



Child Care Center Licensing Manual

(August 2016)

for use with

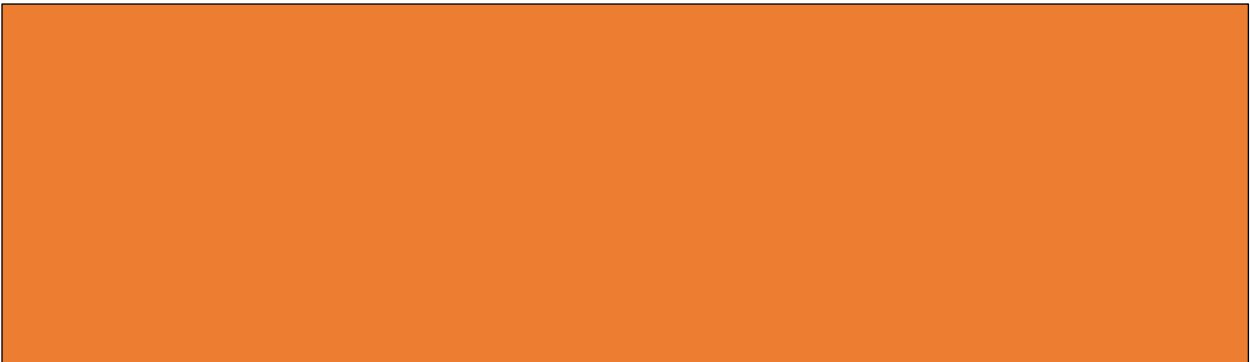
COMAR 13A.16. Child Care Centers

(as amended effective 7/20/15)

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.01 Schedule of Daily Activities for All Children.

A. The operator shall prepare, post, and follow a written schedule of daily activities and offer activities that:

- (1) **Promote the sound emotional, social, intellectual, and physical growth of each child;**
- (2) **Are appropriate to the age, needs, and capabilities of the individual child;**
- (3) **Include opportunities for individual and group participation;**
- (4) **Include a balance between self-selected and staff-directed activities;**
- (5) **Include a balance between active and quiet periods;**
- (6) **Include periods of rest appropriate to the age, needs, and activities of the child; and**
- (7) **Include outdoor play in the morning and afternoon except that outdoor play need not be included:**
 - (a) **When the weather is inclement; or**
 - (b) **In a before-school program.**

***INTENT:** For each care day, the center must have a written schedule that provides activities that meet each child's individual and developmental needs while also allowing the child to engage in spontaneous activities and relationships.*

***INSPECTION REPORT ITEM:** "Schedule of Daily Activities"*

COMPLIANCE CRITERIA:

- *A written daily activity schedule is posted in each room or group.*
- *The schedule includes time periods for activities that:*
 - *Promote social, intellectual, emotional, and physical growth (see details below under Notes),*
 - *Provide activity choice and activity balance (see details below under Notes), and*
 - *Unless precluded by bad weather, include twice-daily outdoor periods.*

ASSESSMENT METHOD:

Observe to determine if:

- *A current, written activity schedule is posted, and*
- *The schedule includes time periods for activities that meet the compliance criteria listed above.*

Notes:

- *Each child develops at his or her own pace; however, there are general developmental characteristics that children typically demonstrate at certain age levels. See "**Developmental Characteristics**", for information about these age*

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levels, and for some suggestions regarding toys and equipment appropriate to each age grouping.

- A resource of activities designed to promote child development is included. See **“Suggested Daily Activities”**.
- It is the responsibility of the parents to make sure their children have proper clothing. However, it is the operator's responsibility to ensure the health, safety, and welfare of each child at all times while the child is in care. This responsibility includes ensuring the child's physical comfort with respect to temperature and activity. Although the center is not required to furnish clothing items to children in care, the operator is encouraged to keep a variety of spare clothing items on hand in case children's clothes get wet or soiled. If a child arrives at the center without proper or adequate clothing, the Director should:
 - Arrange some alternate activity until the child has obtained the proper clothing,
 - Discuss the matter of proper clothing with the child's parent at the earliest opportunity, and
 - Consider specifying clothing responsibilities in the service contract or agreement the center has with the child's parent.

