

LEECH LAKE
BAND OF OJIBWE



LICENSING REQUIREMENTS
FOR
CHILD CARE CENTERS

Oct 2007

TABLE OF CONTENTS

INTRODUCTION

LICENSING PROCESS

PROGRAM OPTIONS.....	3
OPERATIONAL GUIDELINES.....	3
CHILDREN WITH SPECIAL NEEDS.....	9
DROP IN AND EXTENDED HOUR CARE PROGRAMS.....	9

SECTION I

CAREGIVER PRACTICES/QUALIFICATIONS/TRAINING

SUBSECTION A	RATIOS AND CAPACITY	10
SUBSECTION B	CAREGIVER QUALIFICATIONS.....	13
SUBSECTION C	CAREGIVER TRAINING.....	19

SECTION II

PROGRAM POLICIES

SUBSECTION A	ADMISSION AND ENROLLMENT	22
SUBSECTION B	DAILY PROGRAM ACTIVITIES.....	25
SUBSECTION C	NURTURING AND ENRICHING ENVIRONMENT.....	33
SUBSECTION D	EMERGENCY AND EVACUATION.....	40
SUBSECTION E	TRANSPORTATION.....	44

SECTION III

SAFE AND HEALTHY ENVIRONMENT

SUBSECTION A	BUILDING AND PREMISES.....	46
SUBSECTION B	INFECTION CONTROL.....	53

ACKNOWLEDGMENTS.....	60
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CENTER BASED LICENSING PROCESS

PROGRAM OPTIONS

A license holder may provide one or more of the following programs:

- A. A “day” program means a program operated during the traditional hours of 6:00 a.m. to 6:00 p.m.
- B. An “extended hour” program means a program operating before 6:00 a.m., after 6:00 p.m. and/or during the weekends.
- C. A “drop-in” program means a program that does not provide care to any child for more than a total of 45 hours in any calendar month.

OPERATIONAL GUIDELINES

A license to operate a center program must be obtained from the Leech Lake Child Welfare Commission.

- A. The applicant shall be the person or program who shall be legally responsible for the operation of the program.
- B. An individual applicant or the applicant’s spouse must be an enrolled member of a federally recognized tribe. A corporation, partnership, voluntary association or other organization must be affiliated with the Leech Lake Band of Ojibwe.
- C. Facility must be located within the Leech Lake Reservation boundaries.
- D. An application for license is complete when all forms are completed, signed and submitted with supplemental documentation needed for licensure to the Child Welfare Commission and the Child Welfare Commission receives all inspection, zoning, evaluation and investigative reports and other information required.
- E. A license holder is not allowed to provide or advertise for licensed child care until final approval by the Child Welfare Commission.
- F. Applicants and license holders must have a separate license for each center where a child care program is provided.
- G. A license holder must post the license in a conspicuous place within the center.
- H. A license holder must comply with all Leech Lake Band of Ojibwe Licensing Requirements for Child Care Centers.

Occupancy Designation – The applicant must comply with any applicable local building ordinances if the application is an initial one. The Leech Lake Child Welfare Commission shall not grant an initial license until a written verification of compliance with local building ordinances, when applicable, has been received by the Child Welfare Commission.

Fire Inspection - The center must be inspected by a fire marshal within 12 months before initial licensure. The agency must not grant an initial license until they have received written approval of compliance with the Minnesota Uniform Fire Code from the fire marshal with jurisdiction.

Re-inspection For Cause - If the Leech Lake Child Care Services Program has reasonable cause to believe that a potential hazard exists, they may request another inspection and written report by a fire marshal, building official, or health authority to verify the absence of hazard.

Agency Responsibilities

- A. The Leech Lake Child Care Services Program shall review and process all license applications.
- B. The Leech Lake Child Care Services Program shall conduct the initial license study of the center, the investigation of staff qualifications, the renewal of license every two years and the routine on-site monitoring.
- C. A Health & Safety Officer that is approved through the Child Welfare Commission will conduct the annual health & safety inspections.
- D. The Leech Lake Child Care Services Program shall process and make recommendations for license suspensions, probation and terminations.
- E. The Leech Lake Child Care Services Program shall keep all original files on record for a minimum of 3 years from the date of licensure.
- F. The Child Welfare Commission shall review and approve all recommendations for suspension, probation or termination.
- G. The Child Welfare Commission shall evaluate applications and approve or deny a licensure within 60 days after they have in its possession all completed and signed forms, reports, evaluations, information and documentation required from the applicant and all inspection, zoning and investigative reports required.
- H. If a recommendation cannot be made by the Child Welfare Commission within 60 days after all information has been received, the Leech Lake Child Services Program must inform the applicant in writing why a recommendation cannot be made.

