home is a type of family care home that provides less than 24-hour care only for children who are between birth and 3 years old.**
1. The caregiver may have no more than 1 child or foster child between 3 and 6 years of age.
  2. If there is 1 caregiver, there may be a maximum of 4 children, with no more than 2 children under 12 months, including the caregiver's own children.
  3. If there are 2 caregivers caring for children at all times when children are present, there may be a maximum of 6 children between birth and 3 years old, and no more than 3 of those children can be between birth and 1 year old, including the caregiver's own children.
  4. An exception to Section 7.707.2, B, 2 and 3, can be made in the case of the care of twins, triplets, and other siblings close in age to each other so that they need not be separated, but the total number of children cannot exceed 4 in an infant/toddler home with 1 caregiver, and 6 in an infant/toddler home with 2 caregivers.
- Rev. eff.  
8/1/99
- C. A large child care home is a family child care home that provides care for 7 to 12 children.**
- Rev. eff.  
6/1/00
1. Child care may be provided to children from 24 months to 13 years of age. This does not prohibit the care of children ages 13 to 18.
- Rev. eff.  
11/1/01
2. Care may be provided to no more than 2 children under 2 whether or not older siblings are in care.

THIS REVISION:	VII-01-3	LAST REVISION:	VII-00-2	REVISION NUMBER
Adopted:	9/7/2001	Adopted:	4/7/2000	3
Effective Date:	11/1/2001	Effective Date:	6/1/2000	

## 7.707.2 DEFINITIONS (continued)

## D. The Experienced Family Child Care Provider

This section establishes a new license type for Experienced Family Child Care Home Providers. The impact of this new license type will be evaluated over a 2-year period ending August 1, 2001, to determine if this license type should be continued beyond that date.

Providers who meet these specific requirements, as well as all other rules required of family child care home providers, may apply to become an "Experienced Family Child Care Home Provider".

1. To be approved for the experienced provider license, the provider must:
  - a. Have been a family child care home provider in Colorado for at least the last six (6) consecutive years;
  - b. Have completed 90 clock hours of training within the preceding six (6) years (excluding pre-licensing training); providers with a minimum of 65 hours of training within the preceding six years may be approved for the license if they complete the additional 25 hours of training within one year of the effective date of these rules; 40 hours of the 90 hours must be in infant/toddler training;
  - c. Have had no substantiated complaints in the preceding two (2) years for violations that could directly threaten the health or safety of children in care;
  - d. Have had no negative licensing action taken against the license in the preceding two (2) years;
  - e. Meet requirements of 35 square feet of inside space and 75 square feet of outside space per child;
  - f. Comply with local zoning restrictions.
2. The following chart describes the various options available to the experienced family child care home provider. Providers are free to move from one option to another without notifying the department, as long as they are in compliance with all licensing rules.

THIS REVISION:	VII-99-4	LAST REVISION:	New	REVISION NUMBER
Adopted:	6/4/99	Adopted:	Material	
Effective Date:	8/1/99	Effective Date:		

7.707.2 DEFINITIONS (continued)

**Experienced Child Care Provider License**

*All Options Include Provider’s Own Children Under 10 years of Age*

	Number of Children Birth to School Age	Number of Children Under 2 Years Allowed	Of Those Under 2, the Number Under 18 Months Allowed	Number of Additional School-Age Children Allowed
Option 1	5	4	2	2
Option 2	6	3	2	3
Option 3	8	2	2	0
Option 4	7	2	2	2

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**Options 5 and 6 Apply Only to Regular License Capacity (7.707.2, A), not the Experienced Provider Capacities**

Option 5	One (1) extra child in addition to the regular child care license capacity for a maximum of 8 weeks per calendar year as needed for flexibility purposes
Option 6	An overlap of one (1) extra child in addition to the regular child care license capacity for up to two (2) hours per day as needed for flexibility purposes

3. Applying for the Experienced Provider License

- Rev. eff. 6/1/00
  - a. At least 60 calendar days prior to the proposed date of operation as an experienced provider, the applicant must submit the following items to the state Department of Human Services:
    - a completed and signed experienced provider application form, which:
      - affirms compliance with all the rules for family child care home providers and experienced providers
      - affirms that the 90 clock hours of training have been completed
      - includes an agreement to waive the right to appeal rules related to capacity and space requirements

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Adopted:	4/7/2000	Adopted:	6/4/99	1
Effective Date:	6/1/2000	Effective Date:	8/1/99	

## 7.707.2 DEFINITIONS (continued)

- affirms the provider's understanding that the experienced provider's license will immediately revert to a regular license if capacities are exceeded at any time
  - a check or money order in the amount of \$25
  - a detailed emergency evacuation plan to accommodate the highest capacity of children in care
  - b. A licensing evaluation will occur after the Department has reviewed the application.
  - c. If applying at the time of continuation of a regular child care license, providers must submit the experienced provider application with their continuation documents and a check or money order for \$25 for the application fee. The \$16 continuation fee for the regular license need not be paid.
4. Continuing the Experienced Provider License
- a. Annually, prior to their continuation date, experienced providers must submit the following to the department:
    - a completed and signed continuation form
    - a completed compliance form affirming ongoing compliance with the rules for family child care home providers and experienced providers, including a list of training completed during the year to comply with annual training requirements found in this section
    - a \$16 continuation licensing fee
  - b. At the time the continuation documents are submitted to the department, the experienced provider must complete a written self-evaluation on the forms prescribed by the department. The self-evaluation form must be maintained by the facility and be available for review upon request by the licensing specialist.
  - c. Annually, the experienced provider must complete 12 clock hours of ongoing training, with a minimum of 6 of the hours in the area of child growth and development.
  - d. The experienced provider must be able to satisfactorily demonstrate the emergency evacuation plan during any licensing visit.

