

# Family Child Care Licensing Manual

(November 2016)

For use with

COMAR 13A.15 - Family Child Care  
(As amended effective 7/20/15)

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## COMAR 13A.15.05 Home Environment and Equipment

### 01. Suitability of the Home

#### The home shall:

- A. **Comply with all applicable State and local fire, zoning, health, safety, and environmental codes;**
- B. **Be in good repair;**
- C. **Be free of health or safety hazards, including infestation by insects and rodents;**

*INTENT: The Child Care Home must be safe for children and must comply with all applicable State and local codes.*

**INSPECTION REPORT ITEM:** “Suitability of the Home”

#### **COMPLIANCE CRITERIA:**

- *The fixtures in the home are in good repair, clean, free of hazards, and free of any infestation.*
- *All areas within the home (especially food preparation areas, storage areas, and bathrooms) are clean and free from insect and rodent infestation, such as:*
  - *Rodent infestation, indicated by signs of dropping, shiny slick runways, greasy rub-marks*
  - *Insect infestation (ants, bees, flies, roaches). Roach droppings appear as powdery black flecks.*

#### **ASSESSMENT METHOD:**

- *Observation of the entire exterior and interior of the child care home to assess the general physical condition of the home and fixtures, and determine if there are any obvious safety hazards.*
- *Observation for cleanliness of the home.*
- *Observation for signs of possible infestation by insects or rodents.*
- *Review of documentation submitted in reference to meeting applicable codes.*

**Notes:** *Items to be inspected outside and inside the home include, but are not limited to:*

- *Exterior walls in poor repair – peeling, flaking paint*
- *Broken windows*
- *Splintering, rotting, or deteriorating wood*
- *Broken or missing stairs or steps; loose or missing handrails*
- *Broken or improperly hung doors*

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- *Torn or missing screens, if windows and/or doors open for ventilation. [Note: If windows are needed to meet the requirement for adequate exchange of air, there must be screens on the windows.]*
- *Protrusions from the building, such as air conditioners that are accessible to children, windows that swing out to open, window boxes, etc.*
- *Unprotected crawl spaces and window wells*
- *Toxic plants within children's reach*
- *Interior walls, floors, ceilings in poor repair (holes in walls, sagging ceilings, loose/frayed/taped carpet, missing floor tiles, etc.)*
- *Water-damaged ceilings, walls, or floors*
- *Exposed electrical wiring or missing outlet or switch plates*
- *Loose or missing handrails on stairs*
- *Wall or ceiling attachments (cabinets, light fixtures, shelves, etc.) in poor condition or broken*

**Note:** For identification of toxic and non-toxic plants, see *“Poisonous Plants”*, *“Poisonous Plants Field Guide”*, and *“Non-Poisonous Plants”*.

- D. **Have operable and safe utility services for lighting, heating, and cooking;**
- E. **Have hot and cold running water, with a hot water temperature that does not exceed 120° F;**
- F. **Have a toilet in good working condition that is readily accessible to children in care;**
- G. **Have an operable refrigerator and stove; and**
- H. **Have an operable telephone.**

**INTENT:** *The home must be equipped with operable utilities, fixtures, and appliances to ensure proper sanitation, personal hygiene, food storage and preparation, heat and light. The home must have at least one operable land-line (hard-wired) telephone or wireless communication device (cell phone) that can be readily accessed for general and emergency use.*

**INSPECTION REPORT ITEM:** *“Suitability of the Home”*

**COMPLIANCE CRITERIA:** *All items and services listed above at D – H are in the home and in good working order.*

**ASSESSMENT METHOD:** *Observation to ensure that each item or service is present and working properly. If necessary, testing may be done to determine operability.*

**Notes:** *When assessing compliance with D – H above, verify the following:*

- *Hot water is hot, but not hot enough to burn a child. To prevent scalding, hot water should be no hotter than 120 degrees F. Cold water is cool enough to drink.*
- *Water flushed in toilet is forceful enough to empty the toilet bowl completely.*

