

REGULATIONS
FOR
CHILD CARE FACILITIES



WASHOE COUNTY DEPARTMENT OF SOCIAL SERVICES
350 SOUTH CENTER STREET
P.O. BOX 11130
RENO, NEVADA 89520-0027

(775) 337-4470

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Washoe County Department of Social Services

Regulations for Child Care Facilities

Introduction


Nevada Revised Statute 432A.131 authorizes cities and counties to adopt standards and regulations for the operation of child care facilities when these regulations have been approved by the State of Nevada Bureau of Child Care Licensing.

Pursuant to Washoe County Code chapter 45.095, The Washoe County Board of County Commissioners has determined that the Washoe County Department of Social Services is the agency responsible for licensing and regulation of child care facilities in Washoe County.

The operation of a licensed child care facility is subject to regulations, therefore, the following regulations have been adopted by the Washoe County Department of Social Services upon recommendation of the Child Care Advisory Board and approval of the State of Nevada Bureau of Child Care Licensing.

The purpose of these regulations is to establish a minimum level of care necessary to maintain and facilitate the normal development, health, safety, and welfare of children receiving care outside their homes.

Any interpretations or questions on these regulations should be directed to the Child Care Services Unit of the Washoe County Department of Social Services.



Michael Capello, Director

Washoe County Department of Social Services

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Definitions

SECTION 1 DEFINITIONS

As used in these Regulations, unless the context otherwise requires, the words and terms defined in this section have the meanings ascribed to them.

- 1.1 Accommodation facility is any facility that is on the premises of a commercial business establishment and which provides limited facilities for the care of customers' children.
- 1.2 Board means the Board of County Commissioners of Washoe County.
- 1.3 Caregiver means any natural person 16 years of age or older who meets the qualifications set forth in these Regulations and whose duties include direct care, supervision, and guidance of children in a child care facility.
- 1.4 Care of ill children facility means a child care facility providing care to only ill children.
- 1.5 Child means a person who has not reached his 18th birthday.
- 1.6 Child care means the care, supervision, and guidance of children, unaccompanied by parents, guardians, or custodians, on a regular basis for periods of no more than 14 hours in any 24-hour period in a child care facility as herein defined.
- 1.7 Child care center means any facility which regularly provides care for 13 or more children.
- 1.8 Child care facility means:
 - A. Any dwelling or establishment which furnishes care on a temporary or permanent basis, during the day or overnight, to two or more children under 18 years of age, if compensation is received for the care of any of those children; or
 - B. An on-site child care facility; or
 - C. An outdoor youth program.
 - D. Child care facility does not include:
 1. The home of a natural parent or guardian, foster home, or maternity home; or
 2. A home in which the only children cared for are related to the care provider by blood, adoption, or marriage within the third degree of consanguinity, i.e., child, grandchild, niece, or nephew; or
 3. A home in which a person provides care for the children of a friend or neighbor for not more than four weeks if the person who provides care does not regularly engage in that activity.

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Definitions

- E. For the purposes of these regulations a child care facility does not include:
1. Where parents on a mutually cooperative basis exchange care of one another's children; or
 2. Care given to children on site while their parents are attending religious services or other recognized instructions or programs not to exceed the duration of the services or programs;
 3. A baby-sitting agency licensed by the county or the city; or
 4. Day camp or camp type operations serving children who are enrolled to participate in a full-day, required educational program (private or public school) and who conduct their activities off the premises of a child care facility.
 - a. Any child care facility which operates a day camp shall notify, in writing, the parents of children served and the Department that the day camp operation is not licensed or regulated by the Washoe County Department of Social Services.
 - b. Any advertisement/brochure regarding day camps conducted in conjunction with the child care facility shall indicate program is not licensed by Washoe County Department of Social Services.
- 1.9 Child care institution means a facility in which the licensee provides care during the day and night and provides developmental guidance to 16 or more children who do not routinely return to the homes of their parents or guardians.
- 1.10 Child care systems means an organization of individual child care facilities wherein each facility is associated with a licensed central operator by exclusive contractual agreement which provides for the admission of children and requires the central operator to provide the facility with central services, including consultation, technical assistance, training, supervision, evaluation, and the provision of health and social services or the referral to other persons or entities for health and social services.
- 1.11 Child with special needs means a child who does not function according to expectations appropriate to his age and who regularly requires special assistance or accommodations.
- 1.12 Consultant means a person who provides activities in the area of his specialty to enrich the basic program for the children, but is not part of the direct caregiving staff.
- 1.13 Department means Washoe County Department of Social Services.
- 1.14 Department Director means Director of Washoe County Department of Social Services.

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Definitions

- 1.15 Department of Social Services means Washoe County Department of Social Services.
- 1.16 Director means either the licensee or a person appointed by the licensee who is responsible for the management of the facility.
- 1.17 Disability level means the group category, i.e. mildly retarded, moderately retarded, or severely retarded, appropriate to the disabled child's functional level and skill capabilities in the areas of mobility, speech and language, mental/ cognitive, social/emotional, visual, hearing, self-care, and perceptual/motor. A disabled child's level of disability shall be determined by an appropriate professional's diagnosis.
- 1.18 Facility means a child care facility.
- 1.19 Family child care home is any facility in an occupied private residence where the licensee resides and care is provided to at least two but not more than six children.
- *1.20 Group child care home is any facility in an occupied private residence wherein the licensee resides and regularly provides direct care for no less than seven but no more than 12 children.
- 1.21 Individual assessment means an empirical process that determines and documents if, and to what degree, a person has disabilities and what intervention and services are needed to enable the child to move toward increasing independent functioning. The individual assessment identifies the present functional level and skill capabilities of the child; the condition that impedes his development; recommendations for program placement, program adjustments, and related services required by the child; and where possible, the etiology of the disability.
- 1.22 Individual program plan means a written plan of intervention for the child which is developed and modified at frequent intervals. The plan identifies the child's functional status and skill capabilities along a continuum of objectives, and outlines the materials, equipment, techniques and activities which are conducive to successful progression along this continuum.
- 1.23 Infant and toddler nursery is a facility which provides care for four or more children under the age of two and which may provide care up to the third birth date. An infant and toddler nursery may be a distinct part of a child care center provided that the operations of the infant and toddler nursery shall be kept separate from the child care center. Infant and toddler nursery does not include:
- A. Family child care home if the licensee does not provide care to more than four children under two years of age.
 - B. Group child care home if the licensee does not provide care to more than eight children under three years of age.
- 1.24 Institution means a child care institution.

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Definitions

- 1.25 Licensee means the individual, corporation, partnership, voluntary organization, or other public or private organization ultimately responsible for the development and enforcement of policies, program and procedures of a child care facility and adherence to these Regulations by the facility.
- 1.26 On-site child care facility means an establishment that:
- A. Is licensed according to these Regulations;
 - B. Provides care to the children of employees of a business at the place of employment;
 - C. Provides care on a temporary or permanent basis during the day or overnight to two or more children who are under the age of 18 years and who are not related within the third degree of consanguinity or affinity to an owner or manager of the business and for whom compensation is received; and
 - D. Is owned, operated, subsidized, managed, contracted for or staffed by the business.
- 1.27 Outdoor youth program means a program for the provision of services, while living outdoors, to persons under 18 years of age who have behavioral problems, problems with mental health or problems with the abuse of alcohol or drugs. The term does not include any facility, activity or program:
- A. Operated by or on behalf of a governmental entity; or
 - B. Licensed by the health division of the County/State.
- 1.28 Parent means the child's natural parent, guardian, or any other person or organization legally responsible for the child.
- 1.29 Person means the singular and the plural and shall include individual persons, partnerships, firms, corporations, or associations.
- 1.30 Preschool is a facility that provides a program with specific goals designed to enhance the individual child's total development. Any group of children may participate in the program for four hours or less per day. A preschool may be a distinct or an integral part of another type of facility provided that each part meets the requirements stated herein.
- 1.31 Private kindergarten means a facility licensed by the State Department of Education. If a kindergarten is a part of a child care facility, the area of the kindergarten must also be licensed by the Department of Social Services.
- 1.32 Provisional license means a temporary license authorizing facility operation issued when:

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Definitions

- A. There is a change in ownership of the facility; or
- B. The facility has failed to completely meet all standards mandated by these regulations and agrees to effect the necessary changes.

A provisional license may be issued at the discretion of the Department for a maximum of one year and only when no life safety risks, as determined by the Department, are involved.

- 1.33 Resident of facility is any adult person who lives in the facility or who has access to the children in care by virtue of his physical presence.
- 1.34 Respite care means temporary or drop-in care for relief of parents, guardians, or foster parents.
- 1.35 Special needs facility means a child care facility providing care to children with special needs in which those children comprise 40 percent or more of the total number of children for whom the facility is licensed to provide care.
- 1.36 Work permit is a sheriff's work permit for child care issued under Washoe County Code Chapter 45.

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Washoe County Child Care Advisory Board

SECTION 2 WASHOE COUNTY CHILD CARE ADVISORY BOARD

- 2.1 The Washoe County Child Care Advisory Board serves as an advisory body to the Department with respect to matters pertaining to and included in these Regulations.
- 2.2 Membership of the Board shall not exceed a total of 13 members. Members of the Board shall be appointed by the Director of the Department and shall include:
- A. A specialist in child development and education;
 - B. Three providers of child care services;
 - C. Three recipients of child care services;
 - D. A representative from the City of Reno**;
 - E. A representative from the City of Sparks**;
 - F. A representative from the Environmental Health Division of the Washoe County District Health Department;
 - G. A representative from the Washoe County District Health Department;
 - H. A representative from the Nevada State Division of Child and Family Services; and
 - I. A representative from the Department who shall be a nonvoting member of the Board.

**Representative must be knowledgeable about building and fire codes.

- 2.3 Appointees shall serve a four-year term. Members of the Board may serve a maximum of two terms.
- 2.4 Meetings. The Board shall elect a chairman and a vice chairman, and shall meet at the call of the chairman or by written request of two members of the Board, but in no event less than two times annually.

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Licensure

SECTION 3 LICENSURE

- 3.1 Law. A person shall not operate a child care facility without having a valid license issued by the Department of Social Services. Any person who operates a child care facility without a valid license issued by the Department of Social Services is guilty of a misdemeanor.
- 3.2 Parental responsibility. A person having the care, custody, control or guardianship of any child under the age of 18 years shall not place the child in a child care facility operated or maintained by any person who does not have a valid license issued by the Department of Social Services.
- 3.3 Persons unqualified for licensure. The following persons are not qualified to hold a child care license, reside in a family/group child care home, be employed by or substitute in a child care facility:
- A. A person who has failed to disclose, misstated or otherwise attempted to mislead the Department with respect to any material fact contained in the application of the issuance or renewal of a child care license.
 - B. A person who has committed, attempted or conspired to commit:
 - 1. Any crime or any violation of any law pertaining to the abuse, neglect or endangerment of a child, or pertaining to the annoyance or molestation of a minor.
 - 2. Arson in any degree.
 - 3. Any act or omission punishable as a felony or gross misdemeanor under the provisions of one or more of the sections of Chapters 200, 201 and 202 of NRS or committed, in any place other than the State of Nevada, an offense which, if committed in this State, would have been punishable as a felony or gross misdemeanor under one or more of those sections. Refer to Addendum I for list of offenses.
 - 4. Any act in the State of Nevada, or elsewhere, which is a violation of law punishable as a felony or gross misdemeanor relating to or regulating the possession, distribution, furnishing or use of any controlled substance.
 - 5. Any violation of law pertaining to the provision of care to children, or pertaining to the exhibition and sale of obscene material to minors.
 - C. A person who has had a child care license revoked, or who has committed any act which would be cause for the revocation of a child care license.
 - D. A person about whom background information cannot be verified or who has refused to provide information required by the Department.

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- E. A person who does not possess a good moral character or who has demonstrated unfitness in the provision of care to children.
- F. A person whom, after due consideration for the protection of the public health, safety, morals, good order, and general welfare of the inhabitants of the County, the Director of the Department determines is not a suitable person to receive or hold a license or render child care.
- G. A person whose home environment is such that it would not be conducive to the safety or welfare of children; such reasons shall include but not be limited to alcoholism, use of controlled substances, serious and prolonged illness, violent behavior or commission of any crime listed in subsection 3 above, by any persons living in or frequently visiting the home.

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Relocation, Construction, or Remodeling

SECTION 4 RELOCATION, CONSTRUCTION, OR REMODELING OF FACILITIES

- 4.1 Purchase or lease of an existing facility. Upon request of the Department, applicant shall furnish Department with copies of any purchase or lease documents pertaining to the building to be used as a child care facility. A building used as a facility must, upon a change of operating ownership, comply with these regulations and applicable building and safety codes.
- 4.2 New construction or remodeling. The building plans for the construction of a new facility or the remodeling of an existing facility must be submitted to the Department for review before commencement of actual construction. Review of the plan does not constitute approval of an application for a license.
- 4.3 Required square footage of facilities. Based upon the maximum number of children stated on the facility license:
- A. Exclusive of bathrooms, halls, kitchen, stairs, and storage spaces, a facility must contain at least 35 square feet of usable indoor floor space per child for play; and
 - B. A facility must contain at least 37-1/2 square feet of outdoor play space for each child as determined by the maximum number of children stated on the license. An accommodation facility need not provide outdoor play space.
 - C. A facility that provides care for ill children must have:
 - 1. At least 50 square feet of indoor space for each child.
 - 2. A separate ventilation system if the facility is attached to another building.
 - D. If a facility that provides care for ill children is a component of a child care center and provides outdoor play space, the play space must:
 - 1. Be separate from the play space for well children; and
 - 2. Meet the requirements of Section 4.3.B.

Washoe County Department of Social Services

Regulations for Child Care Facilities

License Application

SECTION 5 LICENSE APPLICATION

- 5.1 All applications for license shall be made to the Department on a form provided by the Department and shall be accompanied by a nonrefundable license fee. Refer to Section 5.4 of these Regulations for the license fee structure.
- 5.2 Applicant must be at least 18 years of age.
- 5.3 Contents of the application. Applicants shall reply in writing to any and all questions requested by the Department pertaining to the issuance or renewal of a child care license.
- A. Corporation. In all cases where the applicant for a child care license is a corporation, the names and addresses of all officers of the corporation shall be listed on the application.
- B. Personal data. If the applicant is an individual, the application shall state his name and place of residence, date and place of birth, whether or not he is a citizen of the United States, whether or not he is a bona fide resident of Washoe County, and whether or not he has been convicted of a felony under the laws of any state. The applicant must also list any and all previous arrests, convictions, or pending litigation, except minor traffic citations, and certify that this information is true and complete.
- C. Fingerprinting. The applicant shall present himself to the sheriff's office to be fingerprinted. The sheriff shall require such other information as to the identity of the applicant to enable him to properly investigate the applicant's reputation, character, arrest and conviction, and any pending litigation record. Upon completion of such investigation, the sheriff shall verify the accuracy and completeness of the application and report his findings to the Department Director.
- D. Fingerprint information. All fingerprints required under the terms of these Regulations and all information obtained by reason of such fingerprints shall be maintained by the sheriff in a confidential file to be open for the inspection only of child care licensing inspectors, law enforcement officers, and peace officers of the state of Nevada.
- E. Information confidential. All information other than criminal history information of a confidential nature supplied under the terms of these Regulations shall be maintained by the Department Director in a confidential file, to be open for the inspection only of child care licensing inspectors, law enforcement officers, and peace officers of the State of Nevada.
- 5.4 License fees. The following annual license fees shall be paid at the time of application and are not refundable:
- A. Family child care home - thirty dollars (\$30)
- B. Group child care home - sixty dollars (\$60)

Washoe County Department of Social Services

Regulations for Child Care Facilities

License Application

C. Child care center

1. 13 to 50 children - one hundred dollars (\$100)
2. 51 or more children - two hundred dollars (\$200)

Washoe County Department of Social Services

Regulations for Child Care Facilities

Inspections and Permits Required for Approval

SECTION 6 INSPECTIONS AND PERMITS REQUIRED FOR APPROVAL

6.1 Inspections

- A. No application for a license required by Washoe County Code Chapter 45 and these Regulations may be approved until the building and equipment of such child care facility has been approved by the city/county planning department, building department, fire department, Washoe County District Health Department, and the Washoe County Department of Social Services.
- B. Thereafter, at least annually, the fire department and Washoe County District Health Department or a designee, shall inspect the facility to ensure that fire and health standards are being met and maintained.
- C. The Department shall conduct semiannual inspections as a minimum.
- D. The Department may request other departments or agencies to conduct inspections or investigations. The licensee or applicant shall cooperate with the person conducting the inspection/investigation by providing access to the building, records, and staff of the facility. Failure to provide such access is a ground for revocation of a license or denial of an application for a license.

6.2 Tuberculosis tests. Each applicant and other adult person, whether a full or part-time employee, volunteer, or trainee, whether paid or unpaid, who works, resides or renders services in a licensed child care facility, shall obtain written evidence that they are free from communicable tuberculosis. The evidence must be in the form of a report that states that they are free from active tuberculosis as required pursuant to subsection A or B.

- A. Before a person, including a person who has received a bacillus Calmette-Guerin (BCG) vaccination, begins employment at a facility, he/she must, within the 12 months immediately preceding the first day of employment at the facility, have submitted to a:
 - 1. Mantoux tuberculin skin test; or
 - 2. Chest radiograph and examination by a provider of health care who is authorized to diagnose active tuberculosis.
- B. At least once every 24 months after the date the skin test or chest radiograph and examination were conducted, every person shall submit to and provide negative results of:
 - 1. Mantoux tuberculin skin test; or
 - 2. If a positive result was given previously, an examination by a provider of health care who is authorized to diagnose active tuberculosis.