License Terms – The license must indicate:

- a. Number and age groups of children who may receive care at any one time;
- b. The expiration date of the license and location of the center;
- c. The Program Option for Child Care;
- d. The names and physical & mailing address of the program; and
- e. That the provider is licensed under the Leech Lake Reservation Licensing Requirements for Center Based Child Care.

License Study and Monitoring Visits – The center shall give the Leech Lake Care Services Program access to the facility for the following license study purposes.

- A. An initial health & safety inspection of the facility by an Environmental Health Specialist or Health & Safety Officer to determine compliance with the regulations set by the Leech Lake Health Division.
- B. Annual health & safety inspections to determine compliance with Leech Lake Band of Ojibwe Licensing Requirements for Child Care Centers.

- C. Quarterly monitoring visits to determine compliance with the Leech Lake Band of Ojibwe Licensing Requirements for Child Care Centers.

Access to Facility – The center shall give authorized representatives of the Leech Lake Child Care Services Program access to the facility during the hours of operation to determine whether the facility complies with the standards. Access shall include:

- A. The facility occupied by children in care;
- B. Any adjoining land or buildings owned or operated by the applicant or program in conjunction with the provision of child care and designed for use by the children in care;
- C. Non-interference in interviewing all staff present during the hours of operation; and
- D. The right to view and photocopy records and documents.

Change in License Terms - The license holder must apply to the Child Welfare Commission and a new license must be issued before the license holder:

- A. Moves the center to another facility;
- B. Changes, sells or transfers ownership or responsibility for the operation of the center;
- C. Changes the ages and/or increases the number of children served; or
- D. Changes the child care program options provided by the license holder.

Background Study - Criminal and human services background checks shall be completed when there is an addition of any adult or child age 13 years and over who is an employee, volunteer or will be regularly present in the center. Criminal background checks may be collected through any means as long the check is processed through the Bureau of Criminal Apprehension. Human Services background checks must be processed through the county in which the facility resides and the Leech Lake Family Services Department of the Child Welfare Program.

Non-Compliance - In the event a licensed child care center is found to be in non-compliance with the Leech Lake Band of Ojibwe Licensing Requirements for Child Care Centers, they will be given a time period of no more than 30 days to become in compliance. (At risk situations do not apply). If the provider is still in non-compliance after the given time period, the following events will occur with approval of the Child Welfare Commission. A letter from the Child Welfare Commission will be sent to the provider indicating the terms of the negative licensing action.

- A. Probation – Center may provide care and will be monitored for a period of time stated in negative license action letter
- B. Suspension – Center shall not provide care for a period of time not to exceed three months.
- C. Termination – Center file will be closed and center shall not provide care. Center shall immediately return license to the Leech Lake Child Care Services Program. Center will not be able to re-apply for a child care license for a period of two years.

A license may be suspended or made probationary if:

- A. The staff or any other person present during the hours children are in care or working with the children, are awaiting trial for a crime listed in the disqualifications requirement.

- B. Persons under the influence of alcohol or illegal drugs are allowed in the childcare setting.
- C. Monitoring visits show a consistent pattern of non-compliance issues.

If the center is in non-compliance or under a probationary, suspension or termination status, they will not be eligible for provider services through the Leech Lake Child Care Services program. Notification will be sent to applicable agencies regarding the status of the program.

License Renewal – The following provisions must be followed when reviewing a license for renewal for as long as the center maintains a license.

- A. The license holder must complete a new application process to determine continued compliance once every two years prior to expiration
- B. An Environmental Health Specialist, Health & Safety Officer or other representative approved by the Leech Lake Child Welfare Commission, to determine compliance, must conduct a Health and Safety inspection of the facility.
- C. Routine “Monitoring Visits” will be conducted of the center to ensure continued compliance.
- D. The Leech Lake Care Services Program must submit the new application, a summary of the monitoring visits, and all complaints received during the period of licensure to the Child Welfare Commission to be used in determining continuation of the license.

Inactive License - A center may request to temporarily stop providing care for up to 6 months of the licensing period. This inactive period may not exceed more than twelve months total within the same licensing period.

Return of License – When a center stops giving care or if a license is suspended, terminated or not renewed, the license holder shall return the license to the Leech Lake Care Services Program, stop all advertising and refrain from providing licensed care to children.