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- *The toilet seat is present, attached properly, and in good condition (not broken or cracked).*
- *The home has either a public sewage disposal system or a septic system that meets applicable codes (the Regional Office will refer any question about code requirements to the local authority).*
- *The refrigerator is maintained at no more than 45 degrees F., as indicated by the refrigerator thermometer reading. The freezer should be kept at no more than 0 degrees F.*
- *All stove burners turn on when the dial is set to the “on” position.*
- *The oven turns on when the dial is set to the “on” position.*
- *The home is free of natural gas smells.*
- *The lights work in all areas used for child care.*
- *The telephone is in working condition.*
- *The heating system is not surrounded by clutter or combustible materials.*

### 02. Lead-Safe Environment

- A. **A provider may not use paint with lead content on any:**
- (1) **Exterior or interior surface of the home; or**
  - (2) **Material or equipment used for child care purposes.**
- B. **If the home is a residential rental property constructed before \*1950, which is an affected property as defined in Environment Article, §6-801(b), Annotated Code of Maryland, the provider shall submit a copy of the current lead risk reduction or lead-free certificate.**
- C. **If the home was constructed before 1978 and not certified lead-free under Environment Article, §6-804(a)(2)(i), Annotated Code of Maryland, the provider shall:**
- (1) **Ensure there is no chipping, peeling, flaking, chalking, or deteriorated paint on any surface of an interior or exterior area of the home that is used for child care;**
  - (2) **If deterioration of a surface in an area used for child care is noted, or if renovation of the premises occurs that disturbs a painted surface, arrange to have a lead-dust test:**
    - (a) **Conducted by an accredited visual inspector under COMAR 26.16.02.03B to meet the risk reduction standard, if the home is an affected property; or**
    - (b) **Conducted in areas used for child care by an accredited risk assessor under COMAR 26.16.05.11, if the home is not an affected property; and**
  - (3) **If a lead-dust test is required under §C(2) of this regulation, obtain:**
    - (a) **A passing score on that test; and**
    - (b) **Verification from the lead inspector performing the test that the requirements of §C (2) and (3) (a) of this regulation have been met.**
- D. **In a home constructed before 1978 that is not certified lead-free under Environment Article, §6-804(a)(2)(i), Annotated Code of Maryland, when performing a renovation that disturbs the painted surface of an interior or exterior area used for child care, the provider shall ensure that the work is performed by an individual accredited to perform the lead paint abatement services using safe work practices as required by**

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### Environment Article, Title 6, Subtitle 10, Annotated Code of Maryland, and corresponding regulations.

*INTENT of §§A, B, C, and D: Paint with lead content may not be located in any area of the child care home, or on any material or equipment used for child care purposes.*

- *If the home is a **rental property** and was built or remodeled before **1950**, a Lead Risk Reduction or Lead-Free Certificate issued by the Maryland Department of the Environment (MDE) is required. \*Note: Effective January 2015, this requirement is applicable to residential rental property built or remodeled before 1978.*
- *If the home was built or remodeled prior to 1978 and there is a deteriorated paint surface in the child care area, the paint must be tested for lead content. The Provider must follow procedures established by the Maryland Department of the Environment (MDE) to remove or repair the paint in accordance with C(2) of this regulation.*

**INSPECTION REPORT ITEM:** “Lead-Safe Environment”

#### **COMPLIANCE CRITERIA:**

- *In a pre-**\*1950 residential rental** facility:*
  - *A Lead Risk Reduction or Lead-Free Certificate issued by the Maryland Department of the Environment (MDE) exists. \*Note: Effective January 2015 this item is required for pre-1978 residential rental property.*
- *In a pre-1978 home that **is not** a rental property:*
  - *The paint on all interior and exterior child care area surfaces is intact; and*
  - *The paint shows no evidence of deterioration.*
- *In residential rental and non-residential rental property built in 1978 or after:*
  - *The paint on all interior and exterior child care area surfaces is intact; and*
  - *The paint shows no evidence of deterioration.*

#### **ASSESSMENT METHOD:**

- *Review of documentation and/or interview Provider to determine when the facility was built or last remodeled.*
- *Observation of painted surfaces on the interior and exterior child care areas (e.g., walls and ceilings, window frames, doors, entryway porches, etc.) to assess the condition of the paint.*

