## CHILD CARE CENTER COMPLIANCE RECORD PART 1. GENERAL PROVISIONS

Michigan Department of Licensing and Regulatory Affairs Bureau of Community and Health Systems

License Number	
Date of Review	

Facility Name

## C = Compliance V = Violation NR = Not Reviewed

С	<u> </u>	NR	RULES
_			R 400.8104 Rule variances.
ᄖ			(2) The decision of the department is kept on file at the center.
			(3) The granted variance is in effect for as long as the conditions of the variance are met or until the time limit expires.
			R 400.8110 Licensee.
	_	_	(1) The licensee:
			(a) Act in a manner that is conducive to the welfare of children.
			(b) Comply with sections 5n and 5q of the act, MCL 722.115n and 722.115q, which requires a comprehensive background check.
			(c) Be responsible for compliance with the act and these rules.
			(d) Report to the department within 3 business days after any arraignment or conviction of 1 or more of the crimes listed in section 5r of the act, MCL 722.115r, and any subsequent conviction.
			(2) Has the administrative capability to operate the center in order to provide the services and facilities that are conducive to the welfare of children.
			(3) In a place accessible and visible to parents:
			(a) The current license and if applicable, the letter extending the license beyond the expiration date.
			(b) A copy of the current child care center rules and any variances granted.
			(c) A notice stating that the center requires a comprehensive background check on its employees and unsupervised volunteers.
			(4) Licensing notebook on the premises in a place accessible to parents that includes all licensing inspection and special investigation reports and related corrective action plans for the last 5 calendar years, and a summary sheet outlining the documents contained in the notebook.
			(5) Center maintains licensed capacity and age ranges.
			(6) Maintain accurate records detailing daily arrival and departure times for each child care staff member, child care aide, and volunteer.
			(7) Children are released only to authorized persons.
			(8) A child is released to either parent unless a court order prohibits release to a particular parent; court order is on file.
			(9) Within 5 business days, notifies the department of the separation of a licensee designee, program director or a central administrator and a plan for replacement.
			(10) Written approval from the department is obtained before making any changes in the terms of the license or making changes to a room or well-defined space that will result in a change in capacity of the room or well-defined space.
			(11) The records required by PA 116 and the rules are retained and made available for 2 years and made available to the department.
			(12) The following must be retained and available to the department:
			(a) The name, address, and telephone number for each child enrolled and each employee for at least 2 years after he or she has left the center.
			(b) Staff and volunteer health records as required by R 400.8128 and documentation of qualifications shall be retained until that person has left the center.
			(c) The licensing notebook is maintained and retained until the license is closed.
			(13) Smoking and vaping does not occur:
			(a) In the child care center or on real property.
			(b) On field trips and in vehicles when children are present.
			(14) Post a notice in a place accessible and visible to parents, staff, and visitors stating that smoking and vaping are prohibited in the center and on the center's property.
			R 400.8112 Comprehensive background Check; fingerprinting.
			(1) The department shall determine eligibility to be any of the following:
	П		(a) A licensee.
			(b) A licensee designee.
1 —	_	_	· · ·

С	٧	NR	RULES
			(c) A child care staff member.
			(d) A child care aide.
			(e) An unsupervised volunteer.
			(2) Applicant or licensee shall do the following:
			(a) Ensure that each individual who requires an eligibility determination completes, signs and dates the consent and disclosure form prior to the individual's appointment to be fingerprinted.
			(b) Maintain a copy of the completed and signed consent and disclosure forms for each individual entered into the child care background check system under the license.
			(c) Provide to the department, upon request, a copy of the individual's completed and signed form or forms.
			(d) Establish and activate an account and accurately enroll each individual listed in subrule (1) of this rule in the child care background check system.
			(e) Within the department's child care background check system, accurately complete and maintain the connection, disconnection, or withdrawn status of each individual associated with the license.
			<ul> <li>(f) Immediately disconnect each individual from the system once he or she is no longer a licensee, licensee designee, child care staff member, child care aide, or an unsupervised volunteer under the license.</li> </ul>
			(3) An individual may serve as a child care staff member pending an eligibility determination by the department under sections 5n(8) and 5q of the act, MCL 722.115n and 722.115q, and shall be supervised at all times by the licensee or a child care staff member who has been determined eligible.
			(4) For an individual who is determined ineligible by the department, a licensee shall immediately do all of the following:
П	П		(a) Prohibit the individual from being on the premises of the child care center.
			(b) Prohibit the individual from having any contact with children in care.
			(c) Disconnect the individual from the child care background check system.
			(5) An individual who requires a comprehensive background check under sections 5n and 5q of the act, MCL 722.115n and 722.115q, shall submit to the department, on a form prescribed by the department, all personally identifiable information necessary to conduct the comprehensive background check, including all of the following: (a) – (s)
			R400.8112b Eligibility determination; individual who resided out of the United States; self-certifying statement.
			An individual who requires an eligibility determination under section 5n of the act, MCL 722.115n, and resided out of the United States within the preceding 5 years, shall also, under section 5n(2) of the act, MCL 722.115n(2), complete, sign and submit, on a form prescribed by the department, a self-certifying statement that the individual does not have any of the disqualifying conditions set forth in sections 5n, 5q, 5r, and 11 of the act, MCL 722.115n, 722.115q, 722.115r, and 722.121.
			R 400.8113 Program director qualifications; responsibilities.
			(1) Before hiring a new program director, the center submits the credentials of the proposed program director to the department for review and approval and a completed BCHS-CC 001 form.
			(2) A program director is present in the center:
			(a) Full time for programs operating less than 6 continuous hours.
			(b) At least 50% of the time children are in care but not less than a total of 6 hours per day for programs operating 6 or more continuous hours.
			(3) All program directors are responsible for the general management of the center, including:
			(a) Developing, implementing, and evaluating center policies and program.
			(b) Administering day-to-day operations.
			(c) Monitoring staff, including an annual evaluation of each staff member.
			(4) If absent from the center, the program director shall designate a child care staff member to be in charge.
			(5) A substitute program director is appointed for a program director who has left employment or has a temporary absence that exceeds 30 consecutive workdays until return or replacement. A substitute program director shall at least meet the qualifications of lead caregiver. The department is notified of a substitute program director.
			(6) All program directors:
			(a) Are at least 21 years of age.
			(b) Have earned a high school diploma or GED.
			(7) Early childhood program directors comply with 1 of (a) through (f).
			(8) School-age program directors comply with 1 of (a) through (g).
			(9) All program directors have at least 2 semester hours or 3.0 CEUs in child care administration or have an administrative
			credential approved by the department. The program director may also use 30 hours of administrative training from MiRegistry to meet these requirements.
			(10) Any potential program director previously employed as an approved and qualified program director is exempt from meeting subrule (9) of this rule.
			(11) An early childhood program director or school age program director employed as a program director for more than 10 years without a break in service is exempt from the requirements in subrules (7) and (9) of this rule.