Washoe County Department of Social Services

Regulations for Child Care Facilities

Inspections and Permits Required for Approval

- 6.3 Certificate of Immunization. The applicant shall also provide proof of immunization for every child who resides in the facility.
- *6.4 Cardiopulmonary Resuscitation. Before issuance of a license, each applicant for a license shall complete a course in cardiopulmonary resuscitation. Whenever a facility is in operation, at least one caregiver on duty must be certified in CPR. The certification course must meet the requirements listed in Section 22.2.G of these Regulations.
- *6.5 Prevention and Control of Communicable Diseases in the Child Care Setting. Within 90 days each applicant and full or part-time employee, other than in an accommodation facility or a facility that provides care to ill children, shall complete a course in Prevention and Control of Communicable Disease in the Child Care Setting taught and/or approved by the Washoe County District Health Department which includes training in the recognition of signs and symptoms of illness.
- *6.6 First Aid Training. Whenever a child care facility is in operation, at least one of the caregivers on duty must have completed a program in the training of administering first aid. Such training must meet the requirements listed in Section 22.2.H of these Regulations.
- 6.7 Work permit
- A. Licensees and residents. Before the issuance of a license, each applicant for a license and all residents of a facility shall obtain a work permit.
 - B. Employees. Within three working days after the commencement of employment, each full or part-time employee, trainee, or substitute of a facility shall obtain a work permit.
 - C. Volunteers, and others who visit or render service in a facility may obtain a work permit. Note Section 17.15 of these Regulations.
 - D. Work permit denial or revocation. A work permit shall be denied to or revoked from any person who fulfills any description given in Section 3.3.A through Section 3.3.G of these Regulations.

Washoe County Department of Social Services

Regulations for Child Care Facilities

Insurance

SECTION 7 INSURANCE

- 7.1 Required amounts. Every licensed child care facility shall be required to have and maintain in full force and effect at all times during each license period, a policy of liability insurance sufficient for the protection of children, employees, volunteers, and any visitors to the facility covering personal injuries with limits not less than:
- A. Three hundred thousand dollars (\$300,000) in any facility licensed to care for six or less children; and
 - B. One million dollars (\$1,000,000) in any facility licensed to care for seven or more children.
- 7.2 Certificate of insurance. A copy of the policy or a certificate of insurance shall be provided to the Department prior to issuance of a license. Said certificate shall evidence type of coverage and policy amount.
- 7.3 Endorsement. Each insurance policy shall contain an endorsement providing for thirty (30) days' notice to the Department prior to the effective date of cancellation or non-renewal of the policy.
- 7.4 Governmental agencies. The Department may waive upon request, the above insurance requirements for any government agency or subdivision of a government which operates a child care facility and is self-insured for its general liability exposures with the concurrence of the County Risk Manager, after the review of the entity's annual fiscal audit.

Washoe County Department of Social Services

Regulations for Child Care Facilities

Director

SECTION 8 DIRECTOR

- 8.1 Approval. Each director of a child care center, preschool, and infant and toddler nursery must be approved by the Department for suitability to hold such a position.
- A. The licensee shall, at the time of application, present an application for approval of the director to the Department on forms furnished by the Department.
 - B. Copies of college transcripts and high school diploma or general educational development certificate shall accompany the director application form.
 - C. The applicant shall provide written verification of past qualifying employment.
 - D. The Department shall conduct an investigation of the proposed director, including verification of past employment and education and verification of good moral character from three references.
 - E. The Department shall deny approval of the director if:
 - 1. The applicant's qualifications are not verifiable.
 - 2. The applicant does not meet the minimum age, education and/or experience qualifications required by these Regulations.
 - 3. The applicant would not qualify to hold a license under the provisions of Washoe County Code Chapter 45 or any other sections of these Regulations.
- 8.2 Resignation/termination of director. Upon resignation or termination of an approved director, the licensee shall have 60 days in which to obtain the Department's approval of a new director.
- 8.3 Failure to provide director. Failure to provide a qualified director within 60 days as outlined in Section 8.2 above or employment of a director who has not been approved by the Department shall be unlawful and shall be grounds for revocation, suspension, or limitation of the license.

Washoe County Department of Social Services

Regulations for Child Care Facilities

Action on License Application

SECTION 9 ACTION ON LICENSE APPLICATION

- 9.1 Notification of status. The license applicant shall be notified of the status of his application within 30 days after the Department has received his completed application including, where required, written verification of his qualifying education and experience and all license fees. If the application meets all requirements, the Department shall issue a license which is valid for one year from the date of issuance. The Department may grant a license with restrictions or conditions or a provisional license for a period not to exceed one year if it deems necessary.
- 9.2 Content of license. Each child care facility license issued shall specify the names of the licensee and director, location of the facility, the type(s) of facility licensed, the ages and maximum number of children for whom care can be provided, the hours during which care can be provided, and any appropriate restrictions or conditions.

Washoe County Department of Social Services

SECTION 10 ANNUAL LICENSE RENEWALS

- 10.1 Application. Applications for license renewal shall be made to the Department, on forms provided by the Department, no less than sixty (60) days prior to the expiration of the license. License fee shall accompany the application.
- 10.2 Inspections. The Department shall make arrangements for the health and fire inspections and conduct the Department inspection.
- 10.3 Provisional license. The Department may grant a license with restrictions or conditions or a provisional license for a period not to exceed one year if it deems necessary.

Washoe County Department of Social Services

Regulations for Child Care Facilities

Display and Use of License

SECTION 11 DISPLAY AND USE OF LICENSE

- 11.1 Display of license. Every child care facility licensed under the provisions of Washoe County Code Chapter 45 and these Regulations shall display its license in a prominent place in the facility.
- 11.2 License nontransferable. Any license issued under the provisions of Washoe County Code Chapter 45 and these Regulations shall not be transferable by the licensee to any other person or entity.
- 11.3 Use of license. No other business which will conflict with standards contained in Chapter 45 of the Washoe County Code or these Regulations may be conducted on the premises of any child care facility.
- 11.4 Return of license. A licensee shall return to the Department his license if he ceases to operate a facility, if the license has been suspended or revoked, or if his annual license is placed on a provisional, restricted, or conditional basis.
- 11.5 Limitations. Any license issued pursuant to these Regulations shall be valid only for the particular premises described therein, the type of facility, ages and number of children, and hours for which it is issued, and if the facility is in compliance with any other limitations enumerated therein.
- 11.6 Inactive Status. A licensee may request that his license be transferred to inactive status by the Department. If the request is approved, the licensee shall, within 15 days after the approval, give written notification to the parents of any children in the facility that his license is inactive.
- A. Inactive status does not continue beyond the expiration of the license.
- *11.7 Multiple Licenses. A licensee who holds a license to operate a family home or group home may not obtain a license to operate any other family home, group home, or other child care facility as defined in Section 1 of these Regulations.

Washoe County Department of Social Services

SECTION 12 ADVERTISING

- 12.1 Law. It is unlawful to publicly advertise in any manner a child care facility without first having obtained a child care facility license as provided in Chapter 45 of the Washoe County Code and these Regulations.
- 12.2 Statements of service. Advertisements and statements of services available at child care facilities shall be limited to such services as are specified in the license and no advertising or statements or claims of specialized educational training or experience or related services shall be made unless authorized by the license.

Washoe County Department of Social Services

Regulations for Child Care Facilities

Violation of Regulations

SECTION 13 VIOLATION OF REGULATIONS

- 13.1 Unlicensed care. If the Department has reason to believe that a facility is operating without a license, the Department will investigate.
- A. A notice of violation will be issued if the person providing unlicensed care agrees to become licensed or to cease providing child care immediately.
 - B. A citation will be issued immediately if:
 - 1. The person refuses to cooperate;
 - 2. If the health or safety of any of the children appears to be in danger; or
 - 3. If the caregiver was given a prior opportunity to be licensed and did not follow through.
- 13.2 Licensed facilities. If the Department has reason to believe that a licensed facility is not complying with the conditions of the license, Chapter 45 of the Washoe County Code, or these Regulations, the Department will investigate to determine the facts. The Department staff may enter and inspect the premises which are believed to be in non-compliance and may conduct such other investigations as it deems necessary.
- 13.3 Denial, suspension, revocation, or limitation of license. The Department may deny an application for a child care license or may suspend, revoke, or limit a child care license for the following acts by the applicant, members of the household, licensee, staff, or volunteers:
- A. Violation of any standard contained in Chapter 45 of the Washoe County Code or these Regulations;
 - B. Conviction of violation of any law;
 - C. Aiding, abetting, or permitting the commission of any such violation;
 - D. Conduct which is inimical to the public health, morals, welfare or safety of the people of the State of Nevada in the maintenance or operation of the facility for which a license is issued;
 - E. Conduct which is detrimental to the health or safety of the occupants or employees of the facility;
 - F. Failure or refusal to permit any investigation or inspection by the Department or to admit authorized representatives of the Department at any reasonable time to investigate or inspect the facility;

Washoe County Department of Social Services

Regulations for Child Care Facilities

Violation of Regulations

- G. Failure or refusal to submit any required report to the Department or refusal to make available to the Department any records required by it in investigating the facility for licensing purposes;
 - H. Findings by the Department that the licensee, staff, or members of the household no longer meet the standards outlined in Chapter 45 of the Washoe County Code or these Regulations; or
 - *I. Failure to maintain compliance with standards for safety from fire and other emergencies or standards for health and sanitation as determined by the Department after an inspection of any building or premises of the facility conducted by Department or other agency staff.
- 13.4 Citations may be issued for violations of any standard contained in the Regulations. The use of citations as a sanction will generally precede the revocation, suspension, or limitation of a license.
- 13.5 Immediate revocation/suspension. Notwithstanding any of the notice and appeal provisions specified in these Regulations, if the Director of the Department finds that the health and safety of the children so requires, the Department Director may order the immediate revocation/suspension of the license and shall give to the licensee a written notice of the order by personal service. The order shall become effective as indicated in the notice. The notice will contain a statement of the reasons for revocation/suspension and will inform the licensee of his right of appeal.

Washoe County Department of Social Services

Regulations for Child Care Facilities

Appeal Procedure

SECTION 14 APPEAL PROCEDURE

- 14.1 Denied work permit. Any applicant who is denied a sheriff's work permit shall follow the appeal procedure provided in Washoe County Code Chapter 45.
- 14.2 Right to appeal. Any applicant, licensee, caregiver, or applicant for a director position who is dissatisfied with the decision of the Department Social Worker that affects his situation shall be given the opportunity to appeal that decision.
- 14.3 Notification. An applicant for a child care license who was denied a license, a person whose director application was denied, or a licensee whose license may be suspended, revoked, or limited shall be notified by letter. The written notice of the action or proposed action shall be sent by certified mail to the address shown in the record. The notice shall specify the reasons for and the effective date of the denial, suspension, or revocation.
- 14.4 Decision pending appeal. The decision of the Social Worker will be in effect from the date given in the notice pending the result of the appeal.
- 14.5 Appeal hearing
- A. If the appellant is dissatisfied with the Supervisor's decision, he may request an appeal hearing by filing such a written request with the Department Director within ten calendar days of receipt of the Supervisor's decision.
 - B. The Department Director or designee shall schedule a hearing within 20 calendar days of receipt of the appeal and notify all parties involved of the hearing date, time, and place.
 - C. Notice of the hearing must be given no less than five days before the date of the hearing.
 - D. An impartial hearing officer selected by the Department shall conduct the informal hearing in accordance with established informal hearing procedures.
 - E. If the appellant fails to appear at the hearing within 15 minutes of the designated time, the hearing officer will formally adjourn the proceedings. The Department will notify the appellant that within five calendar days a written statement setting forth the reason(s) for the appellant's failure to appear at the hearing must be submitted to the hearing officer.
 - F. The hearing officer, after review of the reason given by the appellant for his failure to appear, may schedule another hearing within ten calendar days thereafter. Should the hearing officer deem the reason inadequate or without sufficient merit, the hearing shall not be rescheduled. Only one such rescheduling of a hearing will be considered or granted.

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Regulations for Child Care Facilities

Appeal Procedure

- G. The hearing officer may extend the hearing for a reasonable period of time in order to hear all evidence either side has to offer. At the conclusion of the hearing, the matter shall stand submitted for decision. Within ten calendar days after the hearing, the hearing officer shall mail a written decision to the appellant and the Department.
- 14.6 Appeal of hearing officer's decision. Upon receipt of the decision of the hearing officer, the Department or appellant may within 30 days appeal that decision to a court of competent jurisdiction in the County. The decision of the hearing officer becomes final if no appeal is filed within the 30-day period.

Washoe County Department of Social Services

Regulations for Child Care Facilities

Complaints

SECTION 15 COMPLAINTS

- 15.1 Unannounced visit. Complaints about a facility may be received by telephone, letter, or personal interview. In all complaints an unannounced visit to the facility shall be made by a child care licensing inspector.
- 15.2 Protocol. The complaint will be discussed with the director or appropriate person in charge of the facility.
- 15.3 Report of complaint and visit. A report of the complaint and visit to the facility by a child care licensing inspector will be kept in the Department's file. The complainant's identity shall remain anonymous to the facility operator and the public.

Washoe County Department of Social Services

<u>Regulations for Child Care Facilities</u>	<u>Penalty for Violation</u>
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SECTION 16 PENALTY FOR VIOLATION

16.1 Penalty. Any person violating any of the provisions of Chapter 45 of the Washoe County Code or these Regulations shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not more than \$1,000 or by imprisonment in the county jail for a term of not more than six months or by any combination of such fine and imprisonment.

Washoe County Department of Social Services

Regulations for Child Care Facilities

Requirements for Administration of a Facility

SECTION 17 REQUIREMENTS FOR ADMINISTRATION OF A FACILITY

17.1 Written policies

- A. Every facility shall adopt and comply with a written statement which:
1. Sets forth the general services to be offered to each child;
 2. Provides for the special needs of each child;
 3. States the requirements for admission and procedures for enrollment;
 4. Sets forth fees and any plan for payment of fees;
 5. Provides rules relating to personal belongings brought to the facility;
 6. Covers arrangements for transportation;
 7. Requires written parental permission for trips and activities outside the facility;
 8. Provides for parental involvement in the general functions of the facility;
 9. Gives either or both parents the right to observe the program of the facility before enrollment and anytime after enrollment of the child;
 10. Sets forth the procedures for the handling of emergencies and illnesses of each child;
 11. Notifies either or both parents if smoking tobacco is permitted on the premises of the facility;
 12. Notifies either or both parents of the contents of any plan created to ensure that the staff of the facility is prepared to respond to an emergency; and
 13. Notifies either or both parents of the requirement that at least one caregiver who has current CPR certification must be on duty whenever the facility is in operation.
- B. In addition to the information required in Section 17.1.A, a licensee for a facility that provides care for ill children shall adopt criteria for admission that set forth:
1. The illnesses and disabilities that are acceptable;
 2. The illnesses and disabilities that are not acceptable;
 3. The ages of children served by the facility;

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Regulations for Child Care Facilities

Requirements for Administration of a Facility

4. The information required from a parent before a child can be admitted to the facility; and
 5. The procedures to be followed by the staff of the facility in the event of an emergency.
- 17.2 Policy Statement. Every facility shall provide a copy of its policy statement to each paid or volunteer staff member, to each parent of a child enrolled in the facility, and to the Department.
- 17.3 14-Hour Limit. At the time of enrollment, except in a child care institution, the facility shall advise the parents of the 14 hour limit. The parents shall sign a form acknowledging that they are aware of the time limitation and designate the time they will return for the child.
- 17.4 Telephone/emergency numbers. The name, business address, and business telephone number of any person who has legal or administrative responsibility for the facility must be provided to each parent of a child enrolled in the facility and to the Department. Each facility shall have a working telephone which is listed in a local directory. A current list of emergency telephone numbers, including health agencies, fire and police departments, and ambulance services shall be posted adjacent to the telephone.
- 17.5 Employee list. The facility shall notify the Department of all staff changes exclusive of substitutes prior to new personnel commencing employment. Licensees providing child care in occupied residences shall within three working days notify the Department of changes in the household composition.
- 17.6 Change in director. A licensee shall notify the Department, within three working days, of the resignation or termination of the approved director.
- 17.7 Change in services. The facility shall notify each parent of a child enrolled in the facility and the Department of significant changes in services offered by the facility.
- 17.8 Confidentiality. The facility shall not disclose information pertaining to any child to any person who is not a member of the facility staff or a Department representative unless:
- A. The parent has granted written permission for the disclosure (the facility shall have forms available which allow a parent to release information pertaining to his child); or
 - B. There is an emergency, as determined by the facility director or a staff member who is in charge at the time of the emergency.
- 17.9 Reporting child abuse/neglect. Every licensee or employee of a facility who has reason to believe child abuse/neglect may be occurring in the facility, in the child's home, or

Washoe County Department of Social Services

Regulations for Child Care Facilities

Requirements for Administration of a Facility

elsewhere shall report his beliefs to the Department and to the appropriate authority as required in NRS 432B.220. For the purposes of these Regulations, immediately is defined as within one (1) hour.

17.10 Procedures for admission

A. Admission Records. Before the admission of a child to a facility, the caregiver shall obtain the following information from the parent. The caregiver shall make a record for each child and maintain each record in good order. The record shall state the date the record was prepared and the date of the first day the child attends the facility and include:

1. The child's full legal name, date of birth, sex, current address, and preferred name;
2. The name, address, and home and business telephone numbers of each parent responsible for the child and any special instructions needed to reach the parent during the hours the child is in the facility;
3. The name, address, and telephone number of any person who can assume responsibility for the child and is authorized to take the child from the facility if the parents cannot be reached;
4. Information concerning the health of the child, including any special needs of the child. Refer to Section 26 for Immunization and Health of Children;
5. A written authorization signed by a parent which allows emergency surgical and medical care;
6. The name, address, and telephone number of the child's physician; and
7. The name, address, and telephone number of all persons authorized by the parents to take the child from the facility.

B. Infant/toddler admission procedures. The director or a designated member of the staff of a nursery for infants and toddlers or other facility that enrolls infants and toddlers shall discuss policies concerning the health of an infant or toddler with the parents before enrollment of the child. Every parent must be given a description of and agree in writing to the following matters concerning the child:

1. Feeding;
2. Diapering;
3. Changes of clothing, which are to be provided by parents;

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4. Bathing, including, without limitations, the kind of soap to be used;
 5. Precautions against infectious disease;
 6. Sleeping;
 7. Toilet-training;
 8. Daily reports to the parents;
 9. Any special precautions regarding the health and safety of the child; and
 10. Any other information deemed necessary by the facility or Department.
- C. Each facility must develop written guidelines concerning the methods used by the staff of the facility for toilet training and the use of appropriate equipment and clothing for such training.
1. The guidelines concerning toilet-training must be distributed to each parent of each child being cared for at the facility who is not yet toilet-trained.
 2. The guidelines must require that the staff of the facility shall:
 - a. Not force a child to remain on the toilet for a prolonged period of time or punish a child for wetting or soiling his clothing;
 - b. Not leave a child unattended while the child is sitting on a potty-chair or on the toilet;
 - c. Instruct and assist the children in washing their hands after using the toilet; and
 3. If a potty-chair is used to train a child to use the toilet the facility shall:
 - a. Place the potty-chair on a washable, impervious floor;
 - b. Use the potty-chair in accordance with the instructions from the manufacturer;
 - c. Ensure that the potty-chair is stored and used in an area that is not in close proximity to an area used for the preparation of food;
 - d. Empty the potty-chair into a toilet immediately after each use; and
 - e. Thoroughly clean and disinfect the potty-chair after each use.