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- *If paint testing and/or removal or repair is required, review documentation from the MDE lead inspector performing the test to determine that the requirements of §§C(2) and (3)(a) of this regulation have been met.*

### Note:

- *See "[FAQs on Lead and Lead Poisoning](#)," for important information about lead poisoning.*

### **03. Cleanliness and Sanitation.**

- A. **All areas of the home, including food preparation, service, and storage areas shall be maintained in a state of cleanliness so as not to endanger the children's health.**

*INTENT: The home must be kept clean in order to maintain a healthy environment.*

**INSPECTION REPORT ITEM:** "Cleanliness and Sanitation"

**COMPLIANCE CRITERIA:** *All surfaces and equipment clean:*

- *Floors, walls, ceilings, fixtures, and furnishings are free of dirt, grime, grease, and spillage.*
- *Rooms are free of accumulated clutter and trash.*
- *Food storage/preparation/service areas are free of grime, debris, and spillage.*

**ASSESSMENT METHOD:** *Observation of the home for cleanliness and absence of any condition that might pose a risk to child health.*

### Notes:

- *The provider is expected to follow cleaning procedures and schedules set forth in OCC's "[General Sanitation Guidelines](#)".*
- *Routine cleaning of surfaces, materials, and equipment removes dirt or spills that can harbor bacteria; however, some surfaces and items must also be sanitized with a disinfectant because they are especially likely to become contaminated with high levels of bacteria and serve as vehicles for transmitting illness.*
- *Many commercial disinfectants contain additives such as perfume or dye and may leave a chemical residue. This could be harmful to children with asthma or allergies. For this reason, the Center for Disease Control (CDC) and the American Academy of Pediatrics (AAP) recommend using a solution of household bleach and water for general sanitizing purposes. A properly mixed bleach-and-water solution is non-toxic and evaporates rapidly without leaving a residue.*

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- *Whenever children are present, bleach solution (or any other approved disinfectant) should be applied by dipping, soaking, or wiping the item or surface with a cloth (but not a sponge, since sponges harbor bacteria and are hard to clean). Spraying is acceptable only when dipping or soaking is not feasible and wiping with a cloth is likely to spread the contamination – for example, when sanitizing diapering surfaces and toilets.*
- *Whenever a disinfectant of any kind is used, there should always be adequate ventilation. This is especially important in confined or enclosed areas such as bathrooms. A child who is asthmatic or sensitive to the disinfectant should be kept away from the immediate area until it can dissipate completely. If this step is not sufficient, the provider should discuss with the child's parent other alternatives for reasonably accommodating the child's sensitivity.*
- *If a product is registered with the Environmental Protection Agency's (EPA's) Division for Chemicals and Pesticides, OCC will accept the product only for general cleaning and disinfecting purposes; however, such a product is not acceptable for sanitizing and disinfecting diapering and food service areas. Check the product label to verify that there is an EPA registration number.*

- B. Paper towels, a trash receptacle, soap, and toilet paper shall be placed within reach of a child capable of using the toilet without assistance.**
- C. Trash, garbage, and wet or soiled diapers shall be disposed of in a clean and sanitary manner.**

***INTENT:** All trash and other refuse must be discarded in a safe and sanitary manner to maintain a healthy environment.*

***INSPECTION REPORT ITEM:** "Cleanliness and Sanitation"*

### **COMPLIANCE CRITERIA:**

- *Trash is stored in trash baskets that are emptied as needed, but at least daily.*
  - *Wet or soiled diapers are stored in a plastic container with a lid and liner that is located away from any area used for food storage/preparation/service.*
  - *Outdoor storage of trash is in cans with tight-fitting lids.*
  - *Areas around outdoor and indoor trash receptacles are clean and clear of trash or clutter.*
- D. After toileting and diapering, before food preparation and eating, after playing outdoors, after handling animals, and at other times when necessary to prevent the spread of disease, the provider or substitute shall:**
- (1) **Wash the provider's or substitute's hands thoroughly with soap and warm running water; and**
  - (2) **Ensure that a child's hands are washed thoroughly, by the provider or by the child, with soap and warm running water.**