С	٧	NR	RULES
			(12) A program director is exempt from the requirements of subrule (9) of this rule with verification that all duties required by subrule (3)(a) and (c) of this rule are handled by a central administrator, and the central administrator meets the requirements of subrule (9) of this rule. Verification of the duties and education of the central administrator must be made
			available to the department upon request.  (13) Verification of the education, credentials, and experience of the program director must be kept on file at the center or made available online at MiRegistry.
			(14) A program that has only a before school program or an afterschool program, but not both, serving school-aged children may have a program director that meets the qualifications of a site supervisor, as specified in R 400.8119.
			R 400.8116 Multi-site school-age program director.
			(1) A school-age program director with a bachelor's degree or higher in a child-related field may oversee up to 3 sites:
			(a) Each program routinely operates 6 hours or fewer per day.
			(b) The multi-site school-age program director is available to the site supervisor during all hours of program operation.
			(2) The multi-site school-age program director is at each site a minimum of 1 session per week and maintains written documentation of site visits.
			R 400.8119 Site supervisor qualifications; responsibilities.
			(1) For multi-site school-age programs, with a school-age program director responsible for more than 1 center, a site supervisor is present during all hours of operation.
	_		(2) Site supervisors meet all of the following:
			(a) Is least 19 years of age.
			(b) Has earned a high school diploma, GED, or equivalent.
			(c) Has 480 hours of experience working as a caregiver in a program serving school-age children.
			(d) Has completed 15 clock hours, 1 semester hour, or 1.5 CEUs of documented school-age training.
			(3) Site supervisors are responsible for the daily operation and implementation of the site program, supervision of the site staff, and overall care and supervision of children.
			(4) Site supervisors assist the multi-site school-age program director in:
			(a) Developing, implementing, and evaluating program and center policies.
			(b) Administering day-to-day operations, including being available to address parent, child, and staff issues.
			(c) Monitoring and overseeing staff.
			(5) Verification of the requirements of subrule (2)(c) and (d) are kept on file at the center.
	_		R 400.8122 Lead caregiver qualifications; responsibilities.
			(1) Lead caregivers are required for groups of children preschool age and younger.
_	_	_	(2) One lead caregiver assigned to each group of children:
			(a) Full time for programs operating less than 6 continuous hours.
			(b) At least 6 hours per day for programs operating 6 or more continuous hours.  (3) Lead caregivers:
Ь			(a) Oversee the planning, implementation, and evaluation of the classroom program and child assessment.
			(a) Oversee the planning, implementation, and evaluation of the classroom program and child assessment.  (b) Oversee caregiving staff for a specific group of children and overall care and supervision of children.
	ш	Ш	(4) Lead caregivers:
			(a) Are at least 19 years of age.
			(b) Has a high school diploma or GED.
			(5) Lead caregivers comply with 1 of (a) through (g).
			(6) Lead caregivers qualified under subrule (5), Table 3, row (g) of this rule, have 2 years from date of hire in this position to obtain an additional 6 semester hours, 9 CEUs, or a combination to equal 90 clock hours, or 90 hours from MiRegistry.
			(7) Infant/toddler lead caregivers have 3 semester hours, 4.5 CEUs or 45 hours of MiRegistry approved in infant/toddler development and care practices within 6 months of hire.
			(8) A substitute for a lead caregiver is appointed for a lead caregiver who has left employment or has a temporary absence that exceeds 30 consecutive workdays until return or replacement. A substitute lead caregiver has 90 days to meet the qualifications of a lead caregiver.
			(9) Verification of the education, credentials, and experience of each lead caregiver is kept on file at the center or at MiRegistry.
			R 400.8125 Staff and Volunteers.
			(1) All staff and volunteers provide appropriate care and supervision of children.
			(2) All staff and volunteers shall act in a manner that is conducive to the welfare of children.
			(3) All supervised volunteers shall receive a public sex offender registry (PSOR) clearance before having any contact with a child in care. A copy of this clearance must be kept on file at the center.