THIS REVISION:	VII-99-4	LAST REVISION:	New	REVISION NUMBER
Adopted:	6/4/99	Adopted:	Material	
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## 7.707.2 DEFINITIONS (continued)

5. Negative Licensing Action Taken Against the Experienced Provider License
  - a. Negative licensing action may be taken against the experienced provider license for any of the following reasons:
    - substantiated complaints and licensing violations that could directly threaten the health or safety of children in care
    - character or suitability issues that could jeopardize the health of children or adversely affect the ability of the provider to care for children as defined in the "General Rules for Child Care Facilities"
    - any violation for which a licensed child care facility could be subject to negative licensing action
  - b. The provider would be allowed to reapply for the experienced provider license after 2 years from the date negative licensing action was taken if the provider has no substantiated complaints regarding violations that could directly threaten the health or safety of children in care.
  - c. If an experienced provider application is denied, the home will continue with a regular license as long as all continuation requirements have been met.
  - d. Should this section be eliminated from rule following a 2-year evaluation ending in 2001, all experienced provider licenses would revert to regular license status.

THIS REVISION:	VII-99-4	LAST REVISION:	New	REVISION NUMBER
Adopted:	6/4/99	Adopted:	Material	
Effective Date:	8/1/99	Effective Date:		

STAFF MANUAL VOLUME 7  
SOCIAL SERVICES

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PROGRAM AREA 7 -- FAMILY CHILD CARE HOMES

7.707.3 - 7.707.41

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7.707.3 POLICIES AND PROCEDURES

7.707.31 Statement of Policies

Rev. eff. 8/1/99 A written statement of the home's policies must be available to parents and guardians, including such topics as: admission and registration of children, illnesses and administration of medication, holidays, payment of fees, discipline, emergency and security procedures, and meals and snacks.

7.707.32 Communication, Emergency, and Security Procedures

A. The home must have a working unblocked telephone that has the capacity to receive all incoming calls. Telephone numbers of the following must be posted near the telephone: a 911 notice, where 911 is available, or rescue unit if 911 isn't available; a hospital or emergency medical clinic; the local fire, police, and health departments; Rocky Mountain Poison Control; and, the name and telephone number of the provider's substitute. Numbers for the parent(s) or guardian(s) of each child in care, plus alternative emergency numbers, including the number of the child's doctor, must be readily available.

Rev. eff. 11/1/98 B. The home must release the child only to the adult(s) for whom written authorization has been given and is maintained in the child's record (see Section 7.707.91). In an emergency, the child may also be released to an adult for whom the child's parent or guardian has given verbal authorization. If the caregiver does not know the adult, identification must be required to assure that the adult is authorized to pick up the child.

Add eff. 8/1/99 C. For security purposes and to document capacities, a daily sign-in/sign-out sheet must be maintained by all homes operated by an experienced family child care home provider (see Section 7.707.2, D). It must include, for each child in care, the date, the child's name, the time when the child arrived at and left the home, and the parent or guardians signature.

7.707.4 PERSONNEL

7.707.41 Requirements for Personnel

Rev. eff. 11/1/98 A. General

1. Caregivers must have demonstrated an interest in and knowledge of children and a concern for their proper care and well-being.
2. Children for whom the caregiver has custody and responsibility must not have been placed in foster care or residential care under circumstances tending to show that the caregiver or other resident of the home was abusive, neglectful, or a danger to the health, safety, or well-being of those children.
3. Licensees and caregivers must be at least 18 years of age.

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Adopted:	6/4/99	Adopted:	9/4/98	1

## 7.707.41 Requirements for Personnel (continued)

4. All caregivers and all persons residing in the home must submit to the Department, on the form required by the Department, a health evaluation signed and dated by a licensed physician or other health professional.

Subsequent health evaluations for the caregivers and children residing in the home who are in care must be submitted every 2 years or as required in a written plan signed by a physician or other health professional.

If, in the opinion of a physician or mental health practitioner, a physical, medical, emotional, or psychological condition exists at any time that may jeopardize the health of children or adversely affect the ability of a licensee to care for children, a qualified substitute caregiver must be employed, or child care services must be suspended until the physician or mental health practitioner certifies that the health risk has been eliminated.

**B. Infant/Toddler Home**

1. **For an infant/toddler home with 1 caregiver, that caregiver must be at least 21 years of age.**

**For an infant/toddler home with 2 caregivers, 1 caregiver must be at least 21 years of age and the second must be at least 18 years of age.**

2. **Each caregiver must have parented a child through at least the first year of life or completed 1 year of supervised experience caring for children who are younger than 3 years old. Such experience may have been obtained as a licensed home caregiver, in a family foster home, child care center, or preschool. Each caregiver must be able to verify the required experience.**

**C. Large Home**

1. **The licensee must be the primary caregiver and must reside in the large child care home.**
2. **The primary caregiver at a large child care home must meet one of the following:**
  - a. **A minimum of 3 years of documented satisfactory experience in the group care of children or as a licensed home caregiver; or,**
  - b. **A minimum of 2 years of college education in an accredited college or university, with at least 1 college course in early childhood education, plus 1 year of documented satisfactory experience in the group care of children; or,**

THIS REVISION:	VII-98-2	LAST REVISION:	Manual	REVISION NUMBER
Adopted:	9/4/98	Adopted:	Revised and	
Effective Date:	11/1/98	Effective Date:	Reissued	

7.707.41 Requirements for Personnel (continued)

- Rev. eff. 11/1/98
  - c. **Current certification as a Child Development Associate (CDA) or other department-approved credential; or,**
  - d. **Completion prior to licensing of 40 clock hours of training in child development, child care practices, appropriate discipline, child nutrition, health care practices; and,**
    - **A minimum of 2 years of experience as a licensed caregiver holding a permanent license immediately before becoming a licensee of a large child care home; or,**
    - **A minimum of 2 years of full-time experience in the group care of children who are under the age of 6.**
- Rev. eff. 6/1/00
  - **A minimum of 2 years of experience as a licensed caregiver holding a permanent license immediately before becoming a licensee of a large child care home; or,**
- Rev. eff. 11/1/98
  - **A minimum of 2 years of full-time experience in the group care of children who are under the age of 6.**
- 3. **If the home was previously licensed as a regular family child care home, there must have been no substantiated complaints about the care of children in the home in the past 2 years.**
- 4. **Staff aides must be at least 16 years of age and must meet requirements for first aid and CPR training and for a health evaluation (see Section 7.707.42, B, and 7.707.41, A, 4).**
- 5. **All caregivers must be at least 16 years of age and must work directly under the supervision of the primary caregiver in charge and responsible for the care of the children.**