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**INTENT:** *To prevent the spread of infection and illness, adults and children must wash their hands properly after touching potentially contaminated items or substances.*

**INSPECTION REPORT ITEM:** *“Cleanliness and Sanitation”*

**COMPLIANCE CRITERIA:**

- *Each program adult and each child, capable of self-washing, washes hands as required with soap and warm running water.*
- *Children who are not capable of self-washing have their hands washed as required with soap and warm running water by adults.*
- *The Provider always washes hand after a diaper change.*
- *To keep germs away from food, no one washes hands in a food service/preparation area.*
- *In each case, handwashing procedures approved by the Office must be followed. (see “*Handwashing Procedures*”)*

**ASSESSMENT METHOD:** *Observation of how and when hands are washed. If observation is not possible, discussion to determine how and when handwashing is done.*

**Note:** *To help prevent the spread of disease, it is recommended that the Provider wears single-use disposable gloves during diapering. The gloves must be thrown away immediately after diapering and hands washed in accordance with approved handwashing procedures.*

- E. **To assist in preventing the spread of disease, the provider or substitute shall:**
- (1) **Promptly change a child's diaper, clothing, and bedding when soiled or wet;**
  - (2) **Follow diapering procedures designed to prevent the transmission of disease, which are established and supplied by the office; and**
  - (3) **Maintain the surface used for diapering in a clean and sanitary manner.**

**INTENT:** *Children’s health and sanitary needs must be met by changing soiled or wet items promptly and in a sanitary manner.*

**INSPECTION REPORT ITEM:** *“Cleanliness and Sanitation”*

**COMPLIANCE CRITERIA:**

- *Diapering activities are conducted according to procedures approved by the Office. (see “*Diapering Procedures*”)*



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- *The diapering surface is promptly cleaned and sanitized according to procedures approved by the Office. (see “[General Sanitation Guidelines](#)”)*

**ASSESSMENT METHOD:** *Observation of how and when diapers and soiled clothing are changed and the diapering surface is cleaned. If observation is not possible, discussion to determine how and when changes and cleaning are done.*

### Notes:

- *Diapers may not be changed in a food service or preparation area.*
- *To minimize the potential for spread of infection, the Provider should consider designating a single area for use as a diapering station in the home. However, more than one area may be used as long as each area has a non-absorbent surface that can be easily cleaned and sanitized after each diapering.*

### **F. If used, portable toilets, also known as potty-chairs, shall be:**

- (1) **Placed on a nonabsorbent surface or mat;**
- (2) **Located away from food preparation, food service, and eating areas; and**
- (3) **Cleaned and sanitized after each use in accordance with procedures established by the office.**

**INTENT:** *Potty-chairs are a major source of contamination. If potty-chairs are used in the Provider’s home, they must be cleaned immediately in a safe and sanitary manner after each use.*

**INSPECTION REPORT ITEM:** *“Cleanliness and Sanitation”*

### **COMPLIANCE CRITERIA:**

- *Each potty-chair is placed on a non-absorbent surface or mat and is located away from a food storage, preparation, service, or eating area.*
- *Immediately after each use, the potty-chair is cleaned according to procedures approved by the Office. (see “[General Sanitation Guidelines](#)”)*

**ASSESSMENT METHOD:** *If potty-chairs are used:*

- *Observation to determine where they are placed, and*
- *Observation or discussion to determine how and when they are cleaned.*

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### 04. Rooms Used for Care.

#### A. The provider may use an area of the home for child care only if it:

##### (1) Has been approved for use by the office;

*INTENT: Areas that have not been approved by the Office do not have to meet licensing requirements, and therefore, may not be safe or appropriate for child care.*

*INSPECTION REPORT ITEM: "Rooms Used For Care"*

*COMPLIANCE CRITERIA: Child care takes place only in approved areas of the home.*

*ASSESSMENT METHOD: Observation to determine that all children are utilizing only approved play and napping space.*