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Requirements for Administration of a Facility

- 17.11 Requirements for the care of infants or toddlers. Any facility which provides care to one or more infants or toddlers must adhere to the following requirements:
- A. A caregiver must be assigned to a specific group of infants on a continuing basis.
 - B. Each infant and toddler must be under direct visual observation by a qualified caregiver at all times, except as provided for the napping area.
 - C. Each infant and toddler must be given undivided attention by the same caregiver for at least 30 minutes in the morning and 30 minutes in the afternoon, including periods of feeding and bathing. The caregiver shall, during this time:
 - 1. Hold and talk to the child;
 - 2. Encourage the development of the child's coordination by allowing him to reach for, grasp, creep, crawl, or pull up;
 - 3. Give toddlers the opportunity to develop the large muscles of the body by activities such as climbing and walking; and
 - 4. Encourage the child to interact socially through playing, using language and solving problems using materials and equipment that are appropriate for the age of the child. Infants under six months of age must be provided an additional period of not less than two hours of activity each day out of the crib, for example, in a playpen or other suitable area.
 - D. Each licensee of a facility must provide an indoor area which is covered by a soft or nonabrasive material and is protected from traveled walkways and where crawling children can be on the floor for at least a part of the day.
 - E. A caregiver may take the infant or toddler assigned to him/her outside or to areas of the facility other than their usual room for a part of each day to provide a change in their physical surrounding and to increase opportunities for social interaction.
 - F. When weather permits, each toddler over 12 months of age must be taken outside for a portion of each day. If the weather is extremely hot, the toddler must be kept in a shaded area while outdoors.
 - G. An infant who is awake must not be left in a crib for long periods without direct adult care and never for more than 15 minutes at a time.
 - H. The staff of each facility shall:
 - 1. Provide appropriate and adequate seating for the children at the facility during snacks and meals;

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Requirements for Administration of a Facility

2. If a high chair is used, ensure that the chair:
 - a. Is in good condition;
 - b. Has a wide base; and
 - c. Has a safety belt for the child and that it is used while a child is in the chair.
3. Wash with a detergent and disinfect after each use any chair or table that is used during a snack or meal;
4. Allow, encourage and assist each child to feed himself, including, without limitation, encouraging a child to hold and drink from a cup, use a spoon and use his fingers to feed himself;
5. Offer each child drinking water at times other than during his regular feedings;
6. Transfer commercially prepared baby food from a jar to a dish before feeding it to a child or if fed directly from the baby food jar discard the jar after use;
7. Discard any food that is left in a dish after a meal;
8. Store each bottle of formula and container of food in accordance with the instructions from the manufacturer of the formula or food;
9. Label each bottle of formula and container of food with the name of the child to whom it belongs and the date the formula or food was prepared by the facility or was prepared or purchased by the parent;
10. Immediately refrigerate and label each container of breast milk provided by a parent;
11. Return each prepared bottle to the appropriate parent each day;
12. Return any unused, open container of food to the appropriate parent each day if the child was not fed directly from the container of food; and
13. Develop with the parents of a child a plan for feeding the child, which must include, without limitation:
 - a. Instructions for feeding;
 - b. Any special dietary restrictions, including, without limitation, any allergies to food;
 - c. A schedule of times for feeding;

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- d. Whether the child will be fed breast milk, formula or solid food;
 - e. If the child will be fed breast milk or formula, when to begin feeding solid food; and
 - f. Likes and dislikes of certain foods.
- I. A child who is fed with a bottle and does not hold his own bottle must be held by a caretaker while being fed with a bottle. The bottle must not be propped for feeding. A child who demonstrates a preference for holding a bottle during feeding may hold his own bottle and need not be held by a caretaker if the caretaker is directly observing the child.
- J. The staff of a facility may feed a child commercially prepared baby food directly from the jar in which it was packaged or from a separate dish. If the staff feeds the child from the jar, the staff shall discard the jar after it is used.
- K. The staff of a nursery for infants and toddlers shall separate the infants from the toddlers while the toddlers are engaging in physical activities.
- L. There must be a resilient surface under equipment that is used for playing and climbing at a nursery for infants and toddlers. Such equipment must be appropriate for the age of the children using the equipment.
- M. The staff of a nursery for infants and toddlers shall promote the healthy development of toddlers by:
- 1. Expressing feelings with words;
 - 2. Giving directions that are worded in a positive manner;
 - 3. Modeling desirable behavior; and
 - 4. Redirecting behavior.
- N. The staff of a nursery for infants and toddlers shall not discipline or punish an infant or toddler by confining him to a crib, playpen or other such piece of furniture or equipment.
- O. Record keeping. The staff of a nursery for infants and toddlers shall prepare a daily report for each child 0 to 24 months of age for whom it provides care. The report must be posted in a conspicuous place in each room used to care for the infants and must include, without limitation, information concerning the feeding, diapering, and sleeping of each infant. Records shall specify time, date and amount of food given.

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- P. Naps must be provided according to the needs of the infants and toddlers. There must be direct supervision of the children while they nap.
- Q. Consultant. Infant nurseries shall arrange to have a currently licensed Nevada nurse (RN or LPN) with experience in infant care available to consult regarding the general care of children. It is suggested that the public health nurses be consulted to satisfy this requirement.
- 17.12 Responsibility for children. The facility shall assume responsibility for a child between the place where he is called for and the facility and from the time he leaves the facility until he is delivered to his parents, legal guardian, or other person designated by his parents or legal guardian.
- 17.13 Arrangements for transportation of school-age children shall be by agreement between the facility and the child's parents, i.e., whether the child is to walk, ride his bicycle, or travel in a car. The facility shall exercise reasonable caution to see the child arrives at the facility from school when expected and to follow-up on his whereabouts if he should be late.
- 17.14 Procedures for overtime/abandoned children except in child care institutions.
- A. If the parents do not pick up the child at the expiration of the 14-hour period, the facility shall take immediate steps to locate the parents.
- B. The following procedures shall be followed by the facility when a child has been left at the facility in excess of 14 hours within any 24-hour period or appears to be abandoned:
1. If the facility is unable to contact the parents or other person designated by the parents, the facility shall notify the Department's Child Protective Services Division. The Child Protective Services Supervisor shall consult with the facility director to determine appropriate action on an individual case basis. After regular business hours, the facility director shall notify law enforcement authorities who in turn will contact Department staff.
 2. On the first day of each month the facility director shall report to the Department all incidents of children who have been left at the facility in excess of the 14 hour maximum allowable time.
- 17.15 Lack of valid work permit. No person who lacks a valid work permit may be permitted in the presence of any child unless the holder of a valid work permit is also present and situated in a position where view of the child is unobstructed.
- 17.16 Reporting complaints or arrests. The licensee or director of a facility shall report in writing within ten days all arrests or complaints filed in criminal, civil or juvenile court

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involving the child care facility, licensee, or members of the household. The licensee or facility director shall report all such known complaints or arrests filed against facility staff which affect the child care operation. Failure to do so shall be a violation of these Regulations.

- 17.17 Operation and maintenance of facility. The operation and maintenance of a child care facility shall promote the health, safety, and welfare of the children who are to be served in the facility by:
- A. Assuring safe and adequate physical surroundings;
 - B. Assuring supervision and care of the children by capable, qualified personnel of sufficient number;
 - C. Assuring an adequate program of activities and services to enhance the development of each child.
- 17.18 Release of children. The facility shall release a child only to the child's legal custodian(s) or to a person designated by the child's legal custodians.
- 17.19 Record Retention. Any records required to be kept on the care of or service to a child will be kept on site for 90 days unless specified otherwise.

SECTION 18 TRANSPORTATION

Any child care facility that provides transportation by automobile or other motor vehicle shall meet the following requirements:

- 18.1 Written permission to transport. The facility shall obtain from parents and guardians written permission for transportation of their child to and from the facility and for facility sponsored excursions in facility operated vehicles volunteered for facility use.
- 18.2 Insurance. The facility shall maintain and keep in full force and effect for each licensing period adequate insurance which covers liability for health or injury, medical expenses, and damages caused by uninsured motorists.
- 18.3 Inspection by Department of Motor Vehicles. Prior to initial use and at least annually thereafter, any bus the facility uses shall be inspected by the State of Nevada Department of Motor Vehicles in the same manner as inspections of school buses are conducted.
- 18.4 Requirements of driver. A driver of a vehicle used by the facility shall:
 - A. Possess an appropriate class Nevada driver's license;
 - B. Use a vehicle that is insured, enclosed, and in safe operating condition;
 - C. Ensure that all windows and doors are secure before proceeding;
 - D. Instruct children in safe transportation conduct as appropriate for their age and stage of development;
 - E. Ensure that each child who is transported in the vehicle is secured with a restraint device as required by NRS 484 Restraints for Children. Refer to Addendum II for NRS 484 Restraints for Children;
 - F. Not leave an unattended child in the vehicle at any time;
 - G. Not permit any child to stand in the vehicle at any time;
 - H. Ensure that each child boards or departs the vehicle on the side of the vehicle adjacent to a curb and that the child is safely conducted across any street encountered immediately before boarding or after departing;
 - I. Ensure that a parent or a person designated in writing by the parent is present to take charge of a child upon delivery of the child to his home or other approved destination; and
 - J. Ensure that children being transported are protected by adequate safety precautions not otherwise specified.

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- 18.5 Vehicle capacity. The number of children transported in a vehicle is to be determined by the seating space of 13 inches rump room per child.
- 18.6 Staff-to-child ratio. When transporting children kindergarten to 18 years of age to and from school only, the staff-to-child ratio for one to 15 children inclusive is one caregiver. This staff person may be the vehicle driver.

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Regulations for Child Care Facilities

Program Standards

SECTION 19 PROGRAM STANDARDS

- 19.1 Program requirements. Every program of a facility must meet the basic needs of children for:
- A. Good health and normal physical development;
 - B. Optimal mental growth;
 - C. Stimulating language and communicative experiences;
 - D. The attention, acceptance, and affection of others;
 - E. Opportunities to experience success and to test mental, physical, and social skills;
 - F. Self-identity and a sense of competence and worth;
 - G. The security provided by gentle discipline;
 - H. Relations with others which set forth the rights of adults and the rights of children;
 - I. Learning experiences planned with the aid of the child's parents which insure harmony with the life style and cultural background of the child;
 - J. Activities which facilitate social growth and adjustment; and
 - K. The time and opportunity to learn independence and personal care.
- 19.2 Activities. A facility shall plan activities which facilitate the child's social growth and adjustment.
- 19.3 Personal hygiene. Each facility must have written procedures concerning the washing of hands.
- A. The staff of a facility shall follow the procedures of the facility concerning the washing of hands and shall instruct, monitor and assist the children being cared for at the facility to ensure that the children follow the procedures.
 - B. The procedures concerning the washing of hands must require, without limitation, that:
 - 1. The staff of the facility wash their hands with dispenser type soap and warm water:
 - a. Any time their hands come into contact with blood, mucus, vomit, feces or urine;
 - b. Before preparing or handling food;

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- c. Before engaging in any activity related to serving food, including, without limitation, setting the table;
 - d. Before and after eating a meal or snack;
 - e. After using the toilet, helping a child use the toilet or changing a diaper with or without gloves;
 - f. After attending to an ill child; and
 - g. After handling an animal.
2. The children being cared for in the facility wash their hands with dispenser type soap and warm water:
- a. Any time that their hands come into contact with blood, mucus, vomit, feces or urine;
 - b. Before handling food;
 - c. Before and after eating a meal or snack; and
 - d. After handling an animal.
- C. The staff of facility shall ensure that:
- 1. Each bathroom has running water, soap and single-use or disposable towels; and
 - 2. Any common basin or sink which is filled with standing water is not used for the washing of hands.

19.4 Outdoor playground requirements

- A. The play area of each facility must:
- 1. Be fenced or enclosed in a manner that prevents the unsupervised departure of children from the area;
 - 2. Have an adequate drainage system;
 - 3. Be free of hazards, debris, and trash;
 - 4. Have trees or a structure which can provide adequate shade for children using the area;

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5. Have resilient surfaces underneath any elevated play equipment;
 6. Have adequate safety barriers around any elevated platforms;
 7. Not have any dangerous or poisonous plants or other vegetative matter located within the boundaries of the play area or in an area that is accessible to children from the play area; and
 8. Not be in a location where any bodies of water are accessible to children.
- B. The playground equipment shall be maintained in a safe condition (refer to Addendum IX for standards on playground safety) and be:
1. In good repair;
 2. Designed and constructed to minimize injury;
 3. Compatible with the age of the children in the facility;
 4. Spaced to reduce accidents; and
 5. Securely anchored.
- C. Playground staffing and supervision.
1. Playgrounds shall be adequately supervised for the safety of the children. In all child care facilities, except in group homes where six or fewer children are in care or in family care homes, the minimum number of playground supervisors shall be one for each 20 or less children unless other factors (such as layout of the playground, the physical or developmental needs of the children, or the playground activity) require the presence of more supervision. If two-year-olds are present on the playground, the one-to-ten ratio of caregivers to children must be maintained. In no case shall a child be permitted out of view of the playground supervisor or other approved caregiver.
 2. At infant-toddler nurseries, the required ratio of caregivers to children must be maintained on the playground.
 3. To be in compliance with the staff-to-child ratio required in Section 24.4.C. all the remaining caregivers, not on duty on the playground, must remain on site.
- D. Outdoor play. If the weather permits, all children must have a daily period of outdoor play. A facility shall provide opportunities for active play which builds muscles, such as climbing, jumping, running, and playing with toys which have wheels. The quantity and quality of materials and equipment must be sufficient to avoid excessive

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competition between the children and long waiting periods to use the materials or equipment.

- 19.5 Nap/rest period. The facility shall provide a cot, mat, or bed for each child. Every child under six years of age who is in the facility for more than five hours per day must have a period for a nap during the day. A child who cannot sleep must rest during the period provided for a nap. The rest period may include any activity not requiring use of large motor skills, i.e. books, puzzles, coloring. Napping children must be supervised and caregivers must remain awake and with the children.
- 19.6 Play materials/equipment. The amount, variety and arrangement and use of materials and equipment used in a facility must be appropriate to the developmental needs of the children cared for in a facility and:
- A. Play equipment must be of sturdy, safe construction in good repair;
 - B. The facility shall provide a variety of games, toys, books, crafts, and other activity materials;
 - C. The facility shall provide sufficient quantity of appropriate equipment and materials necessary to conduct individual and group programming for the children in care;
 - D. The facility shall store materials in a manner that allows children to select, remove, and replace the materials independently or with minimal assistance;
 - E. Equipment and any material other than a toy that is used for play in a facility must be durable and free from characteristics that may be hazardous or injurious to a child who is less than two years of age, including, without limitation, such characteristics as sharp or rough edges, toxic paint or objects that are small enough for a child of that age to swallow and choke on;
 - F. Any object, or component of a toy that is accessible by a child who is less than three years of age at a facility must meet the federal size requirements set forth in the Code of Federal Regulations, Title 16, Part 1501;
 - G. Toys with sharp points or edges, plastic bags and objects made from Styrofoam must not be accessible to a child who is less than three years of age;
 - H. A toy or any other piece of equipment that is used for play must be made of a material that is capable of being disinfected and must be cleaned and disinfected promptly after the toy or other piece of equipment has been soiled or put into the mouth of a child or not less than one time each day;
 - I. The staff of a facility shall not provide a stuffed animal to any child unless the stuffed animal is laundered or disinfected not less than one time each day or more often if necessary;

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- J. Toys placed in a crib at a facility must be appropriate for the age of the child using the crib. The staff of a facility shall adhere to any requirement set forth on the label of a toy regarding the safe use of the toy;
- K. Each room at a facility that is used for play and other activities for children must have:
 - 1. Low, open shelves to store toys;
 - 2. An adequate supply of toys that are appropriate for the age of the children;
 - 3. Tables and chairs that are the appropriate size for the children; and
 - 4. Any other equipment that is necessary to meet the needs of the children.

Refer to Addendum III for Code of Federal Regulations, Title 16, Part 1501 and Addendum IV for Suggested List of Materials.

- 19.7 Furniture. Furniture must be durable, safe, and intended for use by children or appropriately adapted for use by children. Low chairs and tables or infant seats with trays are recommended for table play and meal time for children no longer being held for feeding. High chairs, if used, shall have a wide base and safety straps.
- 19.8 Clothing storage. A facility shall provide space for the storage of the children's clothing which is within easy reach of the children.
- 19.9 Environment: infants/special needs. A facility that serves children under three years of age or children with disabilities must provide an environment which protects the children from physical harm but is not so restrictive as to inhibit physical, intellectual, emotional, and social development.

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Discipline of Children

SECTION 20 DISCIPLINE OF CHILDREN

- 20.1 Prohibited punishments. A facility shall enhance a child's behavior through positive guidance, redirection of the child's behavior, and the setting of clear-cut limits of behavior. An employee or other person associated with a facility shall not, for any reason:
- A. Inflict physical punishment, in any manner or form, upon any child;
 - B. Verbally abuse or threaten a child;
 - C. Make derogatory remarks about the child or his family;
 - D. Threaten a child with the loss of love of any person;
 - E. Threaten a child with punishment by a deity;
 - F. Subject a child to any form of punishment which pertains to food or rest or restricts the use of toilet or other bathroom fixture;
 - G. Subject a child to any form of punishment by other children; or
 - H. Physically restrain a child by means of an implement or device.
- 20.2 Parental consent to allow any person within the facility to punish a child contrary to the provisions of this section does not prevent such acts from constituting a violation of these Regulations.
- 20.3 Suggested disciplinary measures. Disciplinary measures used in a facility must be consistent with supportive, positive action, and may include:
- A. Holding a child's arm to prevent hitting;
 - B. Bodily picking up the child and removing him from the group and:
 - 1. Sitting with the child until he is ready to play without hitting; or
 - 2. Isolating the child under observation for no more than ten minutes.
 - C. Informing the child in a simple, positive manner what conduct is expected while he is in the facility;
 - D. Praising and recognizing a child who behaves in the expected manner; and
 - E. Directing a child who is in a situation which is creating problems to a new activity.