7.707.42 Training

(See also Section 7.707.41, C, 2, Large Home)

Rev. eff. 11/1/01 A. Any person applying for a license to operate a family child care home must possess basic knowledge of child growth and development, early childhood care and education, child nutrition, appropriate discipline, child abuse recognition and reporting, operation of a family child care business, and safety and health care practices, including universal precautions. Prior to or within 3 months of the issuance of the license, the licensee and primary caregiver must complete a Department approved 12 clock hour course that includes six core knowledge standards. Those individuals who are director qualified or have a 2- or 4-year degree in early childhood education are exempt from pre-licensing training, except for the 1-1/2 hours of universal precautions training.

Add eff. 8/1/99 Prior to or within 6 months of issuance of the license, licensees and caregivers must complete a minimum of 1-1/2 hours of training in universal precautions. This 1-1/2 hours of universal precautions training can be included as part of the pre-licensing training, in which case the total number of hours required is 13-1/2. Universal precautions are safe work practices to prevent exposure to blood and body fluids. Documentation of this training must include hours of training and completion date. This training must be renewed every three (3) years. Renewal of universal precautions training can be part of the first-aid training.

THIS REVISION:	VII-01-3	LAST REVISION:	VII-00-2	REVISION NUMBER
Adopted:	9/7/2001	Adopted:	4/7/2000	3
Effective Date:	11/1/2001	Effective Date:	6/1/2000	

## 7.707.42 Training (continued)

- Rev. eff.  
8/1/99 Licensees requesting continuation of a permanent license to operate a home and all caregivers must complete an additional 9 clock hours of training each year. The additional training must be documented on the form designated by the department and submitted to the department every year. This training must relate to one or more of the following general areas--child growth and development, healthy and safe environment, developmentally appropriate practices, guidance, family relationships, cultural and individual diversity, and professionalism. The 9 clock hours of training do not include recertification in first aid and CPR.
- Rev. eff.  
11/1/01 B. Prior to licensing, all caregivers, excluding staff aides, who are in regular and frequent contact with the children in care must have a current department-approved first aid and safety certificate that includes CPR for all ages of children and have successfully completed the department-required medication administration course.
- Add eff.  
11/1/01 C. All caregivers, excluding staff aides, who are in regular contact with the children in care must have current certification for the Department-required medication administration course.
- Rev. eff.  
8/1/99 D. **In an infant/toddler home, the licensee must have completed a department-approved course of training, a minimum of 40 clock hours which includes the following subject matter: growth and development of children from birth to 3 years; infant stimulation, nutrition, child guidance, first aid, and home safety; child abuse reporting; and child care practices for children birth to 3 years. This training need not have been taken for college credit.**

THIS REVISION:	VII-01-3	LAST REVISION:	VII-99-4	REVISION NUMBER
Adopted:	9/7/2001	Adopted:	6/1/99	2
Effective Date:	11/1/2001	Effective Date:	8/1/99	

## 7.707.43 Required Supervision

Rev. eff.  
11/1/98

A. General

The caregiver must supervise and know the location and activity of all children while they are in care.

**B. Large Home**

1. **The primary caregiver at a large child care home, or an individual who meets the requirements for a primary caregiver of a large home, must be at the home any time that child care is being provided.**
2. **The primary caregiver, or a substitute who meets all of the requirements for a primary caregiver, and a staff aide who is at least 16 years of age must be on duty at all times when 8 or more children are in attendance (see Section 7.707.41, C, 4).**
3. **The primary caregiver or the staff aide must provide direct supervision of each child at all times.**

## 7.707.44 Substitutes

A. General

Arrangements must be made for a substitute who is at least 18 years old and is capable of providing care and supervision of children and handling emergencies in the absence of the caregiver.

1. Prior to caring for children at the home, the substitute must be given an opportunity to examine these rules and to become familiar with children in care and with the normal routines and practices of the home.
2. Substitutes who work at the home on a regular basis must comply with requirements for first aid and CPR training (Section 7.707.42, B) and a health evaluation (Section 7.707.41, A, 4) as well as a criminal record check and Central Registry check as outlined at Sections 7.701.33 and 7.701.32 (General Rules for Child Care Facilities).

Rev. eff.  
8/1/99

**B. Infant/Toddler Home**

**The substitute for the caregiver(s) must meet the same age requirements as the caregiver (see Section 7.707.41, B).**

Rev. eff.  
11/1/98

**C. Large Home**

1. **Arrangements must be made for a substitute who meets the requirements for a primary caregiver of a large home to provide care and supervision of children in the absence of the primary caregiver.**
2. **An individual who meets all of the requirements for a staff aide must be available to substitute for the staff aide when necessary.**

THIS REVISION:	VII-99-4	LAST REVISION:	VII-98-2	REVISION NUMBER
Adopted:	6/4/99	Adopted:	9/4/98	1
Effective Date:	8/1/99	Effective Date:	11/1/98	

## 7.707.5 CHILD CARE SERVICES

## 7.707.51 Admission Procedure

- Rev. eff.  
11/1/98
- A. Admission procedures must be completed prior to the child's attendance at the home and must include:
1. A pre-admission interview with the child's parent(s) or guardian(s) to determine whether the services offered by the home will meet the needs of the child and the parent(s) or guardian(s).
  2. Explanation of the home's policies, including a plan for payment of fees.
  3. Completion of the registration information required for inclusion in the child's record as required in Section 7.707.91.
- B. The admission of children must be in compliance with the non-discrimination provisions of Title VI of the Civil Rights Act of 1964 and the Americans with Disabilities Act (see General Rules for Child Care Facilities, Section 7.701.14), and a reasonable effort must be made to accommodate children with special needs and to integrate them with other children.