#### Notes:

- *During an initial registration inspection, the Licensing Specialist should observe all areas of the home (including areas that will not be used for child care) to determine whether any potential child health or safety risk conditions are present.*
- *During a conversion or a routine unannounced inspection, the Licensing Specialist should observe only those areas that are approved for child care. If the registration certificate specifies any restrictions on the use of other areas of the home, the Licensing Specialist should review those restrictions with the Provider and make a note accordingly in the inspection report.*
- *During a complaint inspection, the Licensing Specialist should likewise observe only the areas approved for child care unless the nature of the complaint (for example, an allegation of overcapacity, or an unreported resident, or violation of a non-access agreement) suggests that another area of the home may be involved. If that is the case, then the Licensing Specialist should also observe that area.*
- *During any inspection, if the Licensing Specialist hears sounds (for example, thumps, crying, children's voices) coming from a part of the home not approved for child care, the Specialist should ask if there is anyone else present in the home and, if someone else is present, who that person is. If the person is not known to OCC as a resident of the home, the Specialist should observe the area where the person is located.*

##### (2) Meets the requirements of all applicable fire codes;

*INTENT: If an area cannot meet fire codes, it cannot be considered safe for care.*

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- (3) **Does not have a condition that may pose a risk to the health, safety, or welfare of the children in care;**

*INTENT: Care may be provided only in areas and under conditions that are safe for children.*

**INSPECTION REPORT ITEM:** “Rooms Used for Care”

**COMPLIANCE CRITERIA:** *Each approved area is free of any condition that could harm a child. Potentially harmful conditions include the presence of certain pets or other animals, pet-related contamination of food areas, and the lack of proper pet sanitation.*

**ASSESSMENT METHOD:** *Observation of all child care areas to determine if any potentially harmful condition is present.*

### Notes:

- *The Provider must not allow any child to have access to a reptile or a ferret.*
  - *Birds may not be kept in, or allowed access to, child care areas.*
  - *If a pet or other animal is kept at the Provider’s home, the Provider must:*
    - *Notify the parent of each child about each animal’s presence;*
    - *Restrict the animal from food preparation surfaces and from storage areas containing food, plates, and eating utensils (NOTE: birds must be completely restricted from kitchen and dining areas);*
    - *Ensure that children wash their hands after handling the animal;*
    - *Ensure that the animal’s cage or litter box is kept clean and located away from food storage/service and eating areas;*
    - *Ensure that animal waste is inaccessible to the children;*
    - *Ensure that the animal has been properly immunized, if required by State or local law; and*
    - *Immediately apply first aid or, if necessary, seek medical treatment for any injury the animal causes to a child.*
  - *Additional guidance on maintaining pets and other animals in a child care environment is found in the resource document, “**Animals in Child Care Facilities**”.*
- (4) **Has windows or artificial lighting that provides sufficient illumination for a child's activities;**

*INTENT: Inadequate lighting is a safety risk.*

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**INSPECTION REPORT ITEM:** “Rooms Used for Care”

**COMPLIANCE CRITERIA:** *There is enough natural or artificial lighting for children to move about and engage in activities safely and easily.*

**ASSESSMENT METHOD:** *Observation to determine how well children can see what they are doing.*

- (5) **Has natural or mechanical ventilation to provide a healthy and comfortable environment;**

**INTENT:** *Stuffy or uncirculated air creates discomfort and promotes the spread of illness.*

**INSPECTION REPORT ITEM:** “Rooms Used for Care”

**COMPLIANCE CRITERIA:** *The air in each child care area is not stuffy, rank, or contaminated with an odd or unusual odor. Children appear to be breathing normally and comfortably.*

**ASSESSMENT METHOD:** *Observation to determine the children’s level of comfort.*

- (6) **Has sufficient floor area for the number and ages of the children approved for care in the home to allow the children to engage in active play without overcrowding; and**

**INTENT:** *Inadequate floor space creates overcrowding, which is not safe.*

**INSPECTION REPORT ITEM:** “Rooms Used for Care”

**COMPLIANCE CRITERIA:** *Each child is able to move about and participate in activities easily and safely.*

**ASSESSMENT METHOD:** *Observation of child movement and activity.*

**Notes:** *There must be enough available floor space so that:*

- *All children can move and play without constantly bumping into furniture or each other, or tripping over toys and materials on the floor; and*
- *Children under the age of 2 years can move and play on the floor without being tripped over by older children.*