B. A before-school and after-school program schedule of activities shall take into consideration that the child has attended an instructional program during regular school hours.

INTENT: Because an instructional program includes activities intended to address a child's need for intellectual growth and stimulation, a before-school and after-school program may be permitted flexibility with respect to these areas of activity programming. The activities provided should complement the instructional day by primarily providing opportunities geared to the children's social, emotional, and physical needs.

C. Screen Time Activities.

- (1) **Definitions. In this section, the following terms have the meanings indicated:**
 - (a) **“Interactive technology” means educational and age-appropriate technology, including programs, applications (apps), noncommercial television programming, videos, streaming media, and ebooks that is designed to:**
 - (i) **Facilitate active and creative use of technology; and**
 - (ii) **Encourage social engagement with other children and adults.**
 - (b) **“Passive technology” means noninteractive television, videos, and streaming media.**
- (2) **Limited use of appropriate interactive technology may support, but may not replace, creative play, physical activity, hands-on exploration, outdoor experiences, social interactions, and other developmentally appropriate learning activities for children 2 years old or older.**

- (3) **Viewing Restrictions.** Except as set forth in §C(4) of this regulation, a child in attendance who is:
 - (a) **Younger than 2 years old may not be permitted to view any passive technology; and**
 - (b) **2 years old or older may not be permitted to view more than 30 minutes of age-appropriate, educational passive technology per week.**
- (4) **Exceptions.**
 - (a) **An occasional exception to the weekly passive technology viewing limit set forth in §C(3) of this regulation may be made for a special event or project, including a holiday or birthday celebration, or for educational content that is related to the child care home's curriculum.**
 - (b) **If an exception to the weekly passive technology viewing limit is made, a written record of the exception shall be made and retained on file that documents the:**
 - (i) **Nature and duration of the programming viewed; and**
 - (ii) **Reason for the exception.**
- (5) **No child may be permitted to view any:**
 - **Passive or interactive technology during a meal or a snack; or**
 - **Media with brand placement or advertising for unhealthy or sugary food or beverages.**
- (6) **The provider shall give the parent of each enrolled child a written screen time policy that addresses the use of passive and interactive technology during child care hours.**

***INTENT:** Screen time is limited because it is important for infants and young children to:*

- *Have positive interactions with people and not sit in front of a screen that takes time away from social interaction with caregivers/teachers;*
- *Participate in activities that promote brain development such as talking, playing, singing, and reading together; and*
- *Participate in creative play, physical activity, hands-on exploration, outdoor experiences, social interactions, and other developmentally appropriate learning activities.*

***INSPECTION REPORT ITEM:** "Screen Time Activities"*

COMPLIANCE CRITERIA:

- *Children younger than 2 years old are not permitted to view any passive technology;*
- *Children 2 years old or older are not permitted to view more than 30 minutes of age-appropriate, educational passive technology per week;*

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- *No child is permitted to view any passive or interactive technology during a meal or a snack;*
- *No child is permitted to view media with brand placement or advertising for unhealthy or sugary food or beverages;*
- *If an exception to the weekly passive technology viewing limit is made, a written record of the exception is on file; and*
- *The parent of each enrolled child received a written screen time policy that addresses the use of passive and interactive technology during child care hours.*

ASSESSMENT METHOD:

- *Observe to determine if a current, written activity schedule is posted, and*
- *The schedule include screen time periods that meet the compliance criteria listed above.*
- *Check provider file for written exceptions to screen time for special events or projects;*
- *Ask the Director to produce the center's written screen time policy that addresses the use of passive and interactive technology during child care hours, and show evidence that the parents (of each child enrolled) received the screen time policy.*

Notes:

- *See "**Developmental Characteristics**", for information, and for some suggestions regarding toys and equipment appropriate to various age groups.*
- *A resource of activities designed to promote child development is included. See "**Suggested Daily Activities**"*

.02 Activity Plans for Infants and Toddlers.

- A. An operator shall assign one staff member primary responsibility for each infant or toddler in care during each staff shift.**

INTENT: During a given work shift, each infant and each toddler in attendance must have a specified staff member designated as the infant's or toddler's primary caregiver.

INSPECTION REPORT ITEM: "Activity Plans for Infants and Toddlers"

COMPLIANCE CRITERIA: During each work shift, a primary staff member is assigned to each infant and each toddler present during that work shift.