## 7.707.52 Health Care

- A. Statements of Health Status
1. The parent or guardian of each child admitted to the home must submit a statement of the child's current health status signed and dated by a licensed physician or other health professional who has seen the child within the last 12 months. The statement of health status must be obtained at the time of admission to the home or within 30 calendar days after admission. A new statement of health status must be submitted to the home annually for children under 7 years of age, and every 3 years for children 7 years of age and older as long as the children are in care.
  2. The statement must be kept at the home and must include the following:
    - a. Information and instruction on care of each child who has a chronic or disabling condition, physical or emotional, such as seizures, asthma, diabetes, allergies, heart or respiratory illness, and drug reaction.
    - b. Information regarding immunizations the child has had and the dates administered. Immunizations must be recorded on the Certificate of Immunization supplied by the Colorado Department of Public Health and Environment. Colorado law requires that proof of immunization be provided prior to the first day of admission.
- Rev. eff.  
8/1/99

THIS REVISION:	VII-99-4	LAST REVISION:	VII-98-2	REVISION NUMBER
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Effective Date:	8/1/99	Effective Date:	11/1/98	

## 7.707.52 Health Care (continued)

Rev. eff. 8/1/99 3. If the parent or legal guardian of a child wishes an exemption from the requirement for immunizations due to religious or personal beliefs, the child's parent or legal guardian, must complete and sign the current Colorado Department of Public Health and Environment immunization card which states the reason for such an exemption. The home has the right to refuse to admit any child if a completed current immunization card is not submitted.

Rev. eff. 11/1/98 B. Emergency Procedures

1. At the time of admission, the caregiver must obtain telephone numbers of the child's physician and numbers where the parent or guardian and at least one (1) other responsible adult can typically be reached in the event of accident, illness, or other emergency.
2. The caregiver must obtain written authority to arrange for medical care in the event of an emergency.
3. In the event of injury or illness, the affected child must be separated in the room or area provided for such purpose and made as comfortable as possible. First aid care must be provided as required. If additional care, medical attention, or removal from the home is indicated, the child's parent or guardian must be contacted by telephone, if possible, and medical assistance obtained without undue delay, consistent with Section 7.707.92, A.

## C. Medication

- Rev. eff. 11/1/01
1. **Any prescription or non-prescription medication (over-the-counter) may be administered by the caregiver only with a current written order of a physician and with written parental consent. Topical preparations including, but not limited to, petroleum jelly, diaper rash ointments, sunscreen, and bug sprays can be administered solely with written parent authorization; no written order by a physician is required as long as the preparations are not applied to open wounds or broken skin.**
  2. **The caregiver can accept such medicines only in the original container. Prescription medicine containers must bear the original pharmacy label that shows the prescription number, name of medication, date filled, physician's name, child's name, and directions for dosage. When no longer needed, medications must be returned to the parent or guardian or destroyed.**
  3. **Nonprescription medication must be labeled with the child's first and last name. Caregivers can administer medication only to the child whose name appears on the written order from the physician.**

THIS REVISION:	VII-01-3	LAST REVISION:	VII-99-4	REVISION NUMBER
Adopted:	9/7/2001	Adopted:	6/4/99	2
Effective Date:	11/1/2001	Effective Date:	8/1/99	

## 7.707.52 Health Care (continued)

Add eff.  
11/1/01

4. **All caregivers who administer medication must be currently trained through the Department-approved medication administration course and must administer medication in compliance with the concepts taught in the course.**
5. **Medication must be stored so that it is inaccessible to children. If refrigeration is required, it must be stored in a leak-proof container in a designated area of the refrigerator separated from food.**
6. **A written medication log must be kept for each child. This log is a part of the child's record. The log must contain the child's name, name of the medication, dosage and route, time medication is to be given, special instructions, name and initials of the individual giving the medication, notation if the medication was not given, and the reason.**

Rev. eff.  
11/1/98

## D. Control of Communicable Illness

1. Any resident or caregiver who has a contagious illness must be excluded from contact with children in care.
2. When a child in care has been diagnosed with a communicable illness, including hepatitis, measles, mumps, meningitis, diphtheria, rubella, salmonella, giardia, tuberculosis, and shigella, the caregiver must immediately notify the parents or guardians of all children in care and report to the local county department of health or the Colorado Department of Public Health and Environment. A diagnosed child must be excluded from the home for the period of time prescribed by the child's physician or by the local health department.

THIS REVISION:	VII-01-3	LAST REVISION:	VII-99-4	REVISION NUMBER
Adopted:	9/7/2001	Adopted:	6/4/99	2
Effective Date:	11/1/2001	Effective Date:	8/1/99	

## 7.707.53 Personal Hygiene

Rev. eff.  
11/1/98

## A. Washing

1. Children's hands must be washed with soap under warm water before meals and snacks and after toileting.
2. Children's hands and faces must be dried with individual paper or cloth towels. Towels and drinking cups must not be shared.
3. When a child is bathed, bath water must be at a safe and comfortable temperature. Children under 5 years of age must not be left unattended while being bathed.

Add eff.  
8/1/99

4. When at the home, and whenever possible on field trips, at a park, or at another location away from the home, all caregivers must wash their hands thoroughly with soap and under warm running water after helping a child with toileting, after their own toileting, after wiping a child's nose, before preparing or serving food, and before administering medication.

Rev. eff.  
11/1/98

## B. Diapering

1. The home must have a designated diaper change area for all children in need of diaper changing. The diaper change area must:
  - a. Have a smooth, durable, nonabsorbent, and easily cleanable surface
  - b. Be large enough to accommodate the size of the child
  - c. Be separate from the food preparation area
  - d. Have a place inaccessible to children for storing all diaper change supplies and disinfecting solutions and products.
2. The following procedure must be followed each time a diaper is changed:
  - a. The child must be placed on a clean, sanitized, dry changing table or mat.
  - b. Soiled/wet diapers and clothing must be replaced with clean diapers and clothing whenever necessary.
  - c. Children's hands must be cleaned after diapering.
  - d. Caregivers must clean and sanitize the diaper change area after diapering.
  - e. Caregivers must wash their hands with soap and warm running water and dry their hands with individual paper or cloth towels after diapering each child.