- (7) **Has a room temperature of not less than 65° F.**

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**INTENT:** *To help ensure the health and comfort of children, a minimum air temperature must be maintained.*

**INSPECTION REPORT ITEM:** *“Rooms Used for Care”*

**COMPLIANCE CRITERIA:** *No part of any approved room is less than 65 degrees.*

**ASSESSMENT METHOD:** *The room temperature should feel comfortable. If a room feels cool, or a child appears to be cold, the Licensing Specialist should take an air temperature reading at floor level.*

**B. In rooms where a child younger than 5 years old is in care, the provider shall arrange the home so that:**

**(1) All electrical sockets within reach of a child are plugged or capped;**

**INTENT:** *Younger children are not aware of the hazards of electrical outlets and may try to insert objects into them, causing electrocution.*

**INSPECTION REPORT ITEM:** *“Rooms Used for Care”*

**COMPLIANCE CRITERIA:** *Each socket within reach of any child under 5 years old is suitably capped or covered.*

**ASSESSMENT METHOD:** *Observation of each socket in the approved child care area.*

**(2) Suitable protective barriers are placed at locations accessible and potentially hazardous to children; and**

**INTENT:** *Younger children must be kept from certain locations that are potentially harmful to them.*

**INSPECTION REPORT ITEM:** *“Rooms Used for Care”*

**COMPLIANCE CRITERIA:** *An appropriate barrier in proper working condition is in place at each potentially hazardous location within the child care area. Hazardous locations include, but are not limited to, stairs, balconies, and fireplaces.*

**ASSESSMENT METHOD:** *Observation to determine if barriers are in place as required.*

**(3) Child-proof devices are placed on cabinets and drawers that contain items potentially hazardous to children.**

**INTENT:** *Younger children must be kept from certain items and materials that are potentially harmful to them.*

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**INSPECTION REPORT ITEM:** “Rooms Used for Care”

**COMPLIANCE CRITERIA:** A suitable child-proofing device in proper working condition is placed on each cabinet or drawer in the child care area that contains potentially hazardous items or substances.

**ASSESSMENT METHOD:** Observation to determine if child-proof devices are in place as required.

**C. Window Coverings. A window covering installed:**

- (1) **Before October 1, 2010, shall not have unsecured cords, beads, ropes, or strings that are accessible to a child in care; or**
- (2) **On or after October 1, 2010, shall be cordless.**

**INTENT:** To eliminate the choking hazard presented by unsecured cords, beads, ropes, or strings that may be attached to window coverings, such hazardous items must be secured, if present in the child care home.

**INSPECTION REPORT ITEM:** “Rooms Used for Care”

**COMPLIANCE CRITERIA:**

- *There are no unsecured cords, beads, ropes, or strings attached to window coverings in the child care home.*
- *All window coverings installed after October 1, 2010 are cordless.*

**ASSESSMENT METHOD:**

- *Observe all window coverings to determine if any cords, beads, ropes, or strings attached to window coverings are secured.*
- *Observe all window coverings installed after October 1, 2010 to determine if they are cordless.*

**Note:** For examples of securing window coverings see “*Window Covering Guidelines*”

**D. In a home approved to provide care for infants or toddlers, the provider shall designate space for mothers to breastfeed or express breast milk that:**

- (1) **Is not located in a bathroom;**
- (2) **Has access to an electrical outlet;**
- (3) **Has appropriate seating;**
- (4) **Has access to running water; and**
- (5) **Accommodates a mother’s need for privacy.**

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### 05. Outdoor Activity Area.