С	V	NR	RULES
Ò	Ť		(4) A licensee shall have a written policy regarding screening and supervision of staff and volunteers, including volunteers
			who are parents of a child in care. The policy must include a statement that any individual registered on the public sex offender registry (PSOR) is prohibited from having contact with any child in care.
			(5) A written statement must be signed and dated by staff and volunteers at the time of hiring or before volunteering indicating all of the following information:
			(a) The individual is aware that abuse and neglect of children is against the law.
			(b) The individual has been informed of the center's policies on child abuse and neglect.
			(c) The individual knows that all staff and volunteers are required by law to immediately report suspected abuse and neglect to children's protective services.
			R 400.8128 Health of staff and volunteers.
			Evidence that all staff members and certain volunteers are free from communicable tuberculosis.
			R 400.8131 Professional development requirements.
			(1) Center provides an orientation of the center's policies and practices and the child care administrative rules to all staff hired after the effective date of these rules and before unsupervised contact with children.
			(2) Child care staff members shall have training that includes information about prevention of sudden infant death syndrome and use of safe sleep practices before caring for infants and toddlers.
			(3) Before caring for children, all child care staff members and unsupervised volunteers who work directly with children shall be trained on prevention of shaken baby syndrome, abusive head trauma and child maltreatment, and recognition and reporting of child abuse and neglect.
			(4) Before unsupervised contact with children, all child care staff members who work directly with children shall complete prevention and control of infectious disease training, including immunizations.
			(5) Within 90 days of being hired, or the first day as an unsupervised volunteer, all child care staff members and unsupervised volunteers who work directly with children shall complete the following trainings, which may count toward annual professional development hours and are available at MiRegistry:
			(a) Administration of medication.
			(b) Prevention of and response to emergencies due to food and allergic reactions.
			(c) Building and physical premises safety.
			(d) Emergency preparedness and response planning.
			(e) Handling and storage of hazardous materials and appropriate disposal of bio-contaminants.
			(f) Precautions in transporting children, if applicable.
			(g) Child development.
			(6) All child care staff members who work directly with children shall complete 16 clock hours of professional development annually on topics relevant to job responsibilities that include, but are not limited to, any of the subjects listed in (a) – (h)
			(7) A center may count CPR and first aid training for up to 2 hours of the annual professional development hours in the year taken. Staff may use hours from MiRegistry to meet the professional development requirements in subrule (6) of this rule.
			(8) An on-going professional development plan must be developed and implemented to include all the training and professional development required by these rules.
			(9) On-line trainings and correspondence courses must have an assessment of learning.
			(10) All child care staff members who work directly with children are required to be trained in first aid and pediatric, child, and adult cardiopulmonary resuscitation (CPR) within 90 days of being hired. Prior to issuing a license to operate a child care center, and prior to the renewal of a license, the department shall verify that at least 50% of the child care staff members who work directly with children are currently certified in first aid and pediatric, child, and adult CPR. Each of these child care staff member's first aid and CPR certificates must be valid and retained on file in the center.
			(11) Verification of all professional development required by this rule must be kept on file at the center or online at MiRegistry. Verification must be issued from the training organization or trainer and include the date of the course, the name of the training organization or trainer, the topic covered, and the number of clock hours. Training hours from MiRegistry also meet this rule.
			(12) When the department of licensing and regulatory affairs or the department of education publishes a notice that a new health and safety update document or a new health and safety update training activity has been published on MiRegistry, the licensee shall ensure that all personnel read and acknowledge the document or complete the activity within 6 months of the notice.
			R 400.8134 Hand washing.
			(2) Staff and volunteers wash their hands:
			(a) Prior to starting the workday at the center.
			(b) Prior to care of children.
			(c) Before preparing and serving food and feeding children.
			(d) Before giving medication.
			(e) After each diapering.