Variations – An applicant or license holder may request a variance. When reviewing a variance request, the Child Welfare Commission shall assess whether alternative methods are identified by the applicant or license holder to ensure the health, safety and protection of the children in care. A variance may be granted if:

- a. the applicant or license holder complies with all applicable laws and regulations;
- b. any variance to the safety provisions is approved by a certified inspector and alternative measures are identified to ensure the safety of the children;
- c. any variance of the provisions relating to sanitation, health, water, food and nutrition are approved by a health officer and alternative measures are identified to ensure the health of the children;
- d. any variance of the provisions relating to stairways, decks and sewage disposal are approved by a certified inspector and alternative measures are identified to ensure the health and safety of the children; and
- e. any variance to the “disqualification factor” must have clear and convincing evidence presented by the applicant or license holder that no threat or harm whatsoever will result to the children in care due to the granting of the variance. The Child Welfare Commission shall consider the nature of the issue and amount of time that has elapsed without a repeat of the instance.

Variance Procedure – Request for variance must comply with and be handled according to the following procedures.

- A. An applicant or license holder must submit a written request for a variance to the Leech Lake Child Welfare Commission. The request must include the following information:
 - 1. the sections which the applicant or provider cannot comply;
 - 2. the reasons why the applicant or provider needs to depart from specified sections;
 - 3. the period of time for which the applicant or provider requests a variance; and
 - 4. the specific equivalent alternative measures which the applicant or provider will provide so the health, safety and protection of the children in care are ensured if the variance is granted.
- B. An applicant or provider must submit to the Child Welfare Commission, written approval from a certified inspector of a variance request and the alternative measures identified to ensure the safety of the children in care when a variance of the fire safety provisions on physical environment is requested. These are means of escape, occupancy separations, heating and venting systems, locks and latches, interior walls and ceilings, extinguishers, smoke detection systems and electrical systems.
- C. An applicant or provider must submit to the Child Welfare Commission, written approval from a health officer of a variance request and the alternative measures identified to ensure the safety of the children in care when a variance on sanitation, health, water, food and nutrition is requested.
- D. An applicant or license holder must submit to the Child Welfare Commission, written approval from a building official of a variance request and the alternative measures identified to ensure the health and safety of the children in care when a variance is requested of the standards relating to stairways, decks and sewage disposal.

Agency Records – The Leech Lake Care Services Program shall maintain the following records for each center for a period of three (3) years:

- A. A copy of the completed licensing and renewal application forms signed by the applicant and the Child Welfare Commission.
- B. Physical assurance reports on any staff present in the facility on a regular basis.
- C. Any written reports from a Health & Safety officer or business official.
- D. The initial and any renewal licensing study.
- E. Any monitoring visits and evaluations
- F. Documentation of any variances and variance requests.
- G. Criminal and Human Services background check assurance forms on any person working in the child care center.
- H. Any documented complaints
- I. The training assurance reports on staff working in the child care center.

Data Privacy – The Leech Lake Care Services Program, or its representatives, shall have access to center records on children in care to determine compliance. The center shall not disclose any records on children in care to any persons other than the parents of the child, the Child Welfare Program, its representatives and medical or public safety persons if information is necessary to protect the health and safety of the child.

Reporting to Agency - The center shall inform the Leech Lake Care Services Program

- A. within 30 days, of any change in the addition of an employee or volunteer who will regularly be providing care.
- B. immediately, of any suspected case of physical or sexual abuse or neglect.
- C. immediately, after the occurrence of a fire that requires the service of a fire department so the Child Welfare Commission may determine continued substantial compliance.
- D. immediately, after the occurrence of any serious injury or death of a child within the child care center. A serious injury is one that requires medical service.
- E. immediately, after any occurrence of a child bitten by an animal while in care.

Child Care Insurance Coverage - A center is required to carry liability insurance for the facility and for all vehicles owned and operated by the license holder for the transportation of child care children and staff.

Mandated Reporting – All staff are mandated reporters by virtue of their jobs in working with children. Any staff member who knows or has reason to believe a child is being neglected, physically or sexually abused, shall immediately report the information to the Leech Lake Child Welfare Program – Family Services Department. Any reports made after 4:30 p.m. must be reported to the Leech Lake Tribal Police Department.

Leech Lake Care Services Program, Child Welfare Program – Family Services Department and the Leech Lake Tribal Police Department preserves the confidentiality of all records pertaining to child abuse, sexual abuse, mental injury, threatened injury and neglect in accordance with applicable state or local law. Consistent with this policy, a staff member shall not undertake on his or her own, to treat cases of child abuse and neglect.

CHILD CARE FOR CHILDREN WITH SPECIAL NEEDS

When a license holder admits a child with special needs, the license holder must ensure that an individual child care plan is developed to meet the child’s individual needs. The individual child care plan must be in writing and specify methods of implementation. The child care plan must be reviewed and followed by all staff who interact with the child. The license holder must inform the parent of any diagnosed or identified special need of a child that was not reported by the parent at the time of admission.