*ASSESSMENT METHOD: For each infant and each toddler in care, review the infant's and toddler's current activity plan to identify the primary staff member assigned to each infant and each toddler. Review the current "**Staffing Pattern**" form, OCC 1206, to determine if that person is assigned to the infant's or toddler's group.*

B. Upon enrollment of an infant or toddler, the operator shall arrange for the director or senior staff, in consultation with the parent of the child, to prepare a written individualized activity plan for the child that:

- (1) **Addresses the child's normal pattern of activities, sleeping, and eating;**
- (2) **Is consistent with the child's needs and capabilities;**
- (3) **Identifies the staff member who is assigned primary responsibility for the care of the child during each staff shift;**
- (4) **Ensures that the child is:**
 - (a) **Held, played with, and talked to;**
 - (b) **Except when sleeping, given opportunities to sit, crawl, toddle, or walk outside the infant's crib or playpen;**
 - (c) **Except in inclement weather, taken outdoors daily; and**
 - (d) **Diapered as needed and in accordance with the approved diapering procedure.**

INTENT: When an infant or toddler is enrolled in care, the operator must ensure that a written individualized activity plan for the infant or toddler is developed jointly by the infant's or toddler's parent and a qualified staff member. This plan must address in detail what the infant's or toddler's individual needs are and how they will be met. This plan must also identify the qualified staff member who will have responsibility during each work shift for implementing the plan and ensuring that the infant or toddler receives appropriate care.

INSPECTION REPORT ITEM: "Activity Plans for Infants and Toddlers"

COMPLIANCE CRITERIA:

- *For each infant and toddler enrolled in care, there is a written individualized activity plan that was jointly developed by qualified staff and the parent at the time of the infant's or toddler's admission to care.*
- *The written plan details:*
 - *The infant's or toddler's normal eating, sleeping, and other activity patterns and specifies how the facility will accommodate those patterns;*
 - *How the infant or toddler will receive consistent and appropriate stimulation;*
 - *Diapering; and*
 - *Assignment per shift of a qualified primary caregiver.*

ASSESSMENT METHOD: *Review each infant's and each toddler's record to determine if a written plan is present and if it meets the compliance criteria.*

C. For an infant or toddler, the written activity plan required at the time of the child's admission to care shall be:

- (1) **Posted for reference in the space used by the child's group;**
- (2) **Implemented by each staff member having responsibility for care of the child;**

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- (3) **Modified in consultation with the child's parent as necessitated by the child's developmental needs; and**
- (4) **Reevaluated at least every 3 months.**

INTENT: The activity plan of each infant or toddler must be available for reference in the infant's or toddler's care area; routinely used as the basis for the infant's or toddler's care; reviewed and updated at least every 3 months; and modified at other times as necessary in consultation with the infant's or toddler's parent.

INSPECTION REPORT ITEM: "Activity Plans for Infants and Toddlers"

COMPLIANCE CRITERIA: Each infant's and each toddler's activity plan is:

- *Posted in the each infant's and each toddler's care area;*
- *Used as the basis for care each day the infant and toddler is present;*
- *Current to within the last 3 months; and*
- *Re-evaluated at least every 3 months and modified as needed jointly with the parent.*

ASSESSMENT METHOD:

- *Observe to determine if and where each infant's and each toddler's activity plan is posted.*
- *Review each infant's and each toddler's plan for evidence of re-evaluation conducted at least every 3 months, for modifications as needed, and for evidence of the parent's participation in these reviews.*
- *Observe each infant's and each toddler's actual care activities to determine if they are consistent with the current activity plan. If necessary, identify and interview the infant's and the toddler's designated primary caregiver to obtain additional information in this regard.*

Notes: The needs of infants and toddlers may change rapidly and frequently, and center staff members are expected to be alert to these changes. While a pre-planned individual activity schedule is necessary and appropriate, the center must be flexible and prepared to revise the plan, in consultation with the parent, according to observed changes in the infant's and the toddler's behavior and needs.

.03 Activity Materials, Equipment, and Furnishings.