С	V	NR	RULES
Ğ	Ť		(f) After using the toilet or helping a child use the toilet.
			(g) After handling bodily fluids.
			(h) After handling animals and pets and cleaning cages.
			(i) After handling garbage.
			(i) When soiled.
			(3) Staff and volunteers assure that children wash their hands:
	П		(a) Before meals, snacks, or food preparation experiences.
			(b) After toileting or diapering.
			(c) After handling animals and pets.
l			(d) When soiled.
	ш		(4) Guidelines for hand washing are posted in food preparation areas, in toilet rooms, and by all hand washing sinks.
	П		(5) Staff may wash children's hands with non-toxic disposable wipes in the following situations:
			(a) When the child is too heavy to hold for hand washing.
			(b) When the child cannot stand safely at the sink.
			(c) When the child is not developmentally ready to hold his or her head.
			(d) When the child has a special need, so the child is not able to wash his or her own hands.
			(6) Hand sanitizers and/or single-use wipes may be used as a temporary measure on outings.
			R 400.8137 Diapering; toileting.
	_	_	(1) Diapering occurs in a designated diapering area that:
			(a) Is physically separated from food preparation and food service.
			(b) Is within close proximity to a sink that is used exclusively for hand washing.
			(c) Has non-absorbent, smooth, easily cleanable surfaces in good repair.
			(d) Is of sturdy construction with railings or barriers to prevent falls.
			(e) Is an elevated diapering table or similar structure.
			(f) Is washed, rinsed, and sanitized after each use.
			(2) Children 1 year of age and older may be changed in a bathroom standing up or on a nonabsorbent, easily sanitized surface with a changing pad between the child and the surface.
			(3) Diapering supplies are within easy reach.
			(4) A plastic-lined, tightly covered container is used exclusively for disposable diapers and diapering supplies and is emptied and sanitized at the end of each day.
			(5) Only single-use disposable wipes or other single-use cleaning cloths are used to clean a child during the diapering or toileting.
			(6) Diapers and training pants are checked frequently and changed when wet or soiled.
			(7) Guidelines for diapering are posted in diapering areas.
			(8) Disposable gloves, if used, are used once for a specific child and be removed and disposed of immediately after each
			diaper change.
_			(9) When cloth diapers or training pants are used:
			<ul> <li>(a) Each cloth diaper is covered with an outer waterproof covering. Outer coverings are removed as a singular unit with wet or soiled diapers/training pants.</li> </ul>
			(b) Diapers, training pants, and outer coverings are not reused until washed and sanitized.
			(c) No rinsing of the contents occur at the center.
			(d) Soiled diapers are placed in a plastic-lined, covered container used only for that child's soiled diapers.
			<ul> <li>(e) Soiled diapers or training pants are stored and handled in a manner that will not contaminate any other child contact items and are not accessible to children.</li> </ul>
			(f) Soiled diapers or training pants are removed from the center every day by the child's parent.
			(g) A child's supply of clean diapers or training pants are only used for that child.
			(10) Toilet learning/training is planned cooperatively between the child's regular caregivers and the parent.
			(11) Equipment used for toilet learning/training is provided. All of the following equipment is acceptable for toilet learning or training:
			(a) Adult-sized toilets with safe and easily cleanable modified toilet seats and step aids.
			(b) Child-sized toilets.
			(c) Non-flushing toilets (potty chairs) are used if they are:
			(i) Made of a material that is easily cleanable.
			(ii) Used only in a bathroom area.
			(iii) Used over a surface that is impervious to moisture.

С	٧	NR	RULES
			(iv) Washed, rinsed, and sanitized after each use.
			R 400.8140 Discipline.
			(1) Positive methods of discipline are used.
			(2) Staff refrain from using prohibited forms of punishment.
			(3) Non-severe and developmentally appropriate discipline or restraint is used only when reasonably necessary.
			(4) A written policy must be developed and implemented regarding the age appropriate, non-severe discipline of children. The policy must be provided to staff and parents.
			R 400.8143 Children's records.
			(1) At the time of the child's initial attendance, a child information card is completed and signed by the parent and is kept on
			file and accessible in the center.  (2) Child information cards are reviewed and updated by parents at least annually and when the center becomes aware of changes.
			(3) At the time of initial attendance, 1 of the following is obtained and kept on file and accessible for children under schoolage:
			(a) A certificate of immunization showing a minimum of 1 dose of each immunizing agent specified by MDHHS.
			(b) A copy of a waiver addressed to MDHHS signed by the parent stating immunizations are not being administered.
			(4) When a child under school-age whose immunizations were not up-to-date at the time of enrollment has been in attendance for 4 months, an updated certificate showing completion of all additional immunization requirements is kept on file unless there is a signed statement by a licensed health care provider stating immunizations are in progress.  (5) Under Public Health Code, immunizations are reported to MDHHS for children enrolled using the method established MDHHS by October 1 of each year.
			(6) Within 30 days of a child's initial attendance, a center shall obtain, keep on file, and make accessible in the center a record of a physical evaluation of the child that notes any restrictions and is signed by a physician or the physician's designee. An electronic record from a physician's office will be accepted. The physical evaluation must be performed within 1 of the following time limits:
			(a) For an infant, within the preceding 3 months.
			(b) For toddlers, within the preceding 6 months.
			(c) For preschoolers, within the preceding 12 months.
			(7) Physical evaluations are updated:
			(a) Yearly for infants and toddlers.
			(b) Every 2 years for preschoolers.
			(8) Upon enrollment and annually thereafter, a center shall obtain and keep on file at the center a signed statement from a school-age child's parent confirming all of the following:
			(a) The child is in good health with activity restrictions noted.
			(b) The child's immunizations are up-to-date.
			(c) The immunization record or appropriate waiver is on file with the child's school.
			(9) A signed statement is completed annually that the child is in good health if a parent objects to a physical examination or medical treatment on religious grounds, and that the parent assumes responsibility for the child's state of health while at the center.
			(10) A center that enrolls a homeless child pursuant to the section 722 of the McKinney-Vento homeless education assistance improvements act of 2001, as amended by section 9102 of the every student succeeds act, 42 USC 11432, shall not be cited for noncompliance when a homeless child is unable to produce health and immunization records. The licensee shall file any documentation of referring a child to the local educational agency liaison for homeless children and youths.
			(11) The center maintains accurate daily attendance records including each child's first and last name and each child's arrival and departure time. Electronic records may be used as long as available to the department when needed.
			(12) Parent's written permission for the child's participation in field trips is obtained at the time of enrollment or before each field trip and kept on file at the center.
			(13) Parents shall be notified before each field trip.
			R 400.8146 Information provided to parents.
	_		(1) A center provides a written information packet that includes:
			(a) Criteria for admission and withdrawal.
			(b) Schedule of operation (hours, days, and holidays).
			(c) Fee policy.
			(d) Discipline policy.
			(e) Food service policy.
			(f) Program philosophy.  (g) Typical daily routine.
<u>'</u>	ш		(9) Typisal daily localitie.