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Adopted:	6/4/99	Adopted:	9/4/98	1
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## 7.707.54 Physical Care

- Rev. eff.  
11/1/98
- A. Throughout the day, each child must have frequent, individual, personal contact and attention from an adult, such as being held, rocked, taken on walks inside and outside the home, talked to, and sung to.
  - B. Children must not be confined to cribs or playpens for prolonged periods of time. They must have an opportunity each day for freedom of movement, such as creeping, crawling, or walking in a safe, clean, open, uncluttered area.
  - C. Infants in care who are unable to hold a bottle must be held during bottle feedings.
  - D. Infants must be held frequently while in care.
  - E. Infants must be provided an environment designed to stimulate their senses.
  - F. Children leaving the family child care home for school or other activities must be dressed appropriately for the weather.
  - G. A child's wet or soiled clothing must be changed promptly, and a sufficient supply of clean clothing must be available for this purpose.
  - H. Caregivers must investigate whenever children cry.
  - I. Toilet training can be carried out only after consultation with the child's parents, and then only in a non-disciplinary manner. If potty chairs are used, they must be emptied and disinfected after each use.
  - J. The home must provide a rest period for all preschool-age children remaining in the home longer than 4 hours. A rest period and rest equipment must also be provided for older children who require a rest time.
  - K. All preschool-age children must be given the opportunity to lie down for a period of time. Children must not be forced to sleep. Children who do not sleep after a reasonable period of time must be provided with appropriate quiet toys and equipment to play with, such as puzzles or books.
  - L. For rest periods, the home must provide for each preschool-age child, and for older children as required, a bed, sofa, cot, or suitable mat not less than 2 inches thick with a clean, washable cover. Children must be provided with a suitable warm cover as needed.
- Rev. eff.  
6/1/00
- M. For each child under 12 months, daily rest periods in a crib or a playpen with a firm pad and a clean, washable cover must be provided. Soft bedding materials that could pose a suffocation hazard are not permitted in cribs or playpens.
  - N. Cribs and playpens must meet federal Consumer Product Safety Commission standards. Space between crib slats must be no wider than 2-3/8 inches. Refer to Section 7.701.26, C, for information on how to obtain the standards.

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Adopted:	4/7/2000	Adopted:	6/4/99	2
Effective Date:	6/1/2000	Effective Date:	8/1/99	

## 7.707.54 Physical Care (continued)

- Rev. eff.  
11/1/98
- O. Children must be allowed to form and observe their own pattern of sleep and waking periods. Provision must be made so that children requiring a nap time have a separate area for their nap apart from space used for play.
- P. Infant monitors may be used in separate sleeping rooms for infants under the following conditions:
1. The sound monitoring equipment is able to pick up the sounds of all sleeping infants. Additional equipment must be provided as necessary to provide adequate coverage.
  2. The receiver of the sound monitoring equipment is actively monitored by the caregiver at all times.
  3. Sleeping infants are periodically physically monitored and checked by the caregiver.
  4. Sound monitoring equipment is regularly checked to assure that it is working correctly.

## 7.707.55 Food and Nutrition

- A. A nutritious snack or meal must be available during the midmorning and mid-afternoon hours. A noon meal must also be provided and must meet at least one-third of the child's daily nutritional needs. Children in care at these times must be provided with the appropriate snack or meal. Arrangements must be made for feeding children who are in care before 6 a.m. or after 6 p.m.
- B. Food must be wholesome and nutritious and stored in a safe and sanitary manner. Each day, meals and snacks must be nutritionally balanced and must include food from the basic food groups in adequate quantity.
- C. Children must not be given foods that are contrary to the religious beliefs of their families or that are known to cause an allergic reaction or a health hazard. Only pasteurized milk should be served.
- Add eff.  
11/1/01
- D. Bottles of formula or breast milk must never be warmed in a microwave oven. Infant formula and breast milk cannot be reused. If a child does not finish the bottle or formula or breast milk, the contents must be thrown out.

## 7.707.56 Discipline

- Rev. eff.  
11/1/98
- A. Discipline must be appropriate and constructive or educational in nature, and may include such measures as diversion, separation of the child from problem situations, talking with the child about the situation, praise for appropriate behavior, and gentle physical restraint, such as holding.

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Adopted:	9/7/2001	Adopted:	4/7/2000	2
Effective Date:	11/1/2001	Effective Date:	6/1/2000	

- 7.707.56 Discipline (continued)
- B. Children must not be subjected to physical or emotional harm or humiliation. The caregiver must not use, or permit anyone else to use, corporal or other harsh punishment, including but not limited to pinching, shaking, spanking, punching, biting, kicking, rough handling, hair pulling, or any humiliating or frightening method of discipline.
  - C. Discipline must not be associated with food, rest, or toileting. Children must not be punished for toileting accidents. Food may not be denied to or forced upon children as a disciplinary measure.
  - D. Meals and snacks can be temporarily postponed or provided individually, but deprivation of meals and snacks must not be used as punishment.
  - E. Separation, when used as discipline, must be brief and appropriate for the child's age and circumstances. The child must be in a safe, lighted, well-ventilated room within hearing and vision of an adult. Children must never be isolated in a locked room or closet.
  - F. Verbal abuse and derogatory remarks about the child are prohibited.
  - G. Authority to discipline must not be delegated to other children, and the home must not sanction one child punishing another child.
  - H. At the time of admission, the caregiver will discuss with the parent or guardian the home's techniques and standards of discipline.
- 7.707.57 Overnight Care
- A. Regular overnight care (care that extends through a large portion of the night) of children is permitted only when licensed to do so.
  - B. All children in care must be provided with a comfortable cot, crib, bed, or couch suitable for the child's age, 2 sheets, and a suitable warm covering. At least 40 square feet of floor space must be available for each bed. Beds arranged in parallel must be at least 2 feet apart.
  - C. Sheets must be changed weekly, between use by different children, or more frequently if needed, and no child should be allowed to sleep in a wet bed.
  - D. Each child must be provided with comfortable sleep wear, and a complete set of clean sleep wear must be available in the event that a change is necessary.
  - E. If the caregiver goes to sleep, it must be on the same floor where children under 8 years of age are sleeping.
  - F. If children in care over the age of 4 share sleeping rooms with persons who are over age 4, the home must have approval from the parent(s) or guardian(s) of each child involved.