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Regulations for Child Care Facilities

Qualifications and Requirements of Director

SECTION 21 QUALIFICATIONS AND REQUIREMENTS OF DIRECTOR

21.1 Director qualifications

- A. Child care center. Every child care center that is licensed must have a director who is at least 21 years of age and who has:
1. A bachelor's or associate's degree and have completed at least 12 semester hours of education, of which:
 - a. At least six semester hours are in child development; and
 - b. At least six semester hours are in child development, child psychology, education related to the health of children, or in courses directly related to these fields, of which not more than three semester hours may be in courses concerning the business of child care, and have at least six months verifiable experience which is satisfactory to the Department in a program related to child education, early childhood development, or child care; or
 2. A high school diploma, a general educational development certificate, if approved by the Department, and at least 12 semester hours of education, of which:
 - a. At least six semester hours are in child development; and
 - b. At least six semester hours are in child development, child psychology, education related to the health of children, or in courses directly related to these fields, of which not more than three semester hours may be in courses concerning the business of child care and at least two years of verifiable, satisfactory experience in a program related to child education, early childhood development, or child care; or
 3. A current credential as a Child Development Associate issued by the Council for Early Childhood Professional Recognition of the National Association for the Education of Young Children, Washington, D.C. 20005; or
 4. A certificate for Child Care Center Director from a program approved by the Department and at least one year of verifiable satisfactory work experience in a program related to child education, early childhood development, or child care; or
 5. A combination of education and experience which, in the judgment of the Department Director, is equivalent to subsections 1, 2, 3, or 4.
- B. Infant-toddler nursery. Every infant-toddler nursery that is licensed must have a director who is at least 21 years of age and must:
1. Have completed the training required to become a professional nurse; or

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2. Have completed the training required to become a licensed nurse, and have at least six months of verifiable experience which is satisfactory to the Department in a program related to the care of children under three years of age; or
 3. Hold a current credential as a "Child Development Associate for Infants and Toddlers" issued by the Council for Early Childhood Professional Recognition of the National Association for the Education of Young Children, Washington, D.C. 20005; or
 4. Have a high school diploma or, if approved by the Department, its equivalent, and have completed at least 12 semester hours of education, of which:
 - a. At least six semester hours are in infant and toddler development; and
 - b. At least six semester hours are in child development, education related to the health of children or courses directly related to these fields, and at least two years of verifiable experience which is satisfactory to the Department in a program related to the care of children under three years of age; or
 5. Have a combination of education and experience which, in the judgment of the Department Director, is equivalent to one of the requirements described in paragraphs 1 to 4, inclusive.
- C. Preschool
1. Director. Each preschool shall have a director who is at least 21 years of age and who meets the qualifications specified in Section 21.1.A.
 2. Program director. Each preschool must have a person designated as its program director who develops and supervises the preschool's curriculum and must:
 - a. Have a bachelor's degree in teaching or child development from an accredited college or university and have completed at least 12 semester hours of education, of which:
 - 1) At least six semester hours are in child development or in courses directly related to child development; and
 - 2) At least six semester hours are in child development, child psychology or education related to the health of children or in courses directly related to child psychology or education related to the health of children; or
 - b. Have at least two years of experience in a full-time, verifiable position, be a graduate of a two-year educational course in child development and have completed at least 12 semester hours of education, of which:

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- 1) At least six semester hours are in child development or in courses directly related to child development; and
 - 2) At least six semester hours are in child development, child psychology or education related to the health of children or in courses directly related to child psychology or education related to the health of children; or
- c. Have at least two years of experience in a full-time, verifiable position, be a graduate of a one-year educational course in child development and have completed at least 12 semester hours of education, of which:
- 1) At least six semester hours are in child development or in courses directly related to child development; and
 - 2) At least six semester hours are in child development, child psychology or education related to the health of children or in courses directly related to child psychology or education related to the health of children; or
- d. Have a current credential as a Child Development Associate; issued by the Council for Early Childhood Professional Recognition, Washington, D.C. 20005; **or**
- e. Have a combination of education and experience which, in the judgment of the Department Director, is equivalent to one of the requirements described in subsection a., b., c., or d.
3. The positions of director and program director may be filled by one person who meets the qualifications specified in Section 21.1.A and 21.1.C.
- D. Special needs facility. Every special needs facility that is licensed must have a director who is at least 21 years of age and has:
1. A bachelor's or associate's degree with at least 12 semester hours of education of which three semester hours are in child development, six semester hours are in the education of children with special needs and three semester hours are in child psychology, education related to the health of children, the education of children with special needs, or courses directly related to these fields and six months of verifiable experience, satisfactory to the Department, in a program related to the education of children, early childhood development, child care or the education of children with special needs; or
 2. A high school diploma, a general educational development certificate, if approved by the Department and have completed at least 12 semester hours of education of which three semester hours are in child development, six semester hours are in the education of children with special needs and three semester hours are in child

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Qualifications and Requirements of Director

development, child psychology, education related to the health of children, the education of children with special needs or courses directly related to these fields and three years of verifiable experience, satisfactory to the Department, in a program related to child education, early childhood development, child care or the education of children with special needs; or

3. A combination of education and experience which, in the judgment of the Department Director, is equivalent to the requirements of subsections 1 and 2.

E. Care of ill children facility

1. The director must be:
 - a. A physician as defined in NRS 630.014;
 - b. A physician's assistant as defined in NRS 630.015;
 - c. An advanced practitioner of nursing, as defined in NRS 632.012, who has a specialty in pediatrics;
 - d. A registered nurse as defined in NRS 632.019; or
 - e. A licensed practical nurse, as defined in NRS 632.016, who has two years of experience in pediatric nursing.
2. The director shall complete a total of 60 hours of initial training in:
 - a. The control of communicable diseases; and
 - b. The recognition of symptoms and the care of childhood illnesses.
3. The director must be at least 21 years of age.

21.2 Director requirements. A director of a facility must:

- A. Provide a program for child care for the facility which meets the requirements of these Regulations;
- B. Maintain adequate enrollment, attendance, medical and all other records;
- C. Maintain personnel records for each staff, including volunteers, substitutes, and part-time employees, which must include:
 1. A completed application for employment which lists the name, date of birth, place of birth, address, telephone number, Social Security number, education, training, work experience, three personal references, and person to notify in case of emergency; and

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2. Proof of results of current TB test.
 3. A copy of current work permit card.
 4. A copy of the Prevention and Control of Communicable Disease in the Child Care Setting certificate.
 - *5. Verification of current certification for the administration of cardiopulmonary resuscitation.
 - *6. A copy of each evaluation of his work performance.
 - *7. A copy of his registration as an alien, if applicable.
 - *8. A copy of training certificates as required per Section 22 of these Regulations.
- D. Notify the Department of new employees or volunteers prior to their commencing employment;
- E. Provide space for an office, the storage of records, conferences with parents, meetings of the staff, and all other needs of the child care program;
- F. Maintain responsibility for screening, scheduling, and supervising the staff of the facility, and for all conduct of any member of the staff of the facility;
- G. Work with parents and include them, whenever possible, in the programming and functioning of activities;
- H. Assure that the required staff-to-child ratio be maintained;
- I. Inform parents and other interested parties in writing about the goals, policies, and content of child care programs in the facility;
- J. Maintain a daily sign-in sheet that includes:
1. The first and last names of staff and children;
 2. The times of arrival and departure for staff and children; and
 3. Sign-in sheets to be kept on file a minimum of two years and made available to the Department upon request.
- K. Cooperate with the Department and other agencies of government to improve the quality of child care and the competence of caregivers; and

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Qualifications and Requirements of Director

- L. Be present in the facility 25 hours per week during its hours of peak operation. Peak hours are those when the maximum number of children are customarily present in the facility. In an infant toddler nursery which is a distinct part of a child care facility, the director or one caregiver who meets the qualifications of a director for the infant and toddler nursery, must spend at least one half of his time in the infant and toddler part of the facility.
- M. If the facility is in operation 25 hours or less per week, the director shall be present in the facility during at least half the hours of operation.
- N. Designate a member of the staff who is responsible for the operation of the facility when the director is not present at the facility.

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Qualifications and Requirements of Caregivers

SECTION 22 QUALIFICATIONS AND REQUIREMENTS OF CAREGIVERS

22.1 Specific caregivers. The following sections apply to all caregivers, including family child care and group child care home licensees.

22.2 Caregiver qualifications

A. Every caregiver must be:

1. At least 16 years of age;
2. Able to communicate adequately to summon emergency assistance and respond to or initiate contact with parents and licensing authority; and
3. Mentally and physically healthy and qualified to carry out a program which places emphasis on the development of children.

B. A staff member under 18 years of age may not be used to supervise other staff.

C. Licensees, including family child care and group child care home operators, must be at least 18 years of age.

D. Any caregiver who is under 18 years of age must:

1. Have completed a course in the development of children; or
2. Be currently enrolled in and complete a course in the development of children while employed in a facility.

*An agency designated by the Bureau of Services for Child Care to approve qualifying training courses or, if no agency has been designated, the Department, may decide whether a course in the development of children is adequate to meet these requirements.

E. Although subsections 1 and 3 above allow caregivers to be under the age of 18 in certain circumstances, a child care facility may not be operated unless a person who is 18 years of age or older is on the premises of the facility.

F. No more than 50 percent of the caregivers in a child care facility or preschool may be under 18 years of age.

*G. Whenever a facility is in operation, at least one caregiver on duty must have current CPR certification. All caregivers of a facility must obtain certification in the administration of cardiopulmonary resuscitation (CPR) within 90 days of commencing employment and provide documentation that such certification is current.

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- *1. The certification must be in the administering of CPR to children and to infants if the facility is licensed to care for children under the age of two years, and to adults if necessary to ensure that the person is certified to administer CPR to children of all ages for which the facility is licensed to care for.
- *2. The course must be taught by a certified instructor who meets the standard of the American Heart Association or the American Red Cross.
- *H. Caregivers must complete a program for the administration of first aid. The program must be provided by a licensed health care professional or a representative of a licensed health care agency or clinic, a community college, a university, the American Red Cross, the American Heart Association, an adult education program in home nursing, or another approved institution. The training must include health information for children and responses to illness and emergencies, including the administration of first aid to victims of fire, serious injury, or the ingestion of poison.
- *I. Upon request a facility must present to the Department evidence that any caregiver on duty has complied with training requirements.
- *J. Each caregiver and staff member working directly with children, except as exempt in Section 31.7, shall complete and comply with a course in the recognition of the signs and symptoms of illness in children as required in subsection 6.5 of these regulations as follows:
 - *1. Prevention and Control of Communicable Diseases in the Child Care Setting as taught or approved by the Washoe County District Health Department. Certification must be completed within 90 days after the first day of employment in any licensed child care facility. A copy of the certificate shall be maintained at the facility.
 - 2. Whenever a facility is in operation, at least one caregiver on duty must have completed a course in Prevention and Control of Communicable Diseases in the Child Care Setting.

22.3 Caregiver requirements. Caregivers must be able to:

- A. Work with children without recourse to physical punishment or psychological abuse;
- B. Communicate with children and their parents;
- C. Praise and encourage children and provide them with a variety of learning and social experiences;
- D. Recognize and eliminate hazards to the safety of children; and
- E. Summon help in the event of an emergency.

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Qualifications and Requirements of Caregivers

- 22.4 Tuberculosis test/immunizations. Each caregiver and staff member shall comply with health verification requirements in subsection 6.2 of these Regulations as follows:
- A. Written certification of negative results of a tuberculosis test taken within 12 months immediately preceding the first day of employment at the facility. Thereafter, every two years, a skin test or chest x-ray for tuberculosis is required. If a positive skin test is found, a chest x-ray is required.
 - B. Requirements in subsection A above will apply to any person residing in a family child care or group child care home. Children under the age of 18 living in the home must have a current record of immunization from the Washoe County District Health Department or authorized physician.
- 22.5 Health problems
- A. Each caregiver or member of the staff of a facility who has an identified health problem that may affect his/her ability to provide adequate care to children in a facility shall:
 - 1. Report the problem to the director of the facility or, if self-employed, to the Department; and
 - 2. Submit to the director of the facility or, if self-employed, to the Department, a written statement from a licensed physician attesting to the fact that the health of the caregiver does not endanger the children who are under his/her care in the facility.
 - B. Each director shall report to the Department any health problems reported to him/her pursuant to subsection 1.
 - C. In the event of question regarding the physical or mental health of any child care personnel or facility resident, the Department or licensee may require him/her at any time to undergo further medical/psychiatric examination. If, as the result of further examination, there is indication of a physical, emotional, or mental condition which could be hazardous to a child, other staff, or self, and which would prevent satisfactory performance, the employee/caregiver shall not be assigned or returned to a position until the condition is cleared to the satisfaction of the examining physician.

SECTION 23 TRAINING

- *23.1 Orientation. Newly employed members of the staff of a facility must be given orientation and be trained by the facility director in the policies, procedures, and programs of the facility, including the requirements set forth in these Regulations.

- *23.2 Initial courses of training. Each person who is employed in a child care facility, other than in an accommodation facility or a facility that provides care to ill children, shall complete, within 90 days after commencing his/her employment in any child care facility, at least 9 hours of training which must include:
 - A. Except as provided for in Section 22.2.J.2, a course in Prevention and Control of Communicable Diseases in the Child Care Setting; and
 - *B. Certification in the administration of cardiopulmonary resuscitation as required pursuant to Section 22.2.G; and
 - *C. The administration of first aid; and
 - *D. The recognition of the signs of child abuse and neglect; and
 - *E. The reporting requirements relating to child abuse and neglect.

- *23.3 Additional Training. Within 12 months after commencing a position as a director or a caregiver in a child care facility, each person, in addition to completing the above listed training and training in child development as listed in section 22.2.D, shall complete at least 6 hours of child care training, of which 3 hours must be in a course regarding the development of children.
 - *A. The training required by this Section must be designed to:
 - 1. Ensure the protection of the health and safety of children; and
 - 2. Promote the physical, moral, and mental well-being of each child accommodated in the facility.
 - *B. The initial courses of training need not be obtained if such training was completed within the 12 months prior to employment at the facility.
 - *C. If the facility is a Special Needs Facility, training must also be designed to provide information on the characteristics of handicapping conditions and appropriate programs for children with special needs. The training must be established or approved by an agency designated by the Bureau of Services for Child Care or by the Department.

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- *23.4 Continuing training. After completion of the initial courses of training, all caregivers must participate in a minimum of 15 clock hours of training annually. A minimum of six of the 15 clock hours must be in courses directly related to the developmentally appropriate practices for the care of young children and not more than three hours may be training in how to perform cardiopulmonary resuscitation.
- *23.5 Approval of training. Training requirements may be satisfied by taking educational courses, seminars, workshops or other forms of training. All qualified training must be approved by an agency designated by the Bureau of Child Care Services or, if an agency has not been designated, by the Department. Training that has not been approved will not be used to satisfy the training requirements herein.
- 23.6 Verification of training. Evidence that an employee has completed the courses must be included in his personnel file at the facility.
- 23.7 Specialized training. If required by the facility director or owner of the facility, a member of the staff shall participate in any specialized training related to child care which is offered in the community.
- *23.8 Continuing training hours. A director, licensee or caregiver may not receive credit toward the program of training required by this Section for hours of training received concerning the administration of first aid, or the Prevention and Control of Communicable Diseases in the Child Care Setting, more than once every 36 months.
- 23.9 Volunteers. For purposes of this Section, a volunteer who works at least 20 hours per week in a facility and participates in specialized child care training as defined by the facility director, is a member of the staff of the facility.

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Staff-To-Child Ratio

SECTION 24 STAFF-TO-CHILD RATIO

- 24.1 Individual attention. A facility must have a staff which is sufficient in number to provide physical care and individual attention to each child and allow time for interaction between the staff and the children to promote the children's social competence, emotional well-being, and intellectual development.
- 24.2 Director as part of staff. Only those staff members working directly with the children shall be counted in the staff-to-child ratio. The facility director may be counted in the ratio when present at the facility.
- 24.3 Additional staff (cook). Except in family child care and group child care homes, provisions shall be made for additional staff for cooking and maintenance.
- 24.4 Staff-to-child ratio. Licensee shall adhere to the following minimum standards for staff-to-child ratio:
- A. Family child care home
 - 1. One caregiver shall be on duty at all times with provisions for an alternate on call in case of an emergency.
 - 2. Two caregivers shall be on duty when four or more of the children in the facility are children with special needs.
 - 3. Maximum number of children is six with:
 - a. No more than four of the children less than two years of age, and
 - b. No more than two of the children may be less than one year of age.
 - B. Group child care home
 - 1. One caregiver must be on duty at all times. An additional caregiver must be on duty when:
 - a. There are more than six children in the facility, or
 - b. There are more than four children under two years of age present in the facility.
 - c. There are more than two of the children less than one year of age.
 - 2. Three caregivers shall be on duty when eight or more of the children in the facility are children with special needs.

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3. Maximum number of children is 12 with:
 - a. No more than eight under the age of three, and
 - b. No more than four of the children may be less than one year of age.