С	٧	NR	RULES
Ğ	Ť		(h) Parent notification plan for accidents, injuries, incidents, illnesses.
			(i) Transportation policy, if applicable.
			(j) Medication policy.
			(k) Exclusion policy for child illnesses.
			(I) Notice of the availability of the center's licensing notebook, including (i) through (iii).
			(n) The website where parents can access these rules is <a href="https://www.michigan.gov/michildcare">www.michigan.gov/michildcare</a> .
			(iii) The website where parents can access these rules is <u>www.micriigan.gov/micriidcare</u> .  (2) Written documentation that the parent received the written information packet is on file.
	Ш	ш	(3) For infants and toddlers, parents receive a written daily record that includes:
	П		
			(a) Food intake; time, type of food, and amount eaten.
			(b) Sleeping patterns; when and how long child slept.
			(c) Elimination patterns, including bowel movements, consistency, and frequency.
			(d) Developmental milestones.
			(e) Changes in the child's usual behaviors.
			(4) Parents of children with special needs receive a written daily record, if requested.
			R 400.8149 Parent permission for transportation.
			(1) Parent's annual written permission is obtained for routine transportation.
			(2) Parent's written permission for non-routine transportation is obtained before each trip.
			(3) Permission for all transportation is on file at the center.
			R 400.8152 Medication; administrative procedures.
			(1) Medication is given by an child care staff member only.
			(2) Medication is given or applied only with prior written permission from a parent.
			(3) All medication is in its original container, stored according to instructions, and clearly labeled for a named child.
			(4) Prescription medication has the pharmacy label indicating the physician's name, child's name, instructions, and name
			and strength of the medication and it is given according to those instructions.
			(5) Medication is kept out of the reach of children and is returned to the child's parent or destroyed when it is no longer needed or it has expired.
			(6) A child care staff member gives or applies any medication according to the directions on the original container unless authorized by a written order of the child's physician.
			(7) Medication is not added to a child's bottle, beverage, or food unless indicated on the prescription label.
			(8) Topical nonprescription medication requires written parental authorization annually.
			(9) The center maintains a record as to the time and the amount of medication given or applied, except for subrule (8). One
			form per medication is required. The staff member signature is required.
			R 400.8155 Child accidents and incidents; child and staff illness.
			(1) A plan for when and how parents will be notified when personnel observes changes in the child's health, a child
			experiences accidents, injuries, or incidents, or when a child is too ill to remain in the group is developed.
ᄖ			(2) A child too ill to remain in the group is placed in a separate area and is cared for and supervised until the parent arrives.
			(3) Items and facilities used by an ill child or adult are not used until washed, rinsed, and sanitized.
			(4) Parents are notified of (a) – (c) if a staff member, volunteer, or child in care has contracted a communicable disease.
			(5) A policy detailing when children, staff, and volunteers will be excluded is developed.
_	_		R 400.8158 Incident, accident, injury, illness, death, fire reporting.
			(1) In the event of the death of a child in care, a licensee, designee or program director shall (a) immediately report to the parent, (b) report to the department within 24 hours via phone.
			(2) A licensee, designee or program director shall report to child's parent and the department within 24 hours of the occurrence of the following:
			(a) A child is lost or left unsupervised.
			(b) An incident involving an allegation of inappropriate contact.
			(c) A fire on the premises of the center that requires the use of fire suppression equipment or results in loss of life or property.
			(d) The center is evacuated for any reason.
			(3) A licensee, designee or program director shall report to the department within 24 hours of notification by a parent that a
	_	_	child received medical treatment or was hospitalized for an injury, accident, or medical condition that occurred while in
	_	_	care.
			(4) A written report is submitted to the department within 72 hours of the verbal report.
			(5) A copy of the written report is on file.