- A. For indoor and outdoor activities, an operator shall provide to each group of children in care a sufficient quantity and variety of activity materials, equipment, and furnishings according to the numbers, ages, and developmental needs of the children.**

INTENT: There must be enough appropriate indoor and outdoor activity-related items to accommodate all of the children in each activity group.

INSPECTION REPORT ITEM: “Activity Materials, Equipment, and Furnishings”

COMPLIANCE CRITERIA: In each activity group, there are enough age-appropriate activity-related items to allow each child in the group to participate fully and successfully in the activity.

ASSESSMENT METHOD: Observe each activity group to determine the sufficiency and age-appropriateness of activity-related items available to the group.

B. Activity materials and equipment shall be:

(1) Provided for:

- (a) Vigorous play;**
- (b) Creative and dramatic play;**
- (c) Socialization;**
- (d) Manipulation, including construction materials;**
- (e) Exploration of art, music, language arts, and science; and**
- (f) Individual pursuits;**

(2) Appropriate to each child's individual development of cognitive, social, emotional, and fine and gross motor skills;

INTENT: Activity materials must be available to encourage and stimulate child growth in physical, cognitive, emotional, and social domains.

INSPECTION REPORT ITEM: “Activity Materials, Equipment, and Furnishings”

COMPLIANCE CRITERIA: Available materials are suited to the activity areas specified in this regulation.

ASSESSMENT METHOD: Observe the activity materials available to each group to determine if they are suited to the listed activity areas.

*Note: See “**Program Requirements – Curriculum Easy as ABC, 123**”.*

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- (3) **Easily accessible to each child for whose use they are intended; and**
(4) **In good repair, clean, nontoxic, and free from hazards including lead paint.**

INTENT: Each activity material or equipment item used by a child must be safe, clean, fully operational, and developmentally appropriate for that child.

INSPECTION REPORT ITEM: “Activity Materials, Equipment, and Furnishings”

COMPLIANCE CRITERIA: Each activity and equipment item is safe, suitable, clean, and in proper working condition.

ASSESSMENT METHOD:

- *Observe the condition of activity and equipment items.*
- *If items have manufacturer labels, check these labels to determine if any item contains lead, lead paint, or another toxic substance.*

Note:

- *Hazards commonly found in activity materials and equipment include, but are not limited to:*
 - *Sharp, pointed, or serrated edges*
 - *Splinters*
 - *Protruding nails, screws, bolts, boards, etc.*
 - *Choking hazards such as small removable pieces*
 - *Strings, cords, and hooks that can catch on a child’s clothing or hair*
- *Some materials and equipment in Montessori programs may appear to be hazardous, but are an important part of the Montessori curriculum.*

- C. In reviewing materials and equipment in before-school and after-school programs, the office shall take into consideration that the child has attended an instructional program during regular school hours.**

INTENT: Because an instructional program addresses a child's need for growth and stimulation across all major developmental domains, a before-school and after-school program may be permitted more flexibility in the range of equipment and activity materials it makes available.

- D. Furnishings used by a child shall be scaled in proportion to the child's size.**
E. The operator shall provide multipurpose tables and chairs for children who are 2 years old or older.

INTENT for D. and E. above: Furnishings intended for use by children must be sized according to those children so that they can use the furnishings without assistance or risk

of injury. At a minimum, the center must maintain suitable, age-appropriate, and appropriately-sized furniture for sitting, participating in tabletop activities, and resting or sleeping.

INSPECTION REPORT ITEM: “Activity Materials, Equipment, and Furnishings”

COMPLIANCE CRITERIA:

- Each child can easily and successfully access all furnishings used in his/her activities.
- Multipurpose tables and chairs are present in the indoor activity area.

ASSESSMENT METHOD: Observe the number, type, and location of activity furnishings to determine if they meet the above compliance criteria.

Note: For each child, there must be table space and an appropriately sized chair so that the child can sit to play and eat in a comfortable position: knees should not bump the table apron; feet should touch the floor; and chin should not be close to the table top.

.04 Rest Furnishings.