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Adopted:	9/4/98	Adopted:	Revised and	
Effective Date:	11/1/98	Effective Date:	Reissued	

## 7.707.58 Transportation

- Rev. eff. 6/1/00 A. Any child who is less than 4 years old and less than 40 pounds and is transported by vehicle by the licensee must be properly fastened into a child restraint system that conforms to Section 42-4-236, C.R.S. All other children must use individual seat belts.
- Rev. eff. 11/1/98 B. When any vehicle is used by the home to transport children in care, the following requirements must be met:
1. Two or more children must never be restrained in 1 seat belt.
  2. Lap belts must be secured low and tight across the upper thighs and under the belly.
  3. Children must be instructed and encouraged to keep the seat belt properly fastened and adjusted.
  4. The vehicle must be enclosed and have door locks.
  5. The seats of the vehicle must be constructed and installed according to the manufacturer's specifications.
  6. The vehicle must be kept in satisfactory condition to assure the safety of occupants. Vehicle tires, brakes, and lights must meet safety standards set by the Colorado Department of Revenue, Motor Vehicle Division.
  7. Seating must be comfortable with a seat of at least 10 inches wide for each child.
- Add eff. 8/1/99 8. The vehicle must safely accommodate the total number of children being transported.
- Rev. eff. 11/1/98 C. The home must require written permission from the parent or guardian for transportation of the child.
- D. Transportation arrangements for school-age children must be by agreement between the home and the child's parents (e.g., whether the child can walk, ride a bicycle, or travel in a car). The home must exercise reasonable precaution to see that the children arrive at the home from school when expected and must follow up on their whereabouts if late. Written permission from a parent or guardian for the child to attend community functions after school hours must include agreements regarding transportation.
- E. Children must not be left unattended in the vehicle.
- F. Children must be loaded and unloaded out of the path of moving vehicles.
- G. If the child care home provides transportation to and from care, the caregiver must monitor the child between the vehicle and the child's home or another home authorized by the child's parent or guardian until the child is safely in the care of another adult.

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Adopted:	4/7/2000	Adopted:	6/4/99	2
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## 7.707.58 Transportation (continued)

- Rev. eff.  
11/1/98
- H. If transportation is provided between the home and school for school-age children, the required adult-to-child ratio must be maintained for children remaining at the home.
- I. **At a large home, there must be at least 1 adult supervisor, in addition to the driver, for 7 to 12 children using the vehicle.**
- J. **At a large home, at least 1 adult in the vehicle transporting children must have a current Department-approved first aid and safety certificate that includes CPR for all ages of children. A first aid kit must be available in the vehicle.**

## 7.707.6 ACTIVITIES

- A. Each child in care must be provided with an opportunity for both group and individual play.
- B. Children must be encouraged to relate or to communicate with each other and with adults.
- C. Outdoor activity must be available to all children daily, weather permitting.
- D. Outdoor play at the home is allowed only in the fenced yard or under the direct supervision of the caregiver.
- E. Television viewing, including videos, should not be permitted without the approval of a child's parents, who must be advised of the types of programs the children will be permitted to see.

## 7.707.7 EQUIPMENT AND MATERIALS

- A. General
1. Well-maintained materials and equipment must be sufficiently varied and appropriate for the ages and number of children in care.
  2. Materials and equipment must be available for both active and quiet play and both indoor and outdoor play, including, at a minimum, items in these categories: art, blocks, books, manipulatives, and large muscle equipment.
  3. The home must have enough materials and equipment that at any one time each child in care can be individually involved.
  4. Toys and toy parts accessible to children under 3 years of age must be large enough that they cannot be swallowed or inhaled.
- Add eff.  
11/1/01
5. Children must wear helmets when riding a scooter, bicycle, skateboard, or rollerblades.

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Adopted:	9/7/2001	Adopted:	4/7/2000	3
Effective Date:	11/1/2001	Effective Date:	6/1/2000	

## 7.707.7 EQUIPMENT AND MATERIALS (continued)

- Rev. eff. 11/1/01
6. By January 1, 2003, all pieces of permanently installed playground climbing equipment must be surrounded by at least 4 inches of a resilient surface or by rubber mats manufactured for such use consistent with the guidelines of the Consumer Product Safety Commission. Refer to Section 7.701.26, C, for information on how to obtain the guidelines.
- Add eff. 11/1/01
7. Sand used as a resilient surface must be raked regularly to retain its resiliency and to retain a depth of 4 inches.
8. The use of any materials under permanently installed playground equipment other than wood chips, wood mulch, engineered wood fiber, pea gravel, synthetic pea gravel, shredded rubber tires, and fine loose sand must be approved by the Department.
- Rev. eff. 11/1/98
- B. Large Home**
1. **The home must provide equipment that is sturdy, safe, clean, free from hazards, and, when appropriate, accessible to children. A variety of equipment from the following categories must be available.**
- a. art supplies
  - b. blocks and accessories
  - c. books
  - d. dramatic play area
  - e. large Muscle equipment
  - f. manipulative toys
  - g. musical equipment
  - h. science materials

## 7.707.8 BUILDING AND FACILITIES

## 7.707.81 Facility Requirements

- A. The entire premises are subject to inspection for licensing purposes, including but not limited to the residence where care is to be provided, the grounds surrounding the residence, the basement, the attic (if accessible), the storage shed, and the garage or carport.
- B. At least 75 square feet of outdoor play space must be available for each child.
- C. One room or area in the home that contains a bed, cot, or sofa must be designated a sick room where a child can be separated from other children and cared for in the event of injury or illness. A crib or playpen with a pad must be provided for children under 12 months of age. A clean, washable sheet and blanket must be provided for each child.
- D. At least 35 square feet of indoor space where children can play and be cared for, exclusive of halls and baths, must be provided for each child.
- E. All floors must have carpets, tile, or a smooth finish that can be cleaned easily.