С	٧	NR	RULES
			R 400.8161 Emergency procedures.
			(1) Written procedures for each of the following emergencies:
			(a) Fire.
			(b) Tornado.
			(c) Other natural or man-made disasters.
			(d) Serious accident/illness/injury.
			<ul><li>(e) Crisis management including, but not limited to, intruders, active shooters, bomb threats, and other man-made events.</li></ul>
			(2) The written procedures include:
			(a) A plan for evacuating
			(b) A plan for safely moving children to a relocation site.
			(c) A plan for shelter in place.
			(d) A plan for lockdown.
			(e) A method for contacting parents and reuniting families.
			(f) A plan for how each child with special needs will be accommodated during each type of emergency.
			(g) A plan for how infants and toddlers will be accommodated during each type of emergency.
			(h) A plan for how children with chronic medical conditions will be accommodated during each type of emergency.
			(3) The plans required by subrule (1)(a) to (d) are posted in a place visible to staff and parents.
			(4) The crisis management plan is maintained in a place known and easily accessible to staff.
			(5) A fire drill program consisting of at least 1 fire drill quarterly is established and implemented.
			(6) A tornado drill program consisting of at least 2 tornado drills between the months of March through November is established and implemented.
			(7) A written log indicating the date and time of fire and tornado drills is kept on file at the center.
			(8) Each staff member is trained at least twice a year on his or her duties and responsibilities for all emergency procedures.
			(9) If cribs are used in emergency evacuations, then all doors within the means of egress are wide enough to readily
			accommodate the crib evacuation.
			R 400.8164 Telephone service.
			(1) An operable phone is available, operable, and accessible in the building during the hours of operation.
			(2) During the hours the center is in operation, the center provides a telephone number to parents and the public to provide immediate access to the center.
			(3) Emergency telephone numbers, including 911, fire, police, and the poison control center, and the facility's physical address and 2 main cross streets, are conspicuously posted in a place visible to staff.
			R 400.8167 Indoor space.
			(1) The required square footage of indoor space per child is:
			(a) Fifty square feet for infants and toddlers.
			(b) Thirty-five square feet for preschoolers and school-agers.
			(2) The following indoor space is excluded:
			(a) Hallways.
			(b) Bathrooms.
			(c) Reception and office areas.
			(d) Kitchens.
			(e) Storage areas and cloakrooms.
			(f) Areas used exclusively for resting, sleeping, or eating, except for infants and toddlers.
			(3) A center provides a floor plan of all child use areas to the department at initial licensure and before making structural changes or adding any child use space. Only space that has received prior approval for child use by the department may be used for child care.
			R 400.8170 Outdoor play area.
			(3) A center with children in attendance for 3 or more continuous hours per day provides daily outdoor play.
			(4) A center with children in attendance for 3 or more continuous hours a day has an outdoor play area that has at least 1,200 square feet.
			(5) If outdoor space is not available adjacent to the center, a park or other outdoor facility may be used.
			(a) The area is easily accessible by a safe walking route.
			(b) The play area is inspected before each use to ensure that no hazards are present.
			(c) The location of the alternative outdoor play area is specified in writing to the department.
	_	_	(3) is also and another states play area to opening in what to the department.

С	٧	NR	RULES
			(6) There is a shaded area to protect children from excessive sun exposure, when necessary.
			(7) The outdoor play area is in a safe location.
			(8) The outdoor play area is protected from hazards, when necessary, by a fence or natural barrier that is at least 48 inches in height.
			(9) Children only use age-appropriate equipment.
			(10) An outdoor play area and any equipment located on the center's premises is maintained in a safe condition and inspected daily before use to ensure that no hazards are present.
			(11) The playground equipment, use zones, and surfacing in the outdoor play area are inspected by a certified playground safety inspector. The inspection is kept on file.
			(12) School-age centers operating in school buildings approved by MDE are exempt from subrule (11) of this rule, provided the licensee informs parents, in writing at the time of enrollment, if the center plans to use a public school's outdoor play area and equipment that does not comply with this rule.
			(13) All pieces of playground equipment that have an elevated playing or climbing surface, regardless of the height of the playing or climbing surface, must be surrounded by a shock absorbing surface and meet the guidelines defined by the Consumer Product Safety Commission (CPSC) Handbook for Public Playground Safety, which is available at no cost at www.cpsc.gov.
			(14) Shock-absorbing surfacing materials are not required for equipment that requires a child to be standing or sitting on the ground during play.
			(15) Loose-fill surfacing material is not installed over concrete or asphalt.
			(16) The depth of the loose-fill surface material is restored to its required depth when moved or becomes otherwise compromised.
			(17) A suitable surface is provided for wheeled vehicles and pull toys.
			(18) Materials used on a natural playground are not in the use zones for other playground equipment.
			(19) The elevated playing surface of materials used on a natural playground do not exceed 30 inches.
			(20) Materials used on a natural playground with elevated playing surfaces are not installed over concrete or asphalt.
			(21) Surfacing materials are not required on a natural playground.
			R 400.8173 Equipment.
			(1) Center does not use equipment, materials, and furnishings recalled or identified being hazardous by the CPSC.
			(2) The current list of unsafe children's products is conspicuously posted in the center.
			(3) Materials that have a warning label indicating they are toxic for children, or to keep out of reach of children, must not be used by children.
			(4) Play equipment, materials, and furniture are:
			(a) Appropriate to the developmental needs and interests of children.
			(b) Safe, clean, and in good repair.
			(c) Child-sized or appropriately adapted for a child's use.
lΞ			(d) Easily accessible to the children.
			(5) Sufficient materials and equipment are available to provide a minimum of 3 play spaces per child in the licensed capacity.
			(6) A minimum of 2 play spaces are accessible per child in attendance on any given day during child-initiated activity time.
			(7) Children have access to equipment and materials in the following areas on a daily basis:
			(a) Large and small muscle activity.
			(b) Sensory exploration.
			(c) Social interaction and dramatic play.
			(d) Discovery and exploration.
			(e) Early math and science experiences.
			(f) Creative experiences through art, music, and literature.
			(8) A current and accurate equipment inventory is provided before issuance of the original provisional license and at each renewal.
			(9) A first aid kit is readily accessible to staff and securely stored in the center.
			(10) A rocking chair or other comfortable, adult-sized seating is provided for 50% of the caregiving staff on duty who are
			providing infant and toddler care.  (11) Trampolines and bounce houses are not used by children in care.
			R 400.8176 Sleeping equipment.  (1) All bedding and sleeping equipment are appropriate for the child; are clean, comfortable, and safe; and in good repair.
			(1) An bedding and sleeping equipment are appropriate for the child, are clean, comortable, and sale, and in good repair.  (2) Heavy objects that could fall on a child, such as shelving and televisions, must not be above sleeping equipment.
			(3) A crib or porta-crib is provided for all infants in care.
	_	_	1 (0)