C. Child care centers and preschools

1. The following number of caregivers shall be on duty between 6:30 a.m. and 9:00 p.m. for children two years of age and older:
 - a. For one to six children inclusive, one caregiver;
 - b. For seven to 20 children inclusive, two caregivers;
 - c. For 21 to 35, inclusive, three caregivers;
 - d. For 36 to 50, inclusive, four caregivers;
 - e. For 51 to 65, inclusive, five caregivers;
 - f. For 66 to 80, inclusive, six caregivers;
 - g. For 81 to 93, inclusive, seven caregivers; and
 - h. For every 13 children or portion thereof in excess of 93, one additional caregiver.
2. Additionally, if children between the ages of two and three years are part of a larger child care facility, at least the following numbers of caregivers must be on duty in the classroom where two year olds are present:
 - a. For one to 10 children, inclusive, one caregiver;
 - b. For 11 to 20 children, inclusive, two caregivers;
 - c. For 21 to 30 children inclusive, three caregivers; and
 - d. For every one to 10 children, inclusive, in excess of 30, one additional caregiver.
3. A child care center which operates between the hours of 9:00 p.m. and 6:30 a.m. must have on duty the following number of caregivers:
 - a. For one to 15 children, inclusive, one caregiver;

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- b. For 16 to 30 children, inclusive, two caregivers;
 - c. For 31 to 45 children, inclusive, three caregivers;
 - d. For 46 to 60 children, inclusive, four caregivers; and
 - e. For every 15 children in excess of 60, one additional caregiver.
4. Every member of the staff of a child care center who is on duty at night must remain awake during duty hours.
 5. Admitting children under 24 months in a child care center:
 - a. Whenever three or less infants and/or toddlers under the age of 24 months are being cared for in a child care center, the licensee shall have on duty one additional caregiver designated as the primary caregiver for those children.
 - b. The facility shall also adhere to Section 17.10 and Section 17.11 of the Regulations for Child Care Facilities.
 - c. The facility must have Department approval prior to admitting said children into the facility.
- D. Care of ill children facility
1. A licensee of a facility that provides care for ill children shall have on duty at least the following number of staff:
 - a. If all children in the facility are younger than two years old, one member of the staff for every three children;
 - b. If all children in the facility are between two years and three years old, one member of the staff for every four children;
 - c. If all children in the facility are between three years and six years old, one member of the staff for every five children;
 - d. If all children in the facility are older than six years, one member of the staff for every seven children.
 2. If the director provides care for ill children, he may be included in calculating the ratio of staff to children.
 3. If a facility that provides care for ill children contains children from more than one of these age groups, the required number of staff is determined by computing the

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average of the ages of all children attending the facility and using the average age to determine the applicable ratio of staff to children.

4. Only staff providing direct care to the children will be counted in the ratio of staff to children.
- E. Infant and toddler nurseries caring for children from birth to three years, must have on duty in the classroom at least the following number of caregivers:
1. If all children in the nursery are under nine months old, one caregiver for every four children;
 2. If all children in the nursery are between nine months and 18 months old, one caregiver for every six children; or
 3. If all children in the nursery are between 18 months and three years old, one caregiver for every eight children.
 4. If the nursery contains children from one or more of the age groups set forth above, the number of members of the staff that is required is determined by computing the average of the ages of all children attending the nursery and using that age as the age of all the children.
 5. One caregiver for the first six children unless the children's ages mandate more caregivers.
- F. Special needs child care centers in which care is provided to children who are two years of age and older shall have on duty in the classroom at least the following number of caregivers:
1. For one to six children, inclusive, one caregiver;
 2. For 7 to 20 children, inclusive, two caregivers;
 3. For 21 to 30 children, inclusive, three caregivers;
 4. For 31 to 40 children, inclusive, four caregivers;
 5. For 41 to 50 children, inclusive, five caregivers;
 6. For 51 to 60 children, inclusive, six caregivers;
 7. For 61 to 70 children, inclusive, seven caregivers;
 8. For 71 to 80 caregivers, inclusive, eight caregivers;

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9. For 81 to 90 children, inclusive, nine caregivers;
10. For 91 to 100 children, inclusive, ten caregivers;
11. For every six children in excess of 100, one additional caregiver.

SECTION 25 BEFORE/AFTER-SCHOOL CARE

- 25.1 Permission to provide before/after-school care. A facility may provide child care before or after normal school hours to a limited number of children in excess of the number specified on the facility's license if the facility meets the following conditions:
- A. The facility must provide the Department with written verification from the appropriate local government entity which states that before/after-school care in the facility will not conflict with zoning or other local requirements;
 - B. The facility may not commence such care until it has received written permission from the Department to do so; and
 - C. The facility must post in a conspicuous place the Department's permission for before/after-school care.
- 25.2 Age of children. Any child accepted for before/after-school care must have attained the age of six years.
- 25.3 Time limit. Any facility providing before/after-school care may exceed the number of children stated on the license for a period no longer than three consecutive hours.
- 25.4 Before/after-school capacity. The maximum number of before/after school children who may receive care is limited to:
- A. In a family child care or group child care home, three children; and
 - B. In a child care center, three children or ten percent of the number stated on the license, whichever number is greater.
 - C. Children who live in the facility and are ten years of age or less must be included in counting the additional children.
- 25.5 Staff-to-child ratio. A child care center which accepts children in excess of the number specified on their license before or after normal school hours must have one additional caregiver for up to 20 children so accepted, and must have one additional caregiver for every one through 20 additional children thereafter.

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SECTION 26 IMMUNIZATION AND HEALTH OF CHILDREN

26.1 Nevada Revised Statutes 432A.230 to 432A.280, inclusive, set forth the following requirements for the immunization of children attending a child care facility:

A. 432A.230

1. Except as otherwise provided in subsection 3 and unless excused because of religious belief or medical condition, a child may not be admitted to any child care facility within this state, including a facility licensed by a county or city, unless his parents or guardian submit to the operator of the facility a certificate or certificates stating that the child has been immunized and has received proper boosters for that immunization or is complying with the schedules established by regulation pursuant to NRS 439.550 for the following diseases:
 - a. Diphtheria;
 - b. Tetanus;
 - c. Pertussis if the child is under six years of age;
 - d. Poliomyelitis;
 - e. Rubella;
 - f. Rubeola; and
 - g. Such other diseases as the local board of health or the state board of health may determine.
 - 1) HIB
 - 2) Mumps
2. The certificate must show that the required vaccines and boosters were given and must bear the signature of a licensed physician or his designee or a registered nurse or his designee, attesting that the certificate accurately reflects the child's record of immunization.
3. A child whose parent or guardian has not established a permanent residence in the county in which a child care facility is located and whose history of immunization cannot be immediately confirmed by a physician in this state or a local health officer, may enter the child care facility conditionally if the parent or guardian:

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- a. Agrees to submit within 15 days a certificate from the physician or local health officer that the child has received or is receiving the required immunizations; and
 - b. Submits proof that he has not established a permanent residence in the county in which the facility is located.
4. If a certificate from the physician or local health officer showing that the child has received or is receiving the required immunizations is not submitted to the operator of the child care facility within 15 days after the child was conditionally admitted, the child must be excluded from the facility.
 5. Before December 31 of each year, each child care facility shall report to the health division of the department, on a form furnished by the division, the exact number of children who have:
 - a. Been admitted conditionally to the child care facility; and
 - b. Completed the immunizations required by this section.
- B. 432A.240 If the religious belief of a child's parents or guardian prohibits the immunization of the child as required by NRS 432A.230, a written statement of this fact signed by the parents or guardian and presented to the operator of the facility exempts the child from the provisions of that section for purposes of admission.
- C. 432A.250 If the medical condition of a child will not permit him to be immunized to the extent required by NRS 432A.230, a written statement of this fact signed by a licensed physician and presented to the operator of the facility by the parents or guardian of such child exempts such child from all or part of the provisions of NRS 432A.230, as the case may be, for purposes of admission.
- D. 432A.260 If, after a child has been admitted to a child care facility, including a facility licensed by a county or city, additional immunization requirements are provided by law, the child's parents or guardian shall submit an additional certificate or certificates to the operator of the facility stating that such child has met the new immunization requirements.
- E. 432A.270 Whenever the state board of health or a local board of health determines that there is a dangerous contagious disease in a child care facility attended by a child for whom exemption from immunization is claimed pursuant to the provisions of NRS 432A.240 or 432A.250, the operator of the facility shall require either:
1. That the child be immunized; or
 2. That he remain outside the school environment (or caregiver's home) and the local health officer be notified.

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- F. 432A.280 Any parent or guardian who refuses to remove his child from the child care facility to which he has been admitted when retention in the facility is prohibited under the provisions of NRS 432A.230, 432A.260, or 432A.270 is guilty of a misdemeanor.

26.2 Reporting

- A. The director, operator or owner shall notify the Department and the District Health Department immediately of any reportable infectious or communicable disease in the facility and shall adhere to specific time frames designated for exclusion following communicable illnesses. See Addendum VI for List of Reportable Diseases and Conditions.
- B. The director, operator or owner of a facility shall report as soon as possible, the death of any child who attends or lives in the facility.

26.3 Health and immunization requirements

- A. Within 30 days after enrollment, other than enrollment in an accommodation facility or facility that provides care to ill children, the parent, guardian, or person having custody shall provide a written statement from a licensed physician or registered nurse attesting to the status of the child's health and stating that all known special conditions are under treatment and the child is capable of adjusting to the programs of the facility. In the event of question regarding the physical or mental health of any child in care, the licensee or the Department may require the parents to provide another statement of good health from a licensed physician or registered nurse.
- *B. Except as otherwise provided in subsection A, every child in the facility, whether drop-in, part-time, or full-time, shall have proof of current immunization on file at the facility as described in NRS 432A.230. Verification shall be kept in the format determined by the Department and shall be readily available for each child in care.

- 26.4 Records maintenance. A facility shall keep a record for each child which includes any pertinent information about his health status, any special needs he may have, and immunization status.

- 26.5 Exclusions for religious beliefs. For children whose parents adhere to a religious faith practicing healing by prayer or by other spiritual means:

- A. A facility shall obtain a signed statement from the parents that no medical care is to be provided;
- B. A facility shall report to the Department any accidents, injuries, or illnesses affecting such children.

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- 26.6 First aid
- A. An easily understandable chart describing first aid and emergency treatment must be available in each facility.
 - B. Each facility must have a well stocked first aid kit readily available at all times. Refer to Addendum VIII for suggested First Aid Kit supplies.
- 26.7 Written health provisions. Every facility, other than an accommodation facility, must have written provisions for:
- A. Consulting with physicians or registered nurses regarding the health of the children;
 - B. Obtaining assistance in developing and maintaining current health policies; and
 - C. Providing health services and education for the children and members of the staff, including dental health and personal cleanliness and care.
- 26.8 Emergency health services. A written directory of emergency health services must be readily available in the facility and must include:
- A. A hospital;
 - B. A clinic or other constantly staffed medical facility;
 - C. A physician or registered nurse, if the parents of a child have signed a written agreement stating that the person is acceptable.
- 26.9 Accident records. Upon the occurrence of any accident or injury which requires emergency professional medical care of a child, the director, operator, or owner of each facility shall report the occurrence to the Department as soon as possible and shall keep on file at the facility a report of the occurrence.
- 26.10 Transportation. If a member of the staff transports or accompanies a child for professional emergency care, he must remain with the child until the parents assume responsibility for the care of the child. Arrangements shall have been made for substitute or alternate staff so that supervision of the other children in the facility is not compromised.
- 26.11 Ill or injured children
- A. A facility shall not accept for care any child who shows indication of illness.
 - B. If a child becomes seriously ill or seriously injured in a child care facility, other than a facility that provides care for ill children, the facility shall immediately isolate the child from other children and place the child under appropriate supervision. A parent, a person designated by the parent, or a physician designated by a parent must be

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promptly notified and the child must be removed from the facility as quickly as possible.

- 26.12 Administering medical treatment. Members of the staff of a facility shall not administer any medical treatment, except emergency first aid and prescribed medications to the child.
- 26.13 Medications
- A. Each prescribed medication must be plainly labeled, contain the name of the child or adult for whom it is prescribed, and be stored in a locked cabinet or be made inaccessible to children. Medications for external use must be kept in a separate section of the locked cabinet. Medications stored in a refrigerator must be kept in a locked metal box or other place which is inaccessible to children.
 - B. Except in an emergency, only one person designated by the facility may administer medications to children. A written record containing every medication administered, the name of the child to whom it was administered, and the date and time it was administered must be maintained on a weekly basis by the facility and kept in the child's file.
 - C. A prescribed medication must, upon discontinuance of use be promptly destroyed or returned to the child's parents.
- 26.14 Parental response to emergency. If a parent or the person designated by the parent does not respond to an emergency call, the facility shall notify the Department.

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Nutrition

SECTION 27 NUTRITION

- 27.1 Nutritional needs. A facility shall meet the daily nutritional needs of each child. Meals and snacks must be of a quality and quantity which supplement the food served at home. Cultural and ethnic foods which are appropriate for children must be considered in planning meals. To the extent possible, information provided by parents concerning their child's eating habits, and preferences or special needs regarding food must be considered in planning for meals. Refer to Addendum VII for information on nutrition.
- 27.2 Consultant. All child care centers shall provide for nutritional consultation from an appropriate community resource.
- 27.3 Meals and snacks shall be nutritious, adequate, and adapted to the ages of the children and shall be attractively served. A facility shall serve each child who stays in the facility:
- A. For five hours, a quantity of food which will supply at least one-third of the recommended dietary allowance established by the Food and Nutrition Board of the National Academy of Sciences.
 - B. For ten or more hours per day, a quantity of food which will supply at least one-half of the recommended dietary allowance established by the Food and Nutrition Board of the National Academy of Sciences.
 - C. Simple nourishing snacks at mid-morning and mid-afternoon.
 - D. A minimum of one-half cup (4 oz.) of pasteurized fluid milk with each meal unless a parent's written recommendation against milk consumption based on medical reasons is contained in the child's record. Full strength fruit juice may then be substituted.
- 27.4 Night care requirements. A facility that offers night care of the children shall provide a nutritious evening meal and a bedtime snack.
- 27.5 Junk food. Sweets, foods, and beverages with little or no nutritional value shall not be served except in addition to recommended dietary allowances.
- 27.6 Menus
- A. Except in family child care homes, menus shall be planned one week in advance, dated, and conspicuously posted in the kitchen and also in a place convenient for the parent's inspection.
 - B. Menus shall be kept on file a minimum of 90 days after their use.
- 27.7 Bag lunch. A child may bring his lunch to a facility in a properly identified bag or other container. The facility shall refrigerate such lunches or place them in a cold, protected area.

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Nutrition

- 27.8 Interaction by staff. Whenever possible, members of the staff of the facility should eat with the children and encourage them to eat a variety of food and observe table manners.
- 27.9 Infants
- A. Infants shall be fed or supervised individually and their diet and pattern of feeding shall be appropriate to their special developmental needs. Infants unable to hold their own bottles shall be held during feeding. Infants over six months of age who show a preference for holding the bottle may be allowed to do so provided a caregiver remains in the room and within observation range.
 - B. Formula for infants may be furnished by the parents or by the facility, and preparation of such formula must be followed carefully. Each bottle must be labeled with the infant's name and date of preparation and stored to manufacturer's specifications.
- 27.10 Drinking water. A safe supply of drinking water shall be readily available at all times from disposable cups or from a drinking fountain. If a drinking fountain is used, it shall be of the guarded, angular jet type and set at a height readily accessible to the children. If the water supply is from other than a public source, its location, construction, and operation shall comply with standards of the Nevada Administration Code Chapter 445. Public Water Systems.
- 27.11 Discipline. Food shall never be used as a method of discipline nor as a reward. Children shall be encouraged and assisted to eat if necessary, but in no case shall any child be forced to eat by withholding desserts or by any other means.
- 27.12 Kitchen. Children shall not be allowed in the kitchen except for supervised learning experiences.

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Food Service Sanitation

SECTION 28 FOOD SERVICE SANITATION

- 28.1 Washoe County District Health Department. The Washoe County District Health Officer or his designees will act as consultants for the Department in all matters pertaining to food services in child care facilities.
- *28.2 Requirements. Facilities requiring a license to operate as required by these Regulations shall meet all requirements of the Washoe County District Health Officer. Any facility serving food, drink, confection or beverage intended for human consumption must obtain a valid permit to operate a food establishment from the Washoe County District Health Department or have a written exemption from the permit issued.
- 28.3 Reports on file. Facilities must retain the reports of the food service inspections on file at the facility for a minimum of two years.