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Adopted:	9/7/2001	Adopted:	4/7/2000	3
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7.707.81 Facility Requirements (continued)

- Rev. eff. 11/1/98 F. Interior walls must be free of holes and constructed of solid material with a smooth finish that can be cleaned easily.
- Rev. eff. 6/1/00 G. An adequate number of high chairs and other suitable equipment that meets federal Consumer Product Safety Commission standards must be provided to feed children under 2 years of age. Refer to Section 7.701.26, C, for information on how to obtain the standards.
- Rev. eff. 11/1/98 H. A business of a nature that might be hazardous to the health, safety, or well-being of children cannot be operated on the premises of the home.
- I. **The large home must provide sufficient space in the specific room(s) designated for use for child care. Space used by household furniture cannot be used to meet this requirement.**
- Add eff. 11/1/98 J. Window blind cords must be secured out of children's reach to prevent strangulation.

7.707.82 Fire and Other Safety Requirements

- Rev. eff. 11/1/98 A. The family child care home and outdoor play area must be kept safe and free from hazards to health.
  - 1. Indoor Requirements
    - a. Heating devices such as radiators, registers, fireplaces, furnaces, wood-burning stoves, hot water heaters, and steam and hot water pipes accessible to children must be screened or otherwise protected. The screen or other protection must be made of a non-flammable material and must prevent children from coming into contact with the heating device. Nothing flammable or combustible can be stored within 3 feet of a furnace or hot water heater.
    - b. All heating units, gas or electric, must be installed and maintained with safety devices to prevent fire, explosions, and other hazards. No open-flame gas or oil stoves, unscreened fireplaces, hot plates, or unvented heaters can be used.
    - c. The home must be equipped with adequate light, heat, ventilation, and plumbing for safe and comfortable occupancy. The heating facility must be capable of maintaining a draft-free temperature of 68 degrees F. at floor level in all rooms used for child care.
    - d. All hazardous items and materials must be inaccessible to children, including matches, plastic bags, cleaning and laundry materials, medicines, perfumes, curling irons, scissors and knives, cosmetics, shaving lotions, hair products, and poisonous plants. Paints, fuels, insecticides, and other hazardous chemicals and products must be stored in a locked area remote from kitchens and hot water heaters and heating units.

THIS REVISION:	VII-00-2	LAST REVISION:	VII-99-4	REVISION NUMBER
Adopted:	4/7/2000	Adopted:	6/4/99	2
Effective Date:	6/1/2000	Effective Date:	8/1/99	

## 7.707.82 Fire and Other Safety Requirements (continued)

- Rev. eff.  
11/1/98
- e. Any weapons such as firearms, air rifles, bows, hunting knives, and hunting sling shots must be unstrung/unloaded at all times when children are in the home and must be locked and inaccessible to children. Trigger locks are acceptable. Antique and other guns used for decoration must be inoperable and have the firing pin removed. An unstrung bow need not be stored in a locked container. Ammunition and arrows must be stored in separate locked containers. Weapons must not be transported in any vehicle in which children are riding unless the weapons are made inoperable and inaccessible.
- f. Water from any source other than a regular municipal water supply must be tested annually and be in compliance with water quality requirements of the Colorado Department of Public Health and Environment.
- g. In rooms used for child care, all electrical outlets that are accessible to children must have protective covers, or safety outlets must be installed; and all exposed light bulbs must have protective covers.
- Rev. eff.  
8/1/99
- h. All stairways must be free from hazards, and those with more than four steps must be equipped with banisters or handrails within reach of children. The slats on all railings must be no wider than five inches apart.
- Rev. eff.  
11/1/98
- i. All garbage, refuse, and other wastes must be stored in a manner that is inaccessible to children and disposed of in a manner that does not constitute a health hazard or nuisance.
- j. All rooms must be kept in a clean and sanitary condition and be free of any evidence of vermin or rodent infestation.
- k. Dishes, cookware, and utensils must be washed, rinsed, and stored in a safe and sanitary manner.
- l. First aid supplies must be maintained and stored in an area inaccessible to children.
- m. Mobile homes used as family child care homes must have at least 2 exits, be skirted, and properly installed and stabilized.
- n. Any animal that poses a potential threat to a child's safety or health must be confined in a place away from the child care area. Dogs and cats must be vaccinated against rabies as required by state law and local ordinance. Children must not be permitted to mistreat animals.
- Add eff.  
8/1/99
- o. Children's use of walkers with wheels is prohibited in homes that have stairs.

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Adopted:	6/4/99	Adopted:	9/4/98	1
Effective Date:	8/1/99	Effective Date:	11/1/98	

## 7.707.82 Fire and Other Safety Requirements (continued)

Rev. eff.  
11/1/01

## 2. Outdoor Requirements

a. Outdoor play space, including areas under decks, must be free from safety hazards such as lawn mowers, tools, propane, natural gas lines, gasoline, building scraps, and scrap metal. This area must be enclosed by a fence or contain a natural barrier at least 42 inches high if care is given for children between 12 months and 5 years old. Outdoor play space is not required if care is given only for children who are 12 months or younger.

Rev. eff.  
8/1/99

b. All play equipment must be designed to guard against entrapment and strangulation. Swing sets and other large outdoor play equipment must be correctly assembled, well maintained, and securely stabilized or anchored. All swings for children 3 and older purchased after July 1, 1999, must have seats made of flexible material.