С	٧	NR	RULES
			(4) A crib, porta-crib, cot, or mat and a sheet or blanket of appropriate size is provided for all toddlers and preschoolers
			under 3 years of age in care.
			(5) A cot or a mat and a sheet or blanket of appropriate size is provided:
			(a) For all preschoolers 3 years of age and older in care for 5 or more continuous hours.
			(b) For any child in care who regularly naps.
			(c) Upon a parent's request for any child in care.
			(6) Car seats, infant seats, swings, bassinets, and playyards are not approved sleeping equipment.
			(7) Documentation from the child's health care provider is required if a child has a health issue or special need that requires the child to sleep in something other than a crib or porta-crib for infants or toddlers, or cot or mat for toddlers. The documentation must include specific sleeping instructions and time frames for how long the child needs to sleep in this manner, including an end date.
			(8) Swaddling with a sleep sack swaddle attachment or swaddle wrap is allowed only for infants up to 2 months of age. If a child has a health issue or special need that requires the child use a swaddle attachment or swaddle wrap after the child is 2 months of age, documentation from the health provider is required. The documentation must include specific sleeping instructions and time frames for how long the child needs to sleep in this manner, including an end date.
			(9) A center shall not use stacking cribs.
			(10) Cribs and porta-cribs comply with standards issued by the CPSC.
			(11) A crib or porta-crib has a firm, tight-fitting waterproof mattress.
			(12) A tightly fitted bottom sheet covers the crib or porta-crib mattress with no additional padding placed between the sheet
	_	_	and mattress.
			(13) Soft objects, bumper pads, stuffed toys, blankets, quilts, comforters, and other objects that could smother a child are not placed in or within reach of a crib or porta-crib with a resting or sleeping infant.
			(14) Blankets are not draped over cribs or porta-cribs when in use.
			(15) Cots and mats are constructed of a fabric or plastic which is easily cleanable.
			(16) All sleeping equipment and bedding is washed, rinsed, and sanitized when soiled, between uses by different children, and at least once a week regardless of use by different children.
			(17) When sleeping equipment and bedding are stored:
			(a) Sleeping surfaces do not come in contact with other sleeping surfaces.
			(b) Bedding does not come in contact with other bedding.
			(18) All occupied cribs, porta-cribs, cots, and mats placed so that there is a free and direct means of egress and spaced, as follows:
			(a) Cribs and porta-cribs at least 2 feet apart. Cribs or porta-cribs with solid-panel ends may be placed end-to-end.
			(b) Cots and mats at least 18 inches apart.
			R 400.8179 Program.
			(2) A center implements a program plan that includes daily learning experiences designed to develop:
			(a) Physical development.
			(b) Social development.
			(c) Emotional development.
			(d) Cognitive development.
_	_	_	(3) The program provides a flexible balance of experiences:
			(a) Quiet and active.
			(b) Individual and groups.
			(c) Large and small muscle.
			(d) Child initiated and staff initiated.
	ш	ш	(4) Developmentally appropriate experiences are designed so that throughout the day each child has opportunities to:
			(a) Practice social interaction skills.
			(b) Use materials and takes part in activities which encourage creativity.
			(c) Learn new ideas and skills.
			(d) Participate in imaginative play.
			(e) Participate in imaginative play.  (e) Participate in developmentally appropriate language and literacy experiences.
			(f) Participate in early math and science experiences.
			(g) Be physically active.
			(5) School-age programs supplement the areas of development not regularly provided for during the school day.
			(6) A typical daily routine is posted in a place visible to parents.
			(7) When awake, use of confining equipment for infants is minimized, not to exceed 30 minutes at a time.