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Environmental Health And Safety

SECTION 29 ENVIRONMENTAL HEALTH AND SAFETY

- 29.1 Authority to inspect. The District Health Officer or his duly authorized agent shall have authority to enter, for purposes of inspection or investigation, all child care facilities and to inspect all food products, sewage disposal facilities, utensils, equipment, and all portions of buildings located upon the premises. The representative of the Washoe County District Health Department has the authority to enforce any part of these Regulations that pertain to the safe and proper operation of a child care facility.
- 29.2 Reports on file. Reports of inspections must be kept on file at the facility for a minimum of two years.
- 29.3 Summary of standards. The following is a summary of the applicable standards for environmental health. If a caregiver desires more information concerning the standards, he should communicate with the Washoe County District Health Department.
- A. Every licensee or facility director shall insure that the programs and premises of the facility are designed to minimize the risk of accidental injury. The premises and equipment must be kept clean to protect the health of the children and the members of the staff.
 - B. Cleaning equipment and cleaning agents or any toxic materials must be stored in a locked area of the facility which is inaccessible to children.
 - C. A carpeted floor or rug on a floor that is too large to wash in a washing machine must be vacuumed not less than one time each day or more often if necessary and professionally cleaned not less than one time every three months or more often if necessary.
 - D. Each floor of a facility that is not carpeted must be swept and mopped not less than one time each day or more often if necessary.
 - E. When cleaning a nonporous surface in a facility, including, without limitation, toys, cribs, tables, high chairs and surfaces used to change diapers, the staff of the facility shall:
 - 1. Clean the surface first with soap and water to remove dirt or debris; and
 - 2. Disinfect the surface with a disinfecting agent.
 - F. The disinfecting agent used pursuant to subsection E must consist of:
 - 1. One-fourth of a cup of liquid chlorine bleach added to one gallon of water that is prepared fresh daily;

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2. One tablespoon of liquid chlorine bleach added to one quart of water that is prepared fresh daily; or
 3. A solution that is approved by the appropriate state or local agency and is at least as effective as the solutions described in paragraphs 1 and 2.
- G. Dirty linens must be stored separately from food, clean linens, and other supplies.
- H. Personal items, such as combs, washcloths, towels, and toothbrushes must not be used by more than one person.
1. The use of a container of free standing water for hand washing of more than one child is prohibited.
- I. Individual sleeping accommodations must be provided for naps and rests and must conform to the following:
1. Each bed must have cleanable covers and be suitable for use by children;
 2. No restraining device may be used in a crib or play pen unless such a device is ordered by a physician of the particular child;
 3. Every mat, cot, bed, crib, or play pen must be at least two feet apart and every aisle between them must be kept free of obstruction;
 4. The staff of each facility shall:
 - a. Use a safe, sturdy, well-constructed, single-level, free standing crib, portable crib or playpen for children to sleep in;
 - b. Equip any such sleeping device with a waterproof, firm-fitting mattress;
 - c. Ensure that each crib to be used by a child who is 6 months of age or younger is constructed with vertical slats that are not more than 2-3/8 inches apart;
 - d. Ensure that a child who is 18 months of age or younger sleeps in a crib which is appropriate for his age or in another sleeping device which has been approved by the Department;
 - e. Ensure that a child who is older than 18 months of age sleeps in an appropriate crib or on a cot or mat;
 - f. Ensure that each sleeping device has appropriate bedding and a waterproof and washable covering;

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- g. Wipe clean each sleeping device with a disinfectant not less than one time each week or more often if necessary;
 - h. Ensure that the bedding that each child uses is used only for that particular child;
 - i. Replace the bedding each time it is wet or soiled by a child or when the sleeping device is to be used by another child;
 - j. Take any child who is awake from a nap in a crib out of the crib and engage the child in an appropriate activity within 15 minutes;
 - k. Ensure that each child takes a nap as needed; and
 - l. Napping children must be in an area where they can be heard and readily seen and must be physically checked by a caregiver at least every 15 minutes.
5. The staff of a facility shall not change the diaper of a child in a crib or other sleeping device.
6. Linen must be provided for each bed, cot, or crib. Cots with removable covers and sleeping mats which are covered in materials designed to be sponged or wiped clean need not be covered by bed linens. Bed linens, cot covers, and sleeping mats must be washed at least weekly and every time a different child is to use the equipment;
7. If bunk beds are used, they must not exceed two tiers and the upper level must have safety guardrails. Children under six years of age must occupy only bunks on the lower level.
8. A bed or crib must be furnished for each child who sleeps in the facility at night. Each bed must be at least six inches above the floor, at least 24 inches wide and of adequate length for the child. Cribs must be provided for children 18 months of age or younger.
9. For naps, children may use family beds in a domicile used by persons living in the facility if separate linens are laid over the beds and the child has his own blanket.
10. Sleeping quarters
- a. In a child care facility offering night care, no child over the age of one year shall sleep in the same room as an adult unless the adult is a non-sleeping caregiver.
 - b. No child over the age of five years shall share sleeping quarters with persons of the opposite sex unless a non-sleeping caregiver remains in the room .

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- J. Bathrooms must be kept clean, safe, and sanitary and have:
1. Adequate illumination and ventilation;
 2. One lavatory which is connected to hot and cold water for every 15 children; the hot water shall not exceed 100 degrees Fahrenheit;
 3. One toilet equipped with toilet paper for every 15 children; and
 4. Soap and a working hand-drying machine or individual disposable towels which are available at all times.
- K. Diapering area. Each area in a facility that is used for changing diapers must:
1. Have a smooth, nonabrasive, impervious surface;
 2. Be located within close proximity to a sink that is not used for the preparation of food;
 3. Not be located in an area in which food is prepared;
 4. Have a smooth, nonabsorbent floor covering;
 5. Have nearby for wet or soiled diapers a washable receptacle that is lined with plastic and covered with a lid;
 6. Be kept in good repair and in a safe condition; and
 7. Be cleaned and disinfected after each use by removing any visible soil and applying an approved disinfectant.
- L. Each soiled cloth diaper and any soiled clothing that may be contaminated with contagious matter must be stored in an individual plastic bag and be returned to the parents daily.
- M. The staff of a facility shall:
1. Discourage children from coming near an area that is used for changing diapers; and
 2. Ensure that a child is not left unattended in the diaper changing area.
- N. Receptacles for the collection and storage of solid waste must conform to the Washoe County District Board of Health Regulations governing Solid Waste Management.

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- O. Any refrigerator or freezer not in use must be securely locked, wrapped with chain, and locked or have its door removed.
- P. The premises of a facility must be free of accumulated refuse, dilapidated structures, vermin, dangerous conditions, or instrumentalities capable of harming children and any other health or safety hazard.
- Q. Pets are permitted in a child care facility if they are:
 - 1. Handled in a manner which protects the well-being of the children and the pet;
 - 2. Free from fleas, ticks, and intestinal parasites;
 - 3. Inoculated as often as prescribed by a veterinarian, in good health, present no problems of sanitation; and
 - 4. Restricted from areas where food is prepared and from eating areas while meals are being served.
 - 5. A "dog run" must be set aside for the use of household pets where the area is inaccessible to the children under care of the facility.

29.4 Pools, ponds, hot tubs, saunas and other bodies of water. These regulations are to reduce the risk of injury or drowning.

- A. If a swimming pool is on the premises and used by the children under care in the facility, the pool must comply with requirements of the Washoe County District Health officer.
- B. Licensed homes with pools, ponds or other bodies of water must provide a fence capable of keeping children out of the pool, pond or other body of water and in any event, at least four feet high on all sides of the pool, pond or other body of water separating the pool, pond or other body of water from the general yard area. The fence must:
 - 1. Have no vertical opening more than four inches wide.
 - 2. Be of such design that young children cannot climb it or squeeze under it.
 - 3. Allow a clear view of the pool, pond or other body of water.
 - 4. Have a self-closing gate with a self-latching mechanism in proper working order which is out of reach of young children.
- C. A reaching pole and ring buoy must be provided as minimum safety devices.

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- D. Steps leading to an above-ground pool shall be removed when the pool is not in use.
- E. Saunas and hot tubs must be locked in a manner which prevents access by children.
- F. If a wading pool is used, it must be constructed, maintained and used in a manner which safeguards the lives and health of the children.
 - 1. Children using wading pools must have direct supervision by an approved caregiver.
 - 2. Wading pools must be emptied when not in use.

SECTION 30 FIRE AND LIFE SAFETY REQUIREMENTS

- 30.1 Authority to inspect. The facility shall meet all fire and life safety standards. Fire department inspectors shall have authority to enter, for purposes of inspection or investigation, all child care facilities. The fire department representative has the authority to enforce regulations applicable to the safe and proper operation of a child care facility.
- 30.2 Evacuation plan. Appropriate plans for removing the staff and children of a facility to a shelter within a building and for the evacuation of the facility in case of emergency must be conspicuously posted in a public place in the facility.
- 30.3 Emergency Disaster Plan. Each licensee shall develop an appropriate plan to ensure that the staff of his/her facility is prepared to respond to an emergency, including, without limitation, a fire or natural disaster.
- A. Each plan developed pursuant to subsection 30.2 must include, without limitation:
1. The duties of the director and staff;
 2. A procedure for removing staff and children to a shelter within a building of the facility if the staff and children are instructed to do so by emergency personnel;
 3. A procedure for evacuating the facility;
 4. A plan for transportation;
 5. A list of sites that may be used for relocation;
 6. A plan for the supervision of the children of the facility during the emergency;
 7. The manner in which children and staff from the facility will be accounted for during the emergency; and
 8. The method for contacting emergency personnel, including, without limitation, the fire department, a law enforcement agency or any other appropriate authority.
- B. Practice Drills. A facility shall hold a fire drill at least once every month and a drill for natural disasters at least once every three months.
- C. The fire department inspector or his designee shall, at least annually:
1. Enter and inspect every building or premises of each facility; and
 2. Observe and make recommendations regarding the drills conducted pursuant to Section 30.3.B.

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- D. Reports of the drills conducted pursuant to Section 30.3.B and the inspections concerning the fire safety at the facility conducted pursuant to Section 30.3.C must be maintained in a physical file at the facility and available for review at the facility by a parent of a child who attends the facility or a parent who is considering enrolling his child at the facility for at least two years after the date of inspection.

30.4 Summary of standards. The following is a summary of the applicable standards for building, fire, and life safety requirements. If a caregiver desires more information concerning the standards, he should communicate with the fire department having jurisdiction in that area.

- A. All child care facilities must comply with all applicable requirements of the currently adopted Uniform Building Code, National Electrical Code, Uniform Plumbing Code, and Uniform Fire Code.
- B. Mobile home family child care facilities must comply with all applicable requirements for construction and safety contained in the National Mobile Home Construction and Safety Act of 1974 (42 U.S.C. SS5401 et seq.) and state and local tie-down requirements for such facilities.
- C. All facilities must comply with all applicable requirements of the currently adopted Life Safety Code, environmental health codes, and zoning codes. In the event of conflict between state and local codes, the more stringent code shall apply.
- D. Facilities in existence at the time of the passage of these Regulations may have their existing use or occupancy continued if such use or occupancy was legal at the time of the passage of these Regulations. Existing facilities shall have one year to comply with this section.
- E. Only the ground floor of any building shall be used by children, and shall have not less than two unobstructed remote exits, one of which shall lead directly to the outside. Basement areas which meet inspection requirements may be used as play areas only, provided that there are two means of egress, one of which leads directly to the outside.

Exception: Family child care homes shall comply with the current adopted edition of the Uniform Building Code for exiting purposes.

- 1. Upon request, a waiver of Section 30.4.E may be granted by mutual agreement of the Fire Marshal having jurisdiction and the Director of the Department of Social Services. Waiver procedure is outlined in Section 37.
- F. The occupancy load for which means of egress shall be provided for any floor shall be the maximum number of persons intended to occupy that floor but not more than one person for each 3.3 square meters (35 square feet) of net floor area used by the

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children, exclusive of unusable space such as kitchens, halls, stairs, offices, bathrooms, and storage areas.

- G. Except in family child care homes, exits to hallways or to the outside from rooms used by children shall not be less than 92.3 centimeters (36 inches) wide and 2.0 meters (6 feet 8 inches) in height. Exit doors shall swing in the direction of exit travel and be clearly marked when serving ten or more children. In facilities with an occupancy load of more than 100, the major closing doors shall be equipped with panic hardware. Exits shall be illuminated in accordance with the requirements of the Uniform Building Code, Section 3312, or with any County or City code, whichever is more stringent.
- H. Doors from child occupied rooms shall be so arranged as to be readily opened from the side from which egress is to be made at all times when the building served thereby is occupied for child care purposes. Locks, if provided, shall not require the use of a key for operation from the inside of the building. A latch or other fastening device on a door shall be provided with a knob, handle, panic bar, or other simple type of releasing device, the method of operation of which is obvious, even in darkness.
- I. The number, size, type, and placement of portable fire extinguishers shall be designated by the local fire authority having jurisdiction. Fire alarm systems, where required, shall be installed in accordance with applicable standards.
- J. In all occupancies licensed, products of combustion detectors, other than heat, shall be required. They shall be installed in accordance with Section 1413 of the Uniform Building Code and U.B.C. Standard 43-6.
- K. All mobile home child care facilities shall be inspected by the local fire authority having jurisdiction which shall determine on a case-by-case basis the fire protection needs of the facility. In making this determination the fire inspector shall consider the number of children to be cared for, the proposed hours of operation, and the construction of the mobile home including the flame spread rating, and the adequacy of exiting including windows from child occupied rooms.
- L. All child care facilities providing care for five or more children between the hours of 12 midnight and 6 a.m. shall contain an automatic fire extinguishing system approved by the local fire authority having jurisdiction. The system shall be electrically interconnected to a fire alarm system.
- M. Any area used for general storage, boiler or furnace rooms, or fuel storage shall be separated from other parts of the building with construction having not less than a one-hour fire resistant rating. In areas where the authority having jurisdiction determines that areas do not present a severe hazard, such as in kitchens, products of combustion detectors other than heat may be used in lieu of one hour separations.
- N. Air conditioning, ventilating, heating, cooking, and other service equipment shall be in accordance with the currently adopted Life Safety Code and National Electrical Code.

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The electrical wiring shall be sized to provide for the load in accordance with the National Electrical Code. Receptacles and outlets serviced by extension cord type wiring are prohibited. Electrical appliances shall be grounded. Receptacle outlets shall be protected in all areas occupied by children.

- O. Any heaters in spaces occupied by children shall be separated by partitions, wire screens, or protective metal guards (no combustible materials) in such a manner that children cannot poke or place articles inside of heaters or on the heating element. Portable heaters are not allowed. Un-vented room heaters shall not be permitted. Oil and gas fired room heaters shall be installed in accordance with the applicable standards listed in the currently adopted Life Safety Code. A guard shall be provided to protect the children from hot surfaces and open flames. No furnishings and decorations of an explosive or highly flammable character shall be used. Windows shall not be obstructed by wrought iron bars or similar barriers.
- P. All child care facilities except family child care homes or group child care homes, who permit smoking on the premises must have a designated area approved by the fire authority.

30.5 Other safety requirements. The following safety requirements shall apply to all child care facilities:

- A. Porches, walkways, and play areas which are elevated shall have barriers to prevent falls. Handrails shall be provided on stairs where there are more than three steps in any one flight of stairs and the stairs shall be kept clean. Stairs, walkways, ramps, and porches shall have nonskid surfacing.
- B. All flammable materials, including fuel, pressurized cans, cleaning fluids and supplies, polishes and matches shall be stored in designated cabinets or storage facilities accessible only to authorized persons. The construction of such facilities shall be in accordance with the provisions of nationally recognized standards. There shall be no more than one gallon of flammable liquid in an approved safety container allowed on the premises.
- C. Lead paint shall not be used in redecorating. Paint coatings in older buildings converted to child care facilities shall be checked to assure the absence of a hazardous quantity of lead.
- D. The use of candles with an exposed flame shall not be allowed except as used for educational purposes and maintained under control of supervising adults.
- E. Waste baskets and other waste containers used indoors shall be made of noncombustible and non-fusible materials.
- F. Trash collection receptacles and burning facilities shall be covered and separated from child play areas.

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- G. Ground areas shall be well drained, surfaced where necessary, and free from depressions in which water may stand.
- H. The storage, collection, and disposal of garbage shall be conducted so as to control nuisance conditions. Garbage shall be kept in tight fitting containers and removed at least weekly.
- I. Handrails, landings, and safety gates shall be provided as required by the appropriate authority having jurisdiction.
- J. Exterior building openings shall be screened when necessary during seasonal insect periods, with the exception of required fire exits.
- K. All rooms shall be adequately ventilated and all rooms, corridors, halls, stairs, and porches shall be adequately lighted.
- L. Furniture, equipment, and toys shall be sturdily constructed without sharp edges or hazardous materials.
- M. All painted surfaces accessible to children shall be free of toxic materials.
- N. Interior finish shall be Class II in corridors and hallways and Class III in rooms or areas. Where an approved automatic fire extinguishing system is provided, the flame-spread classification rating may be reduced one classification but in no case shall the classification be greater than Class III.
- O. Weapons and ammunition shall be stored under lock and key and/or in a manner that they are inaccessible to children.
- P. Exotic or dangerous animals are prohibited from the premises of a child care facility.

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Family and Group Child Care Homes

SECTION 31 REQUIREMENTS FOR FAMILY CHILD CARE HOMES AND GROUP CHILD CARE HOMES

- 31.1 Owner authorization. If the residence proposed for child care is rented or leased, the license applicant shall provide the Department written authorization from the owner approving child care on the premises.
- 31.2 Responsibility. The licensee of a family child care home shall be able to accept the extra responsibility of other children without jeopardizing his health or ordinary care of his children and family. The relationship of all members of a family child care home shall be such as to secure a wholesome atmosphere for children.
- 31.3 Health requirements. All adult members of the household must be in good health, physically and mentally, and free of disabilities which would adversely affect the care of children. Tuberculosis test requirements outlined in Section 22.4 shall apply.
- 31.4 Income requirements. The income of a licensee of a family child care home, including the licensee's spouse, whether from employment or other sources, must be regular and sufficient to maintain an adequate standard of living for the family.
- 31.5 Work permit requirements. All adult members of the household shall comply with the work permit requirements outlined in Section 6.6.
- 31.6 Program requirements and record keeping. Except as otherwise provided in subsection D, licensees and employees must comply with Section 22 and Section 23 of these Regulations and licensees must also:
- A. Provide a child care program which meets the requirements of these Regulations;
 - B. Maintain enrollment, attendance, medical, and all other records;
 - *C. Maintain personnel records for each staff, including volunteers, substitutes, and part-time employees. Refer to subsections C.1 through C.8 of Section 21.2.C for personnel record requirements;
 - D. Notify the Department of new employees or volunteers prior to their commencing employment;
 - E. Notify the Department within three working days of any change in the composition of the household.
 - F. Maintain responsibility for screening, scheduling, and supervising the staff of the facility, and for all conduct of any member of the staff or resident of the facility;
 - G. Work with parents and include them, whenever possible, in the programming and functioning of activities;

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Family and Group Child Care Homes

- H. Assure that the required staff-to-child ratio is maintained;
 - I. Maintain a daily sign-in sheet that includes:
 - 1. The first and last names of staff and children;
 - 2. The times of arrival and departure for staff and children; and
 - 3. Sign-in sheets to be kept on file a minimum of 90 days and made available to the Department upon request.
 - J. Cooperate with the Department and other agencies of government to improve the quality of child care and the competence of caregivers.
- *31.7 Alternate Caregiver exemption. Alternate caregivers are exempt from the requirements of Section 22.2.J and Section 23.