- A. **There shall be ample, accessible space for outdoor activity that is free from conditions that may be dangerous to the health or safety of children in care.**

*INTENT: Children must have an outdoor play area they can use each day that is accessible and large enough to accommodate vigorous play by all children in attendance. If the outdoor play area is not located on the property, the off-site location must be reached easily and without placing any child in danger. The approved outdoor play area must be close enough to the child care home that vehicle transportation is not required.*

**INSPECTION REPORT ITEM:** “Outdoor Activity Area”

**COMPLIANCE CRITERIA:** *There is an outdoor playground that is:*

- Available for daily use by children in care;
- Safely and easily accessible to the children without using vehicle transportation; and,
- Large enough to accommodate the play activities of all children in attendance at one time or in shifts.
- Within the outdoor activity area:
  - *There are no potentially dangerous objects or conditions such as, but not limited to:*
    - ◇ Broken glass or other debris,
    - ◇ Exposed nails, screws, or bolts,
    - ◇ Sticker bushes or overgrown weeds,
    - ◇ Lawn mowers and gardening tools,
    - ◇ Motorcycles, cars, and other vehicles,
    - ◇ Heating/air conditioning units
    - ◇ Pool filters
    - ◇ Stairwells or window-wells,
    - ◇ Holes in the ground, and
    - ◇ Herbicides and other chemical lawn treatments considered hazardous to children by the Maryland Department of the Environment;
  - *There are no pets or animals that may pose a risk to the children, and no pet-waste is present; and*

**ASSESSMENT METHOD:** *Observe the outdoor activity area to assess its accessibility and suitability.*

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### Notes:

- “Accessible” does not mean that the outdoor playground must necessarily be located on property. “Accessible” means the outdoor playground needs to be adjacent to, or safely accessible to the facility. Examples of situations that satisfy this accessibility requirement include, but are not limited to, a playground maintained by a school that is next door to the facility and a municipal playground that is located at a short distance from the facility but can easily be reached without risk to any child in care.
- *Pets and Animals* - If the Provider keep a pet or other animal at the Provider’s home, the Provider must ensure that it does not present any health or safety risk to children using the outdoor activity area. For guidance on keeping pets and animals in a child care environment, see resource guide, “*Animals in Child Care Facilities*”.

- B. **If required by the office, the outdoor activity area shall be enclosed to protect children in care from accessible hazards such as a heavily trafficked area, a body of water, or environmental hazards.**

*INTENT:* The Provider must ensure that the children are kept safe from any potential hazard near the outdoor activity area.

**INSPECTION REPORT ITEM:** “Outdoor Safety”

**COMPLIANCE CRITERIA:** The outdoor activity area is:

- Suitably enclosed, or
- Located where there are no nearby potential hazards (such as, but not limited to, heavy vehicle traffic, train tracks, construction work, unfenced bodies of water, culverts or ditches, cliffs, or waste disposal sites).

**ASSESSMENT METHOD:**

- Observation of the activity area and its surroundings.
- Any potentially dangerous object or condition that is present is made inaccessible to children by means of a suitable fence, enclosure, or other barrier.

Note: For guidance on barrier requirements, see resource guide, “*Barriers to Protect Children from Life-Threatening Safety Hazards*”.

### **06. Rest Furnishings.**

- A. **The home shall have clean linen and adequate furnishings for rest periods that are comfortable, durable, safe, and appropriate for the ages of the children in care.**
- B. **Each child shall have an individual place to rest that is not used by any other child or resident unless the linens are changed between users.**



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- C. **The provider shall furnish for each child approved for care in the home who is:**
- (1) **Younger than 12 months old, a crib, portable crib, or playpen; or**
  - (2) **At least 12 months old and younger than 5 years old, a bed, cot, mat, or sleeping bag, except as provided in §D of this regulation.**
- D. **Upon request by the child's parent, the provider shall furnish a crib, portable crib, or playpen as the resting place of a child who is at least 12 months old and younger than 2 years old.**
- E. **Each crib, portable crib, and playpen that is used for child care shall meet the standards of the U.S. Consumer Product Safety Commission.**
- 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 who uses a crib.**
- G. **Each child in overnight care, if provided, shall:**
- (1) **Sleep in a separate bed or crib that is appropriate to the child's age, size, and needs; and**
  - (2) **Have separate clean linens and toiletries.**

### ***INTENT:***

- *(A) All rest furnishings used by children in care must be safe, clean, and age-appropriate. Cribs/portacribs/playpens must meet national safety standards.*
- *(F) Soft bedding items are a potential safety hazard for children under 12 months who uses a crib and are prohibited. A parent who requests that a child sleeps in a crib who is at least 12 months old and younger than 2 years old, may authorize the child to have a special blanket, stuff animal, etc. in the crib. If so, parental authorization to place those items in the crib with the child is required.*
- *Overnight care must have prior approval of the Regional Office and must be provided as approved.*