	.,		DIU 50
С	V	NR	RULES
			(8) Tummy time is required daily for all infants under 12 months of age, and must meet all of the following requirements:
			(a) Infants shall be directly supervised at all times while engaged in tummy time.
			(b) Infants shall be healthy, awake, and alert during tummy time. If an infant falls asleep, the infant must be
			immediately moved to a safe sleeping space.
			(c) During tummy time, infants shall not be placed on or near soft surfaces, including but not limited to cushions,
			pillows, or padded mats.
			(d) A parent may request in writing an exemption for their infant from tummy time. The request must be kept in the
	_	_	child's file.
			(9) Use of media is prohibited for children under 2 years of age.
	_	_	(10) When media are used with children 2 years of age and older:
			(a) Activities are developmentally appropriate.
			(b) Interactive media is used to support learning and to expand children's access to content and is suitable to the age
_	_	_	of the child in terms of content and length of use per session.
╽╙		Ш	(c) Media with violent or adult content are prohibited.
			(d) Use of non-interactive media does not exceed 2 hours per week per child.
			(e) When media are available for children's use, other activities are available.
			(11) An exception to the requirements of subrule (9)(d) may be made:
			(a) For school-age children using computers and any other electronic devices for academic and educational purposes.
			(b) For children using assistive and adaptive technology.
		_	
			(12) For children with special needs, care is provided according to the child's needs as identified by parents, medical
_	_	_	personnel, and/or other relevant professionals.
			(13) Parents may visit the center during hours of operation for the purpose of observing their children.
			R 400.8182 Ratio and group size requirements.
			(1) At least 2 adults, 1 of whom is a child care staff member, are present when at least 3 children between the ages of birth
			and 3 years of age are present.
			(2) At least 2 adults, 1 of whom is a child care staff member, are present at all times when 7 or more children over 3 years
		_	of age are present.
			(3) In each room or well-defined space, the maximum group size and ratio of child care staff members to children, including
			children related to a staff member or the licensee, are the following:
			(a) Birth until 30 months – 1:4, group size 12.
			(b) 30 months until 3 years – 1:8, group size 16.
			(c) 3 years until 4 years – 1:10, no maximum group size.
			(d) 4 years until school age – 1:12, no maximum group size.
			(e) School agers – 1:18, no maximum group size.
			(4) Children who have reached 33 months of age may, when developmentally appropriate, be enrolled in a 3-year-old
			classroom with written parental permission.
			(5) Children who have reached 45 months of age may, when developmentally appropriate, be enrolled in a 4-year-old
			classroom with written parental permission.
			(6) Children who have reached 57 months of age but who are not considered a school-ager under R 400.8101(b)(iv) may,
			when developmentally appropriate, be enrolled in a school-age classroom with written parental permission.
			(7) If there are children of mixed ages in the same room or well-defined space, then the ratio and group size shall be
			determined by the age of the youngest child.
			(8) An exception to the requirements of subrule (3) may be made when the center is transporting children.
		_	R 400.8185 Primary care.
Ш			(2) The center has implemented a primary care system so that each infant and toddler has a primary caregiver.
			(3) Each infant and toddler does not have more than 4 primary caregivers in a week. For centers operating less than 24
			hours a day, an exception may occur during the first hour after the center opens and the hour before closing.
			(4) Information regarding a child's food, health, and temperament is shared daily between caregivers when more than 1
			primary caregiver is assigned to any infant or toddler.
			(5) Primary caregiving assignments are documented and provided to parents.
			(6) An exception to primary caregiving may be made when the center is transporting children.
_			R 400.8188 Sleeping, resting, and supervision.
			(1) Children under 3 years of age are provided opportunities to rest regardless of the number of hours in care.
			(2) The center permits children under 18 months of age to sleep on demand.
			(3) Infants rest or sleep alone in cribs or porta-cribs.
			(4) Infants are placed on their backs for resting and sleeping.
•			

С	٧	NR	RULES
			(5) Infants unable to roll from their stomachs to their backs and from their backs to their stomachs are placed on their backs when found face down.
			(6) When infants can easily turn over from their stomachs to their backs and from their backs to their stomachs, they are initially placed on their backs, but are allowed to adopt whatever position they prefer for sleep.
			(7) For an infant who cannot rest or sleep on her or his back due to disability or illness, written instructions, signed by the infant's licensed health care provider, detailing an alternative safe sleep position and/or other special sleeping arrangements are followed and on file.
			(8) A sleeping infant's breathing, sleep position, and bedding are monitored frequently for possible signs of distress.
			(9) An infant's head remains uncovered during sleep.
			(10) Toddlers rest or sleep alone in cribs, porta-cribs, or on mats or cots.
			(11) Infants and toddlers who fall asleep in a space that is not approved for sleeping are moved to approved sleep equipment appropriate for their age and size.
			(12) Naptime or quiet time is provided when children under school-age are in attendance 5 or more continuous hours per day.
			(13) For children under school age who do not sleep at rest time, quiet activities must be provided such as reading books or putting puzzles together.
			(14) Resting or sleeping areas have adequate soft lighting to allow the caregiver to assess children.
			(15) Video surveillance equipment and baby monitors are not used in place of subrule (8) and R 400.8125(1).
			R 400.8191 Nighttime care.
			(1) If a child is in care between the hours of 11 p.m. and 6 a.m., a separate area away from sleeping children where the child can engage in quiet activities is available.
			(2) If a child is in care for more than 1 hour between the hours of 11 p.m. and 6 a.m., a bed and mattress, with a waterproof covering, of a size appropriate to the age of each child are available.
			Child Care Organizations Act (1973 PA 116) 722.115e
			(1) A child care center licensee, licensee designee, or program director shall report to the department within 3 business days after he or she has been arraigned for or convicted of a crime listed in 722.115r.
			(2) A child care staff member or unsupervised volunteer shall report to the center when they are arraigned or convicted or a crime listed in <u>722.115r</u> .
			(3) A child care licensee, licensee designee, or program director shall report to the department within 3 business days of being notified of an arraignment or conviction of a staff member.

## **NOTES:**

## Instructions for use:

Use to make notes and observations during the inspection.

**<u>Verbally</u>** discuss cited rule violations with the licensee/designee at the exit conference.

Discard once this information has been included in the appropriate report.

LARA is an equal opportunity employer/program.