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Requirements For Accommodation Facilities

SECTION 32 REQUIREMENTS FOR ACCOMMODATION FACILITIES

- 32.1 Facility location. An accommodation facility shall be located in a separate section of a commercial business establishment and enclosed from the principal business venture of such establishment. Any adult recreation of the business establishment which prohibits the participation of children shall be obscured from the view and hearing of children receiving care. The facility must comply with building, fire, and sanitation requirements outlined elsewhere in these Regulations. Capacity of the facility shall be determined by the local authorities having jurisdiction. Outdoor space, while recommended, is not required.
- 32.2 Program. An accommodation facility must offer the child an opportunity for safe and comfortable activity appropriate to the child's level and must provide an adequate amount of furniture and materials to facilitate such activity.
- 32.3 Person in charge. During the hours of operation, each accommodation facility must have a person on duty who is designated as the person responsible for the operation of the facility.
- 32.4 Staff requirements. All staff who supervise children at any time must possess a valid child care work permit and have complied with caregiver requirements and TB test requirements detailed in Sections 22.3 and 22.4 of these Regulations. The staff member who receives the children shall be trained to recognize symptoms of illness or potential child care problems which would necessitate discussion with the parents prior to placement.
- 32.5 Registration
- A. No child shall be accepted for care unless the parent completes and signs a registration form. The registration form shall include a statement:
1. Listing the child's full name and date of birth;
 2. Listing name of child's parents or guardian, home address, and telephone number;
 3. Describing the child's current health status including whether or not the child is free from contagious disease;
 4. Giving parental permission to obtain emergency medical care if physician or hospital services are needed and parental agreement to bear such expenses;
 5. Agreeing to return for the child by the time the maximum number of hours has elapsed;
 6. Showing the date and times of placement;
 7. Listing the name of a person to contact in the case of an emergency; and

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Requirements For Accommodation Facilities

8. Asserting the parent's understanding and agreement to adhere to policies set forth by the facility.

B. Registration forms shall be retained by the facility for six months.

32.6 Conditions of placement

A. No child shall be accepted for placement unless:

1. He or she is free of contagious disease;
2. The adult directly or indirectly responsible for placement of the child remains on the premises of the commercial business during the period the child remains in care;
3. There is a control system, which is enforced, to prevent periods of care in excess of the maximum number of hours allowed; and
4. The parent makes provision for any feeding requirements which the child might have.

B. No medication may be administered to a child in an accommodation facility.

C. No child shall remain in the facility in excess of 3-1/2 hours in a 24-hour period.

32.7 Supervision of children

A. Children in placement shall be supervised at all times by facility staff who have been approved by the Department of Social Services. No child in placement shall be permitted to be alone with patrons of the facility or with facility staff who have not been approved by the Department.

B. The facility shall adhere to the staff-to-child ratio outlined in Section 24.4.C inclusive.

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Regulations for Child Care Facilities

Additional Requirements for Preschools

SECTION 33 ADDITIONAL REQUIREMENTS FOR PRESCHOOLS

- 33.1 A curriculum plan shall be prepared in advance of each program month. The plan shall be available for parental review and be kept on file for one year. The plan shall include the following:
- A. A program for listening and speaking English;
 - B. A program for developing awareness of basic mathematical concepts;
 - C. A program for the development of skill and appreciation of music, the arts, and crafts;
 - D. A program for the development of the child's awareness of his natural surroundings and stimulating his curiosity about his environment;
 - E. A program for increasing the child's awareness of the need for good physical health, personal hygiene, exercise, and nutrition; and
 - F. Involvement of parents in school and at-home learning activities.
- 33.2 Objectives. Preschools are required to develop specific plans to accomplish the following objectives for each child:
- A. Successful adjustment to an out-of-home environment;
 - B. Familiarity with a group setting;
 - C. Development of an interest and joy in learning;
 - D. Development of feeling of security and individual success;
 - E. Self-expression and self-control;
 - F. Creativity; and
 - G. Responsibility.
- 33.3 A facility plan for assessment of the children's growth, status, and progress on an individual basis shall be prepared at least annually and shall be presented to the parent at the time of enrollment. The plan shall include the following:
- A. Early identification and diagnosis for handicapped children;
 - B. Educational programs for handicapped children, where possible; and
 - C. A means for the facility and parents to mutually evaluate the child's progress.

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Regulations for Child Care Facilities Additional Requirements For Special Needs Center

SECTION 34 ADDITIONAL REQUIREMENTS FOR SPECIAL NEEDS CHILD CARE CENTER

- 34.1 Assessment. Before a child may be admitted to a special needs facility, the child's parents, the appropriate members of the staff of the facility and any appropriate specialist shall meet to determine whether the needs of the child can be adequately met by the facility and to ascertain the information and training which must be obtained from the child's parents and other persons who provide services to the child.
- 34.2 Plan of service. A special needs facility shall provide the members of its staff with appropriate training and prepare a written plan of service for each child with special needs it accepts. The plan of service must contain:
- A. The name, age, and date of birth of the child;
 - B. The name, address, and telephone number of the parents of the child;
 - C. Any information needed to contact the parents of the child;
 - D. Any information needed to contact an appropriate person in an emergency;
 - E. The name and telephone number of any physician or specialist who is treating the child;
 - F. The name and telephone number of any special consultants who are available to the facility to assist in the care or treatment of the child;
 - G. The signatures of all persons participating in and agreeing to abide by the plan;
 - H. If relevant to the plan, a diagnosis of the child's special condition;
 - I. Any special needs of the child, precautions or arrangements concerning:
 - 1. Diet and feeding;
 - 2. Devices and equipment;
 - 3. Positioning;
 - 4. Body wastes;
 - 5. Communication; and
 - 6. Management of behavior.
 - J. Any specific plans for training the members of the staff of the facility regarding any needs, precautions or arrangements identified pursuant to subsection I; and

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Regulations for Child Care Facilities Additional Requirements For Special Needs Center

- K. A date for review of the plan by the parents of the child, the appropriate members of the staff of the facility, and the physician of the child, if appropriate.
- 34.3 Structural adaptations. All facilities which provide care for children with physical handicaps shall have any of the following structural adaptations which are appropriate to the specific needs of each child present as described in the child's individual assessment, including as required:
- A. Ramps on all outside and inside stairs or elevators available for use;
 - B. Handrails on both sides of stairs used by the children;
 - C. An entrance ramp with handrails if facility entrance is above ground level;
 - D. Sufficient space between beds and cots to accommodate wheel chairs when necessary; and
 - E. Must comply with all local fire, building, and health codes.

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SECTION 35 LICENSING ENTITY ADMINISTRATION

- 35.1 Investigations/inspections. In exercising the powers of approving, denying, revoking, suspending, or limiting licenses or making provisional licenses, the Department shall investigate and inspect licensees and approved operators and applicants for a license of a facility.
- 35.2 Bureau of Child Care Licensing. The Department shall submit monthly reports of new licenses, license renewals, and license terminations to the Bureau of Child Care Licensing of the State Department of Human Resources as required by NRS 432A.180.2 of the Regulations and Standards for Child Care Facilities.
- 35.3 Information available to public. Information relating to the licensing process and administration of Washoe County Code Chapter 45 shall be maintained by the Department and shall be freely available to the general public.
- 35.4 Assistance and consultation. Child care licensing inspectors shall offer assistance and consultation as a regular part of their duties.

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SECTION 36 SEVERABILITY

36.1 Invalid. If any phrase, clause, sentence, subsection, section, provision, or part of Washoe County Code Chapter 45 or these Regulations, or its application to any person or circumstance, is for any reason held to be invalid or unenforceable, the remaining portions of Chapter 45 of the Code and these Regulations or their application to other persons or circumstances shall not be affected.

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Regulations for Child Care Facilities

Waiver of Regulations

SECTION 37 WAIVER OF REGULATIONS

- 37.1 Application. A person who desires a waiver of all or any part of regulations concerning licensing must submit a completed application for the waiver to the Department's child care licensing supervisor.
- 37.2 Review of Application. The Department's child care licensing supervisor will review the application for the waiver and will act upon the application within 30 days from the date it is received in the Department.
- A. The child care licensing supervisor will forward to the Nevada State Bureau of Services for Child Care any application for waiver of regulations mandated by Chapter 432A of the Nevada Administrative Code and will include with the application, the Department's recommendation for disposition.
- B. If the subject regulation is mandated only by Washoe County Regulations for Child Care Facilities and is not mandated by Nevada Revised Statutes, local ordinance, or Nevada Administrative Code, the child care licensing supervisor will present the application for waiver to the Department Director accompanied with a recommendation for disposition.
- 37.3 Criteria. The Department Director may grant a waiver of a Washoe County Regulation if he determines that good cause exists. The Department Director must not grant a waiver which will threaten public health or safety.
- 37.4 Period of waiver. The Department Director will specify the length of time a waiver is in effect.
- 37.5 Revocation. A waiver granted by the Department Director will be revoked before the expiration of the period of the waiver if the Department Director determines that public health or safety is threatened or if the basis upon which the waiver was granted no longer exists.
- 37.6 Good cause. For the purposes of this section, "good cause" exists where an applicant is unduly burdened by a regulation and thereby suffers a severe hardship because of circumstances or conditions which are unique to him.

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Regulations for Child Care Facilities Additional Requirements for the Care of Ill Children

SECTION 38 ADDITIONAL REQUIREMENTS FOR THE CARE OF ILL CHILDREN

38.1 Care of ill children facilities

- A. Care of ill children may be provided by:
 - 1. A facility that is licensed by the Department to provide care for only ill children;
 - 2. A child care center that designates a separate area for use by ill children;
 - 3. A family home; or
 - 4. A group home.
- B. A licensee of a facility that provides care for ill children may care for a child who is prohibited from remaining in any other child care facility because he:
 - 1. Has a short-term or minor illness;
 - 2. Has a short-term physical disability; or
 - 3. Is recuperating from an acute episodic illness.
- C. A facility must not provide care for an ill child for more than 14 hours in any 24-hour period.

38.2 Exclusion. The director of a facility that provides care for ill children shall not admit a child who has the following conditions unless approved by the appropriate health authority:

- A. Diarrhea:
 - 1. That is caused by shigella, salmonella, campylobacter or giardia;
 - 2. That is accompanied by dehydration or loss of fluid;
 - 3. That is accompanied by blood, mucous or loss of color in the stools;
 - 4. That is accompanied by poor fluid intake;
 - 5. That is accompanied by marked lethargy; or
 - 6. For more than three days, unless the parent provides evidence that the child is under the care of a physician.
- B. Difficulty breathing or rapid breathing.

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- C. Asthma and a severe upper respiratory infection, unless the parent provides evidence that the child is under the care of a physician.
- D. Episodes of vomiting for over a six hour period.
- E. Yellowish skin or eyes.
- F. A temperature of 101 degrees axillary Fahrenheit or higher and:
 - 1. Mucous that has a foul odor or is yellow or green;
 - 2. An undiagnosed rash; or
 - 3. A sore throat.
- G. Severe coughing.
- H. Chicken pox, pertussis, measles, mumps, rubella, diphtheria or herpes simplex and is contagious.
- I. Untreated scabies, tinea corporis or capitis (ringworm).
- J. An ear infection, unless the parent provides evidence that the child is under the care of a physician.
- K. Untreated head lice.
- L. Any other condition that precludes his admission to the facility, as determined by the director.

38.3 Contract with a physician

- A. Except as otherwise provided in subsection C, a licensee of a facility that provides care for ill children shall employ or enter into a contract with a physician.
- B. The physician shall:
 - 1. Be on call when the facility is in operation;
 - 2. Make quarterly inspections of the facility;
 - 3. Act as a liaison to all appropriate health officers; and
 - 4. Assist in the development of standards for the operation of the facility.

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Regulations for Child Care Facilities Additional Requirements for the Care of Ill Children

- C. If the director of the facility is a physician, the licensee is exempt from the requirements of subsection A and the director shall carry out the provisions of subsection B.

38.4 Written standards

- A. The licensee of a facility that provides care for ill children shall develop and carry into effect written standards for the operation of the facility.
- B. The standards must include:
 - 1. An admission policy;
 - 2. Procedures for the control of infection;
 - 3. Methods for the daily care of children;
 - 4. Procedures for recording information about a child;
 - 5. Plans for the training of staff;
 - 6. Procedures for the care and referral of a child with worsening symptoms;
 - 7. Procedures for communication by staff to parents and health care providers;
 - 8. Procedures for feeding and bathing a child;
 - 9. Procedures for a daily examination of each child in accordance with section 38.13 of this regulation;
 - 10. Procedures for providing emergency health care, including community resources and referrals;
 - 11. Procedures for the use and administration of medication in accordance with section 38.5 of this regulation;
 - 12. Procedures for cleaning the facility;
 - 13. Procedures for administering first aid; and
 - 14. Procedures for storage of sanitizing material.

- #### 38.5 Administration of medication. Procedures for the use and administration of medication must include the following provisions:

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- A. Only the director or a person designated by him may administer medication to a child or provide assistance to a child who administers medication to himself.
- B. All prescription medications must be:
 - 1. Authorized by a physician;
 - 2. In the original container;
 - 3. Labeled with the name of the child, the date and directions for administration; and
 - 4. Refrigerated, if required.
- C. All nonprescription medications must be:
 - 1. Authorized by a physician, health care provider or emergency care provider;
 - 2. Labeled with the name of the child, the date and directions for administration; and
 - 3. Refrigerated, if required.
- D. The director may administer medication to a child after receiving an oral order from a physician if the director requests a written confirmation of the order from the physician.
- E. Except as otherwise provided in subsection F, all medications must be locked and inaccessible to children.
- F. Medications that require refrigeration must be kept separate from food and inaccessible to children.
- G. Unused medication must be returned to a parent and outdated medicine must be discarded.
- H. The director shall post a chart in a conspicuous place that includes:
 - 1. Information on the health and medication of the children in the facility; and
 - 2. A record of the administration of medication to each child.
- I. A member of the staff shall note in the record of a child and the director shall advise a parent of:
 - 1. All medication administered to a child; and
 - 2. The occurrence of any health problem, including diarrhea, vomiting, continuous hunger, refusal to eat, a nosebleed, a skin rash or high temperature.

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38.6 Admittance

- A. Before a child is admitted into a facility that provides care for ill children, the director:
 - 1. Shall conduct an assessment of the health of the child; and
 - 2. Receive from the parent:
 - a. A medical history of the child, which must include allergies and dietary problems, on a form provided by the facility;
 - b. A medical release form provided by the facility and signed by the parent;
 - c. The name, address and telephone number of the child's physician, health care provider or emergency care provider and any other information needed for obtaining emergency medical care;
 - d. The record of immunizations of the child; and
 - e. A statement of the current and recent illnesses or disabilities of the child, his medical needs and any symptoms that require notification of a parent or physician.
 - 3. Shall develop a plan of care for the child with the parent. The plan must be in writing and signed and dated by the parent.
- B. The director may:
 - 1. Admit a child only after evaluating the medical history, symptoms and physical condition of the child; and
 - 2. Require an examination of a child by a physician, including a diagnosis, treatment and prognosis, before accepting the child.

38.7 Director qualifications

- A. The director must be:
 - 1. A physician as defined in NRS 630.014;
 - 2. A physician's assistant as defined in NRS 630.015;
 - 3. An advanced practitioner of nursing, as defined in NRS 632.012, who has a specialty in pediatrics;

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4. A registered nurse as defined in NRS 632.019; or
 5. A licensed practical nurse, as defined in NRS 632.016, who has two years of experience in pediatric nursing.
- B. The director shall complete a total of 60 hours of initial training in:
1. The control of communicable diseases; and
 2. The recognition of symptoms and the care of childhood illnesses.
- C. The director must be at least 21 years of age.

38.8 Staff qualifications

- A. Each member of the staff of a facility that provides care for ill children:
1. Must be at least 18 years of age.
 - *2. Must be trained and certified in first aid and cardiopulmonary resuscitation (CPR) as outlined in Section 22.2.G in these Regulations.
 3. Shall earn a total of three hours of training each year in the control of communicable diseases and the recognition and treatment of childhood illnesses.
 4. Shall earn a total of three hours of training each year in a course directly related to the developmentally appropriate practices of young children.
 5. Shall provide to the facility his record of immunizations before beginning employment.
- B. Evidence that a member of the staff has completed the requirements of paragraphs 2, 3, 4 and 5 of subsection A must be included in his personnel file kept at the facility.

38.9 Staff-to-child ratio

- A. A licensee of a facility that provides care for ill children shall have on duty at least the following number of staff:
1. If all children in the facility are younger than two years old, one member of the staff for every three children;
 2. If all children in the facility are between two years and three years old, one member of the staff for every four children;

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3. If all children in the facility are between three years and six years old, one member of the staff for every five children;
 4. If all children in the facility are older than six years, one member of the staff for every seven children.
- B. If the director provides care for ill children, he may be included in calculating the ratio of staff to children.
- C. If a facility that provides care for ill children contains children from more than one of these age groups, the required number of staff is determined by computing the average of the ages of all children attending the facility and using the average age to determine the applicable ratio of staff to children.
- D. Only staff providing direct care to the children will be counted in the ratio of staff to children.

38.10 Isolation area

- A. A facility that provides care for ill children must have an area to isolate, if necessary, and care for a child whose condition has worsened until the child is removed from the facility.
- B. A child who is in an area of isolation must be under constant visual observation by a member of the staff.

38.11 Notification to parents

- A. The director of a facility that provides care for ill children shall:
1. Immediately notify a parent of any significant change in his child's illness or injury received in the facility more serious than a minor cut or scratch; and
 2. Obtain instructions from the parent for a course of action.
- B. If the director determines that a child's illness or injury exceeds the maximum level of care for which the facility is licensed, the parent must be notified and the child must be removed from the facility. If the parent cannot be contacted, the director shall follow the provisions for emergency care on the medical release form.

38.12 Dual facility additional requirements

- A. A facility that provides care for ill children in conjunction with a child care center must:
1. Keep on file a daily schedule of work for all members of the staff.

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Regulations for Child Care Facilities Additional Requirements for the Care of Ill Children

2. Not transfer a child from the facility to the center during any day that the child began at the facility.

38.13 Initial evaluation

- A. The director may admit a child to a facility that provides care for ill children only if a parent brings the child to the facility and releases the child to a member of the staff.
- B. An initial evaluation of each child must be conducted upon his arrival by the director or a physician, a physician's assistant, an advanced practitioner of nursing, a registered nurse or a licensed practical nurse who has the qualifications required by subsection A of section 38.7 of this regulation.
- C. The initial evaluation must include:
 1. An assessment and the name of the person making the assessment;
 2. The status of the child's illness, including contagion and duration;
 3. A recommendation for the number of evaluations of the child to be conducted by a member of the staff during the day; and
 4. Recommendations for the diet and activity level of the child.