### ***INSPECTION REPORT ITEM: "Rest Furnishings"***

### ***COMPLIANCE CRITERIA:***

- *There is enough rest equipment to provide an individual resting place for each child.*
- *Each rest equipment item is safe, comfortable, and appropriate to the child(ren) using it.*
- *All bedding and bed linens are clean.*
- *For each child younger than 12 months old approved for care, there is a crib, portacrib, or playpen that meets Consumer Product Safety Commission (CPSC) standards.*

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- *For each child younger than 12 months old and younger than 5 years old using a cot, bed, or mat, there is in the child's file a written agreement, signed by the provider and the parent, that the child is developmentally ready for that use.*
- *Soft bedding items are not used with any child younger than 12 months old*
- *If overnight care is provided:*
  - *The Provider has been approved by the Regional Office to do so;*
  - *Care is provided in accordance with the Provider's approved written overnight care plan. (see resource document "**Overnight Care in Family Child Care Homes**" );*
  - *There are individual sleep furnishings for each child that are clean, safe, and age-appropriate; and*
  - *The Provider has documentation showing that each child's parent have agreed to the child's sleeping arrangements.*

### **ASSESSMENT METHOD:**

- *Observation to determine:*
  - *The number, type, appropriateness, and safety of rest equipment items that are available for children, and*
  - *Adequacy, suitability, cleanliness, and safety of bedding items and bed linens.*
- *As appropriate, review of child files to determine the presence of the required provider/parent agreement regarding cot/bed/mat use by child(ren) at least 12 months old and under 5 years old, and if applicable, parent request to have 12 month old child sleep in a crib.*
- *If overnight care is provided, observation or discussion, as appropriate, and review of child files to determine the nature and appropriateness of overnight sleep furnishings and agreement on sleeping arrangements.*

### **Notes:**

- ***Presence of Cribs, etc.:*** *Even if there is a signed agreement that a given child under 12 months old is ready to use a cot, bed, or mat, the Provider must still have a CPSC-approved crib/portacrib/playpen present at the home for each child under 12 months approved for care.*
  - *If the Provider are approved to care for children under 2 years old, but those children are not present or enrolled at the time a licensing inspection is conducted, the cribs/portacribs/playpens do not need to be set up for use. It is sufficient for the Licensing Specialist to verify that the required number of cribs, etc., are present in the Provider's*

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*home and available for use, and that they meet CPSC standards.  
(NOTE: To help make sure the cribs in the home are safe, refer to resource document, “Crib Safety Tips”.*

- *When in use, cribs, portacribs, playpens, and cots should be placed so that an adult can move easily between them to reach children who need individual attention and, especially, to reach children in case of fire or other emergency. These items should be placed at least 3 feet apart if set side by side or 18 inches apart if set end to end.*
- ***Sofas and Sofa-beds:*** *Ordinary sofas may not be used for rest purposes. Sofa-beds may be used, but only for children 2 years old and older and only if opened as beds and covered with appropriate, clean bed linens. If using a sofa-bed, the provider or substitute must take precautions to prevent the child from:*
  - *Being injured by the folding mechanism, and*
  - *Slipping down between the mattress and the interior frame of the sofa-bed.*
- ***Soft Bedding:*** *The prohibition on soft bedding extends to any bedding item that may pose a risk of suffocation when used with children who are less than 12 months old. Items that may not be used include soft surfaces such as non-firm or saggy mattresses, cushions, sleeping bags, and thick or fluffy blankets. A thin blanket may be used if it is tucked securely around the mattress and does not cover the infant beyond the infant’s chest. (NOTE: For infants, the National Institute of Child Health and Human Development has recommended using a sleeper instead of a blanket, with no other covering.)*
- ***To help reduce the risk of Sudden Infant Death Syndrome (SIDS), the Consumer Product Safety Commission and the American Academy of Pediatrics recommend that infants under the age of 12 months always be placed on their backs to sleep, unless indicated otherwise by their pediatricians.***