A. There shall be:

- (1) A suitable cot or mat for each child 12 months old to 5 years old present in the center for more than 4 hours, and for children 5 years old or older who regularly take rest periods in the center;
- (2) A suitable bed for each child who is 12 months old or older and who is present in the center during those hours which are usual nighttime sleep hours for that child;
- (3) An adequate supply of clean bedding provided for each child who takes rest periods at the center; and
- (4) A crib with a snugly fitting mattress, moisture-proof mattress covering, and tight fitting sheet for each child in the center who is:
 - (a) Younger than 12 months old; or
 - (b) An infant 12 months old or older or a toddler, if the child's parent requests a crib.

B. When in use, all cots, mats, and beds shall be appropriately spaced to facilitate safe movement and evacuation of staff and children.

C. Each crib shall meet the standards of the U.S. Consumer Product Safety Commission.

D. Stackable cribs may not be used.

E. Each crib in use shall be placed so that:

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- (1) **It presents at least one long side without a wall, plexiglass panel, or other solid barrier;**
- (2) **Unless separated from an adjacent crib by a solid barrier, it does not rest against the other crib; and**
- (3) **There is a space of at least 3 feet if placed side-to-side and 18 inches if placed end-to-end between two adjacent cribs that are not separated by a solid barrier.**

INTENT: All rest furnishings used by children in care must be safe and age-appropriate. Cribs must meet national safety standards and must be placed so as to allow easy access to, and prompt evacuation of their occupants in the event of an emergency.

INSPECTION REPORT ITEM: “Rest Furnishings”

COMPLIANCE CRITERIA:

- *For each child younger than 12-months-old approved for care, there is a crib that meets Consumer Product Safety Commission (CPSC) standards (see bulleted item under Notes below regarding presence of cribs, etc.).*
- *For each child 12-months-old or older whose parent has requested a crib, a crib is available.*
- *Suitably sized rest furniture is available as required.*
- *Adequate clean bedding is available to each child who takes rest periods.*
- *All rest furniture is spaced to facilitate safe and prompt evacuation.*

ASSESSMENT METHOD:

- *Observe to determine the number, type, and safety of rest equipment items that are present for enrolled children who are 12-months-old or younger.*

Notes:

- *Either an individually labeled cot/bed/mat is provided for each child 12-months-old or older for whom rest is required, or if cots/beds/mats are used by different children, they are cleaned by an OCC-approved method between uses.*
- *“Bedding” means a washable cover on the cot/bed/mat and other covers as needed for warmth and comfort. Bedding may be provided by the facility or by parents. Bedding should be laundered at least weekly, or more often if necessary.*

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- *Double-decker bunk beds may not be used as rest furniture.*
- *To help ensure adequate ventilation and reduce the potential for transmission of disease, it is recommended that there be at least 3 feet between each cot/bed/mat, or at least 18 inches apart if children's napping positions are alternately head to foot.*
- *If the center is approved to care for children under 12-months-old, but the current enrollment of that age-group is below the total approved capacity, OCC licensing staff still need to verify that the required number of cribs are present in the center and available for use, and that they meet Consumer Product Safety Commission (CPSC) standards.*
- *Drop-side cribs may no longer be used.*
- *To help make sure that cribs used in the center are safe, refer to "**Crib Safety Tips**,"*
- *A CPSC resource guide, "**Child Care Providers – Your Guide to New Crib Standards**", is included for reference.*
- *More safety information concerning specific types of cribs is available online at the CPSC website (www.cpsc.gov).*

F. Soft bedding items, including but not limited to pillows, quilts, comforters, and crib bumpers, may not be used as rest furnishings for a child using a crib.

INTENT: When used with very young children, soft bedding items pose a potential suffocation hazard and have been linked to the incidence of Sudden Infant Death Syndrome (SIDS); therefore, they are not permitted.

INSPECTION REPORT ITEM: "No Soft Bedding with Cribs"

COMPLIANCE CRITERIA: Soft bedding items are not used with any child younger than 18-months-old.

ASSESSMENT METHOD: Observe all rest furnishings used by infants to determine if any soft bedding items are used.

Notes:

- *The prohibition of soft bedding extends to any bedding item that may pose a risk of suffocation when used with children younger than 18-months-old. In addition to the items cited in §F above, prohibited items include soft surfaces such as non-firm or saggy mattresses, cushions, sleeping bags, and thick or fluffy blankets. A*

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thin blanket may be used if it is tucked securely around the mattress and does not cover the infant beyond the infant's chest.