38.14 Ongoing evaluations

- A. A member of the staff shall conduct evaluations of each child as recommended by the director or health care provider who performed the initial evaluation of the child.
- B. After each evaluation the member of the staff shall record:
 1. The date and time of each evaluation;
 2. The temperature, pulse and respiration of the child;
 3. The amount of food and fluid ingested by the child;
 4. The color, consistency and number of the child's stools; and
 5. A description of the activity of the child, including sleep, rest and play.

38.15 Activities. The director of a facility that provides care for ill children shall:

- A. Provide a child with activities during the day that meet the needs of the child, including:

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1. Activities that take place inside or outside and which are consistent with the developmental level, ability and physical condition of the child and the plan of care for the child;
 2. Rest and relaxation;
 3. Eating and drinking; and
 4. Toileting and personal hygiene.
- B. Modify the plan of care for each child daily.
- C. Monitor the records completed by staff.
- D. Notify a parent of his child's progress.

38.16 Nap/rest period

- A. A licensee of a facility that provides care for ill children must provide:
1. An area for each child to rest without disturbance from other activities; and
 2. A bed or crib for each child that must be a least six inches above the floor.
- B. A member of the staff shall supervise a resting child.

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PERSONS UNQUALIFIED FOR LICENSURE - Referred to in Section 3

NRS 200: (Each of the following offenses is a felony unless stated otherwise.)

Murder
Voluntary manslaughter
Involuntary manslaughter (felony and gross misdemeanor)
Mayhem
Kidnapping
Sexual assault
Statutory sexual seduction (felony and gross misdemeanor)
Robbery
Assault with intent to: kill, sexual assault, mayhem, robbery, or grand larceny = gross misdemeanor
Battery with intent to: kill, sexual assault, mayhem, grand larceny, or robbery = felony
Duels and challenges (felony and gross misdemeanor)
False Imprisonment (felony and gross misdemeanor)
Battery (felony, gross misdemeanor, and misdemeanor)
Abuse, neglect or endangerment of child (felony and gross misdemeanor)
Abuse, neglect and exploitation of older persons (felony, gross misdemeanor, and misdemeanor)
Libel (gross misdemeanor)
Use of minors in pornographic performances (felony and gross misdemeanor [possession])

NRS 201:

Desertion and nonsupport of spouse and children (felony, gross misdemeanor, and misdemeanor)
Contributory delinquency and neglect of children (misdemeanor)
Abortion
Bigamy
Concealing birth (gross misdemeanor)
Marrying a married person
Incest
Crime against nature
Solicitation of minor to engage in acts constituting crime against nature (felony and gross misdemeanor)
Open or gross lewdness (felony and gross misdemeanor)
Indecent or obscene exposure (felony and gross misdemeanor)
Lewdness with child under 14 years
Obscenity (misdemeanor)
Exhibition and sales of obscene material to minors (misdemeanor)

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Regulations for Child Care Facilities

Addendum I

Pandering
Sexual penetration of dead human body
Sale of human organ for transplantation (misdemeanor)
Prostitution (misdemeanor)

NRS 202:

Minors and tobacco or alcoholic beverages (misdemeanor)
Venereal diseases (misdemeanor)
Willfully poisoning or adulterating food, water or medicine
Deposit of unwholesome substance (gross misdemeanor)
Advertising to produce miscarriage (gross misdemeanor)
Use or sale of liquid silicone
Dangerous weapons and firearms (felony and gross misdemeanor and
misdemeanor)
Explosives and bomb threats

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Addendum II

RESTRAINT OF CHILDREN - Referred to in Section 18

*NRS 484.474. Child riding in motor vehicle:

- *1. Except as otherwise provided in subsection 5, any person who is transporting a child who is less than 6 years of age and who weighs 60 pounds or less in a motor vehicle operated in this state which is equipped to carry passengers shall secure the child in a child restraint system which has been approved by the United States Department of Transportation in accordance with the Federal Motor Vehicle Safety Standards set forth in 49 C.F.R. Part 571.
- *2. A person who violates the provisions of subsection 1 shall be punished by a fine of not less than \$50 nor more than \$500 unless, within 14 days after the issuance of the citation for such a violation, the person presents to the court specified in the citation proof of his purchase of such a restraining device. Upon presentation of such proof, the court shall void the citation.
3. For the purposes of NRS 483.473, a violation of this section is not a moving traffic violation.
4. A violation of this section may not be considered:
 - a) Negligence in any civil action; or
 - b) Negligence or reckless driving for the purposes of NRS 484.377.
5. This section does not apply:
 - a) To a person who is transporting a child in a means of public transportation, including a taxi, school bus or emergency vehicle.
 - b) When a physician determines that the use of such a restraining device for the particular child would be impractical or dangerous because of such factors as the child's weight, physical unfitness or medical condition. In this case, the person transporting the child shall carry in the vehicle the signed statement of the physician to that effect.

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Addendum III

CODE OF FEDERAL REGULATION – Toy Size Safety - Referred to in Section 19 of the Regulations

According to the federal government's small parts standard on a safe size toy for children under three years of age, a toy or toy component should be at least 1-1/4 inches in diameter and 2-1/4 inches long. Any toy or part smaller than this is a potential choking hazard.

The federal standard that applies is Code of Federal Regulations, Title 16, Part 1501, which defines the method for identifying and testing toys and other articles intended for use by children under three years of age that present choking, aspiration, or ingestion hazards because of small parts.

To obtain this publication, contact:

Superintendent of Documents
U.S. Government Printing Office
Washington D.C. 20402

Also note ASTM F963-86 Specifications for Toy Safety. To obtain this publication, contact:

American Society for Testing and Materials
1916 Race Street
Philadelphia, Pennsylvania 19103

Washoe County Department of Social Services

Regulations for Child Care Facilities

Addendum IV

SUGGESTED LIST OF MATERIALS - Referred to in Section 19 of the Regulations

ART

Butcher paper
Construction paper
Typing paper
Tissue paper
Cardboard
Paper plates
Easels
Brushes of various widths
Tempera paints
Water paints
Glue
Tape
Scissors
Old magazines
Yarn
Buttons
Other collage items
Crayons
Pencils

DRAMATIC PLAY

Child size furniture
Mirrors
Stuffed animals
Dolls
Doll clothes
Blankets
Dress-up clothes
Telephones
Dishes
Pots and pans
Measuring cups
Bowls
Cooking utensils
Canned foods
Empty food cartons/boxes

LANGUAGE AND BOOKS

Variety of books on many topics
Book case or rack
Pictures for discussion
Magazines
Language games
Story records
Tape recorder

MANIPULATIVE ACTIVITIES

Tabletop blocks
Puzzles
Legos
Lincoln Logs
Bristle Blocks
Other building games
Nesting toys
Nuts and bolts of various sizes
Lacing shoe
Zippers, buttons, hooks, etc. to open and close

MOTOR ACTIVITY

Unit blocks
Large hollow blocks
Cardboard blocks
Blocks made from covered milk cartons
Trucks
Wooden animal/people
Indoor climbing frame
Indoor slide
Rocking boat
Parachute
Balls
Hula hoops

MUSIC

Rhythm instruments
Xylophones
Records
Record player
Autoharp
Piano/guitar for teacher
Props for dancing

PRE-MATH

Seriation games
Classification games
Matching games
Counting rods
Measuring cups
Measuring spoons
Number cards
Games involving counting

SCIENCE

Small animals/pets
Plants
Nature collections
Magnets
Prism
Scale
Magnifying glasses

SENSORY ACTIVITIES

Sand table
Water table
Buckets
Shovels/spoons
Hoses, funnels, etc.
Feely bags
Bins with various textured materials
Sound discrimination cans
Smell discrimination

WOODWORKING

Sturdy tools
Vise
Scrap wood
Nails
Work table
Safe tool storage

OUTDOOR PLAY

Swings, slides, climbers
Playhouse
Tricycles
Wagons, scooters
Sand and implements
Balls
Boxes, tires
Planks
Gardening tools

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Regulations for Child Care Facilities

Addendum V

IMMUNIZATIONS - See Section 26 of the Regulations for NRS 432A.230 TO 432A.280

IMMUNIZATIONS REQUIRED FOR CHILD CARE ENTRY Effective March 2003

A copy of this guide should be posted on a wall or desk top as a handy, quick reference for assessing the immunization status of children before they are allowed to attend your facility. If you need more information, please consult the Immunization Coordinator at your local health department.

Important! Parents must present a certificate, issued by the local health department or an authorized physician, of their child's immunizations before he or she can attend your facility. The certificate must include the date (at least the month and year) each vaccine dose was received.

A. Use this table to evaluate each child's immunization status:

<u>AGE AT ENTRY</u>	<u>VACCINE(S)</u>	<u>DOSE REQUIRED</u>
Younger than two months	None	
2-3 months	DTaP/DTP/DT, Polio, Hib*	1
4-5 months	DTaP/DTP/DT, Polio, Hib	2
6-14 months	DTaP/DTP/DT, Hib	3
	Polio	2
15-17 months	DTaP/DTP/DT, Hib	4
	Polio	3
	MMR**	1
18 months through 3 years 11 months	DTaP/DTP/DT	4
	Polio	3
	MMR	1
4 years and older	DTaP/DTP/DP, Hib	5
	Polio	4
	MMR***	2

* Hib is required for children two months through 59 months of age.

The Hib schedule depends on the vaccine used:

Hibtitier - 2, 4, 6, and 15 months

PedvaxHib - 2, 4, and 12 months

ProHibit - 15 months

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Addendum V

** MMR is recommended at age 15 months but meets the legal requirements if given on or after the 1st birthday.

*** One more dose of MMR is required at age 4 if in day care or Washoe County Schools.

It is the responsibility of the child care facility to follow up on all children and to ensure they receive all required immunizations according to the above schedule. Children age 18 months and over who have not met all requirements may be admitted conditionally upon initiation of the following immunization schedule.

VACCINE

TIME INTERVAL

DTaP/DTP/DT 2nd dose: 4-8 weeks after first dose
3rd dose: 4-8 weeks after second dose
4th dose: 6 months after third dose
5th dose: At least six months after fourth dose
(Normally given between 4 to 6 years of age.)

OPV/IPV 2nd dose: 4 weeks after first dose
3rd dose: 6 months after second dose
4th dose: At least six months after third dose
(Normally given between 4 to 6 years of age.)

Hib The first three doses should be given at two month intervals according to the following schedule.

<u>Age when Hib vaccine began (months)</u>	<u>Needed Doses</u>
2 to 6 months	4
7 to 11 months	3
12 to 14 months	2
15 to 59 months	1

The last dose should be given on or after 15 months of age.

MMR Second dose at least four weeks after first dose.
Children age 15 months and older without an MMR must obtain immediately.

B. Conditional Admission of Non-Permanent Residents:

A child, whose parents are not residents of Washoe County, may be admitted to the facility during the hours the Washoe County District Health Department is closed provided the parent submits proof he has not established a permanent residence in Washoe County. The proof must be in the form designated by the Department and may include a driver's license. Proof of non-residency must be maintained at the

Washoe County Department of Social Services

Regulations for Child Care Facilities

Addendum V

facility for one year. A conditional admittance authorized by the facility is valid only until the next business day of the Washoe County District Health Department.

C. Pupils Not Meeting Requirements:

Refer pupils who do not meet these state requirements to their physician or District Health Department, providing them with a written notice giving dates of vaccine doses received and indicating which doses are lacking. They are to be excluded from school until they have begun or completed the appropriate immunizations. Parents or guardians who refuse to remove their children when directed by the child care facility operator from the facility for failures to comply with immunization requirements are guilty of a misdemeanor (NRS 432.280).

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Regulations for Child Care Facilities

Addendum VI

LIST OF REPORTABLE DISEASES AND CONDITIONS - Referred to in Section 26
of the Regulations

- | | |
|---|---|
| AIDS | Lymphogranuloma venereum |
| Amebiasis | Malaria |
| ** Animal bite from a rabies susceptible species | † Measles (rubeola) |
| **† Botulism | Meningitis (specify type) |
| Brucellosis | ** Meningococcal disease |
| Campylobacteriosis | Mumps |
| Chancroid | Pertussis |
| Chlamydia | **† Plague |
| Cholera | Poliomyelitis |
| Coccidioidomycosis | Psittacosis |
| Cryptosporidiosis | Q Fever |
| Dengue | **† Rabies (human or animal) |
| † Diphtheria | Relapsing Fever |
| E.coli 0157:H7 | Respiratory Syncytial Virus Infection (RSV) |
| Encephalitis | Rocky Mountain Spotted Fever |
| **† Extraordinary occurrence of illness | Rotavirus infection |
| **† Foodborne disease outbreak | † Rubella (including congenital) |
| Giardiasis | Salmonellosis |
| Gonorrhea | Severe Reaction to Immunization |
| Granuloma inguinale | Shigellosis |
| Haemophilus influenzae (invasive) | Syphilis (including congenital) |
| Hansen's Disease (leprosy) | Tetanus |
| Hepatitis A, B, C, delta, unspecified | Toxic Shock Syndrome |
| HIV infection | Trichinosis |
| Influenza | † Tuberculosis |
| Legionellosis | Tularemia |
| Leptospirosis | Typhoid Fever |
| Listeriosis | Yersiniosis |
| Lyme Disease | |
| * Death of a child | |
| ** Must be reported immediately | † Must report when suspect |
| All diseases/deaths must be reported within 24 hours. | |

Washoe County District Health Department
P.O. Box 11130, Reno, Nevada 89520
Telephone No. 328-2447 FAX 328-2279

Washoe County Department of Social Services

Regulations for Child Care Facilities

Addendum VII

Referred to in Section 27 of the Regulations

Kinds of Food	Main Nutrient	Total amount to meet 2/3 of FNBNAS (Ages 1 - 2 Years)	Total amount to meet 2/3 of FNBNAS (Ages 2 - 6 Years)
<p>1. <u>Milk or equivalent:</u> 8 oz. milk is equivalent to: 1 oz. cheese, 5-1/2 tbs. nonfat dry milk solids, 8oz milk puddings</p>	<p>Calcium Protein Riboflavin</p>	<p>2 oz. milk or equivalent for part of milk</p>	<p>12 oz. milk or equivalent for part of milk</p>
<p>2. <u>Meat or equivalent:</u> 1oz. meat, fish or poultry. Fish is equivalent to: 1 egg, 1 oz. cheese, 2 tbs. peanut butter or nuts, 2 oz. cottage cheese 1/2 cup cooked dried beans. NOTE: Liver is recommended two times per month.</p>	<p>Protein Iron Thiamin</p>	<p>1oz. meat (2 tablespoons) or equivalent for 1 oz. meat</p>	<p>1-1/2 oz. meat or 3 tablespoons or equivalent</p>
<p>3. <u>Vegetables (fruits):</u> Dark green or yellow vegetables and fruits including spinach, carrots, potatoes, broccoli, cantaloupe, apricots, yellow squash, tomatoes, plus other vegetables not listed.</p>	<p>Vitamin A Iron</p>	<p>1 - 2 tablespoons or 1 - 2 oz</p>	<p>2 - 3 tablespoons or 2 - 3 oz</p>

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Addendum VII

Kinds of Food	Main Nutrient	Total amount to meet 2/3 of FNBNAS (Ages 1 - 2 Years)	Total amount to meet 2/3 of FNBNAS (Ages 2 - 6 Years)
4. Fruits (vegetables) - <u>Citrus Fruits</u> Including: oranges, grapefruit, raw cabbage, broccoli, berries, greens, cantaloupe, tomatoes, plus other fruits.	Vitamin C	1/3 cup or 3 oz.	1/3 cup or 3 oz.
5. <u>Breads or cereals:</u> One slice is equivalent to: 1/2 cup cereal, macaroni, rice noodles, crackers (2).	Thiamin B-Complex	2 - 3 servings	3 - 4 servings
6. <u>Fat and equivalent:</u> Mayonnaise, peanut butter, oils, butter, margarine, fatty acids.	Essential Calories	1 - 2 teaspoons	3 - 4 teaspoons
7. <u>Miscellaneous:</u> Simple puddings, cookies, cakes, sauces, fruit punches.	Calories	1 - 2 servings	1 - 2 servings

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SUGGESTED FIRST AID KIT CHECKLIST

An **information sheet** with the following information:

EMS telephone number
Ambulance telephone number
Fire and/or rescue number
Name and address of Emergency Shelter
Information to be given over the phone

Police telephone number
Hospital telephone number
*First Aid Booklet
*CPR Instructions

Supplies:

- | | |
|---|--------------------------------------|
| _____ One package of 4 x 4 dressing | _____ Band aids |
| _____ One package of 2 x 2 dressing | _____ Butterflies |
| _____ Kling 2" and 3" bandage | _____ Eye patches (pediatric sizes) |
| _____ Ace 3" bandage | _____ Tape |
| _____ Scissors | _____ Tweezers |
| _____ Syrup of ipecac or activated charcoal (with instructions) | _____ Antibacterial Ointment |
| _____ Pocket mask | _____ Disposable gloves |
| _____ Non-glass thermometer | _____ Safety Pins |
| _____ Cold Pack | _____ Coins for pay phone |
| _____ Water | _____ Small plastic or metal splints |
| _____ Liquid soap | |

The facility should maintain at least one readily available first aid kit. Each kit should be a closed container for storing first aid supplies, accessible to child care staff at all times but out of reach of children.

PLAYGROUND SAFETY CHECKLIST

1. Make sure surfaces around playground equipment have at least 12 inches of wood chips, mulch, sand, or pea gravel, or mats made of safety-tested rubber or rubber-like materials.
2. Check that protective surfacing extends at least 6 feet in all directions from play equipment. For swings, be sure surfacing extends, in back and front, twice the height of the suspending bar.
3. Make sure play structures more than 30 inches high are spaced at least 9 feet apart.
4. Check for dangerous hardware, like open 'S' hooks or protruding bolt ends.
5. Make sure spaces that could trap children, such as openings in guardrails or between ladder rungs, measure less than 3.5 inches or more than 9 inches.
6. Check for sharp points or edges in equipment.
7. Look out for tripping hazards, like exposed concrete footings, tree stumps, and rocks.
8. Make sure elevated surfaces, like platforms and ramps, have guardrails to prevent falls.
9. Check playgrounds regularly to see that equipment and surfacing are in good condition.
10. Carefully supervise children on playgrounds to make sure they are safe.

Reprinted from material from the United States Consumer Products Safety Commission (CPSC).
1-800-638-2772, <http://www.cpsc.gov>