Rev. eff.  
11/1/98

c. In outdoor play areas, window wells accessible to children must have covers that are in good condition and that safely and adequately protect children from falling into the window well.

d. All walkways must be cleared of snow and ice at least once a day.

e. There must be a protective fence around any permanent wading or swimming pool, even an above-ground pool located on the property of the home. Children in care are permitted to use the pool only in the presence of an adult who holds a current American Red Cross basic lifeguarding certificate or equivalent and is responsible for providing lifesaving protection for the children. Children playing in or near standing water, including fountains, buckets, and horse troughs, must be directly supervised at all times.

f. All hot tubs must have bolted and securely locked covers.

g. The use of a trampoline by children in care is prohibited. If there is a trampoline on the property of the home, it must be stored in a way that makes it totally inaccessible to children.

h. Decks that are more than 12 inches high must have a protective railing or other barrier with slats no wider than 5 inches apart.

## B. Fire Safety Requirements

1. Fire hazards, such as defective electrical or gas appliances and electric cords, dangerous or defective heating or cooking equipment, exposed wiring, and flammable material stored in such a manner as to create a risk of fire must be corrected or eliminated.

2. A smoke detector in working condition must be installed on each level of the home where child care occurs.

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Adopted:	9/7/2001	Adopted:	6/4/99	2
Effective Date:	11/1/2001	Effective Date:	8/1/99	

## 7.707.82 Fire and Other Safety Requirements (continued)

- Rev. eff. 11/1/98 3. Flammable material must not be stored near a furnace, hot water heater, or other heating device.
- Rev. eff. 8/1/99 4. A written emergency evacuation plan for quickly and safely evacuating all children from the home must be posted in clear view at the home. Emergency evacuation drills must be held at unexpected times and under varying conditions to simulate the conditions of an actual fire, and often enough that all occupants are familiar with the procedure.
- Rev. eff. 11/1/98 5. Smoking is prohibited during business hours in all areas where child care is provided and when transporting children.
6. The home must contain at least one U.L.-approved fire extinguisher, highly visible, easily accessible, and in working condition, weighing not less than 5 pounds, that has a rating of 2A 10 BC.
7. Although exterior doors can be locked, they must be maintained so as to permit easy exit; interior doors must be designed to prevent children from becoming trapped.
8. No locks or fastening devices can be used that would prevent emergency evacuation.
9. A basement to be used for child care must be equipped with more than one exit; the second exit may be a window large enough for the caregiver, substitute, and all children to escape, with window access permanently secured and in place.
10. Windows having a lower sill height of 30 inches or less satisfy the requirement for permanent window access.

## 7.707.9 RECORDS AND REPORTS

## 7.707.91 Children's Records

- A. An admission record must be completed for each child prior to or at the time of the child's admission and updated annually, unless otherwise specified in these rules. The admission record must include:
1. The child's full name, date of birth, current address, and date of enrollment.
  2. Names and home and employment addresses and telephone numbers of parents or guardians.
  3. Names and telephone numbers of persons other than parents or guardians who are authorized to take the child from the family child care home.
  4. Names, addresses, and telephone numbers of persons who can assume responsibility for the child in the event of an emergency if the parents or guardians cannot be reached immediately.

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## 7.707.91 Children's Records (continued)

5. Names, addresses, and telephone numbers of the child's physician, dentist, hospital of choice, and insurance information, if applicable.
  6. Health information including immunization history.
  7. A dated, written authorization for emergency medical care signed and submitted annually by the parent or guardian. The authorization must be notarized if required by local health care facility.
  8. A written record of any serious accident, illness, or injury occurring during care must be retained in each child's record, with a copy provided to the parent or guardian.
  9. Written authorization from a parent or guardian regarding participation in field trips (if applicable).
- B. All forms contained in the admission record must be current and accessible to caregivers and to representatives of the Department.
- C. The complete file for each child in care must be retained by the home for at least 3 years after the child leaves the home. It must be available without restriction to the licensing agency and to the child's parents or guardian.
- D. Except for the licensing authority and the child's parents or guardians, children's reports and records and facts learned about children and their families must be kept confidential.

## 7.707.92 Administrative Records and Reports

- A. Licensees must report in writing to the Department any accident or injury occurring at the family child care home that resulted in medical treatment by a physician or other health care professional, hospitalization, or death. This report must be submitted within 48 hours of the occurrence. Licensees must also call the Department immediately to give notice of a death.
- B. Licensees must report to the local department of health or the Colorado Department of Public Health and Environment whenever there is evidence that a child, a caregiver, or any resident of the family child care home has been exposed to a communicable illness, including but not limited to measles, mumps, diphtheria, rubella, tuberculosis, shigella, hepatitis, meningitis, salmonella, and giardia.
- C. A report about a fatality must include:
1. The child's name, birth date, address, and telephone number.
  2. The names of the child's parents or guardians and their address and telephone number if different from that of the child.
  3. Date of the fatality.

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Adopted:	9/4/98	Adopted:	Revised and	
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## 7.707.92 Administrative Records and Reports (continued)

4. Brief description of the incident or illness leading to the fatality.
  5. Names and addresses of witnesses or persons who were with the child at the time of death.
  6. Name and address of police department or authority to whom the report was made.
- D. The home must submit to the department within 48 hours a written report about any child who has been lost from the home and for whom the local authorities have been contacted. Such report must indicate:
1. The name, birth date, address, and telephone number of the child.
  2. The names of the parents or guardians and their address and telephone number if different from those of the child.
  3. The date when the child was lost.
  4. The location, time, and circumstances when the child was last seen.
  5. Actions taken to locate the child.
  6. The name of the caregiver supervising the child.
- E. The home must have a written plan for action in case of natural disaster, including, but not limited to, floods, tornadoes, and severe weather if typical in the locality of the home. The plan must include at least:
1. Prompt notification of parents or guardians.
  2. When local authorities are notified.
  3. Emergency transportation.
  4. Specific procedures for responding to the crisis.

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Effective Date:	11/1/98	Effective Date:	Reissued	