- *For infants, the National Institute of Child Health and Human Development has recommended using a sleeper instead of a blanket, with no other covering.*
- *Information and downloadable brochures in English and Spanish on helping to prevent SIDS is available online at the website of the National Institute of Child Health and Human Development at www.nichd.nih.gov/sids.*

.05 Infant-Toddler Equipment.

A. A sufficient number of strollers or carriages with appropriate restraints shall be available to accommodate all non-walking infants present in care.

B. The use of walkers is prohibited.

INTENT: Adequate, appropriate, and safe individual transportation must be available for each non-walking infant in attendance. Walkers are prohibited because they are a risk to infant safety.

INSPECTION REPORT ITEM: "Infant and Toddler Equipment"

COMPLIANCE CRITERIA:

- *For each non-walking infant in attendance, there is a stroller or carriage with appropriate restraints.*
- *Walkers are not used by the facility.*

ASSESSMENT METHOD:

- *Identify the number of non-walking infants in attendance, and then count the number of strollers and carriages on hand to determine if there are enough for all the non-walkers.*
- *Interview the Director and other center staff as necessary to verify that walkers are not used.*

C. The center shall have furnishings that allow the safe and easy feeding of children younger than 2 years old, including but not limited to high chairs, toddler tables, and chairs for staff members to use while holding infants for feeding.

D. If high chairs are used, each high chair shall be equipped with age-appropriate restraints.

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***INTENT:** High chairs must be properly equipped with restraints to keep infants and toddlers from slipping or falling out of the chairs. Extreme caution must be used to make sure that the restraints are fitted and applied properly so that they do not present a strangulation risk.*

***INSPECTION REPORT ITEM:** "Infant and Toddler Equipment"*

COMPLIANCE CRITERIA:

- *Each high chair is equipped with age-appropriate restraints.*
- *Restraints are used properly with each child.*

ASSESSMENT METHOD:

- *Examine each high chair to determine if it is equipped as required.*
- *Observe high chair feedings to determine if a restraint is properly used with each child. If observation is not possible, interview facility staff as necessary to determine if and how restraints are used.*

.06 Storage.

There shall be appropriate storage for:

- A. Materials and equipment;**
- B. Mats, cots, beds, and bedding;**
- C. Portable equipment intended for outdoor use;**
- D. Each child's clothing and possessions in an individual space; and**
- E. Materials, equipment, furnishings, and supplies being held in reserve.**

***INTENT:** The center must provide adequate and appropriate storage for materials and equipment that will facilitate the children's program and their choice of activities. Each child must have an individual storage space to prevent the spread of communicable disease and to foster a sense of independence and self-esteem. Children's individual storage spaces must be free of hazards.*

***INSPECTION REPORT ITEM:** "Storage"*

COMPLIANCE CRITERIA:

- *All center-owned activity materials and equipment are stored so that they do not present a safety risk to any child in care;*
- *Materials and equipment for children's use are easily accessible to the children who will use those items;*

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- *Child rest-related items are stored to prevent contamination and minimize potential transmission of disease; and*
- *All child-owned items are stored separately according to their respective owners and are easily accessible to those owners.*

ASSESSMENT METHOD: *Observe storage locations to assess their safety, suitability, and accessibility.*

Notes:

- *Storage for materials routinely used by children should be arranged so that the materials may be easily identified, maintained, and accessed by the children without undue conflict or confusion. Materials for children 2 to 5 years old should be on low, open shelves; materials for school-age children may be in clearly labeled cupboards.*
- *Cots/beds/mats must be stored so as to reduce the potential for spreading communicable diseases.*
- *Bedding must be stored either folded on the cot/bed/mat or in an individual, safe container labeled with each child's name. Mats must be stacked or hung so they are not touching and there is room for ventilation.*
- *Portable equipment for outdoor use, materials/furnishings/supplies held in reserve, and cots/beds/mats when not in use must be stored so that they do not interfere with the program or activities, create fire or safety hazards, or detract from the usable square footage of activity area.*
- *Examples of appropriate individual storage space for children's clothes and possessions include, but are not limited to, cubbies, lockers, baskets, and shelves.*
- *Because coat hooks are a potential safety hazard, if they are used in the children's individual storage space areas, an additional space must be provided for each child.*