If a child has a special need, the individual child care plan must be coordinated with reports from their licensed physician, licensed psychiatrist or licensed psychologist. The individual child care plan must be evaluated at least bi-annually with the child's parent to determine if the needs of the child are being met. The license holder must ensure that staff qualifications or training required by the child's individual child care plan are provided for any additional staff necessary to care for the child.

DROP IN AND EXTENDED HOUR CARE PROGRAMS

Drop-in Programs - A license holder operating a drop in program will comply with requirements stated in the Center Based Licensing Requirements with the following exceptions:

- A. Drop in programs do not have to provide parent conferences.
- B. The license holder must obtain health information and immunization records by the second visit to the program.

Extended Hour Programs - A license holder operating an extended hour program must comply with this part as well as with requirements of the Leech Lake Band of Ojibwe Licensing Requirements for Child Based Care Centers. The child care program plan between the hours of 6:00 p.m. and 6:00 a.m. must emphasize quiet activities. The outdoor activity area, outdoor activities and outdoor equipment requirement for children enrolled need not be provided if child care is exclusively provided between the hours of 6:00 p.m. and 6:00 a.m.

Meals and Snacks – The license holder must ensure that a child who will be present during the hours of 6:00 p.m. to 6:00 a.m. has had or will be provided with an evening meal. A bedtime snack must be available for all children in attendance.

Staffing – At least two staff persons, one of whom must qualify as a Team Leader, must be present in the center at all times during the hours of 6:00 p.m. to 6:00 a.m. When more than 80 percent of the children present are sleeping, the remaining staff persons needed to meet the required staff to child ratio must have at least the qualifications of a Teacher Assistant. Program staff must be awake at all times, dressed and provide supervision to children who are asleep.

Furnishings – Each child enrolled in an extended hour care program must be provided with a crib, bed or cot with rest mat. A crib and two sets of clean linens must be provided for each infant and meet the standards set forth in the Leech Lake Band of Ojibwe Licensing Requirements for Child Care Centers. Infants must have a sleep area separate from the center's play and activity areas.

Bedtime Preparation – A child's bedtime must be scheduled in consultation with the parent. The license holder must ensure that all children are put to bed in garments for sleeping as designated by the child's parent. A night-light must be used in rooms used for sleep during the children's bedtime.

The license holder must ensure that all children have the personal effects needed to clean up and prepare for sleep. The effects must include an individual washcloth, towel, toothbrush, toothpaste and liquid soap. The license holder must ensure that children are able to wash up and clean their teeth before bedtime and be assisted by program staff when necessary. To ensure privacy, school age boys and girls must be separated during washing and changing activities

SECTION I CAREGIVER PRACTICES/QUALIFICATIONS/TRAINING

A. RATIOS AND CAPACITY

Principle

Adequate staffing ratios are important for providing quality care to children and retaining staff.

Why This Is Important

- Lower ratios allow for direct supervision and consistent care giving.
- Children benefit from interaction in smaller groups.
- Smaller groups and lower ratios reduce stress on individual caregivers.
- Close supervision ensures the physical safety of the children and allows for better maintenance of sanitation routines.
- It is important for children to build long-term, trusting relationships with caregivers. Having a small number of caregivers contributes to forming these relationships.

Standards

- Caregivers shall meet or exceed Leech Lake Band of Ojibwe Licensing Requirements for Child Care Centers caregiver to child ratios and group size limits.
- Caregivers shall directly supervise infants, toddlers, and preschool children by sight and hearing at all times, even when the children are in sleeping areas.
- Caregivers shall know the whereabouts of the children in their care at all times.

Requirement - Age Definition, Staff Ratios and Group Size

Age definitions

- Infant 6 weeks to 16 months old
- Toddler 16 months to 36 months old
- Preschool 36 months to 5 years old
- School Age 5 years to 13 years old

A child must be designated as a member of the age category that is consistent with the child's date of birth with the following exceptions:

- A child may be designated as an "infant" up to the age of 18 months for purposes of staff ratios, group size, and child care programming, if the parent, teacher, and center director determine that such a designation is in the best interest of the child.
- A child may be designated as a "preschooler" at the age of 31 months for purposes of staff ratios, group size, and child care programming, if the parent, teacher, and center director determine that the designation is in the best interests of the child.
- Attendance of the first day of kindergarten must be designated as a school age child. Attendance of a child in the first day of Head Start must be designated as a preschool child.

The minimally acceptable staff to child ratios and maximum group size within each category is:

Age	Ratio	Maximum Group Size
Infant	1:4	8
Toddler	1:7	14
Preschool	1:10	20
School Age	1:10	20
Mixed Age	1:7	14

Mixed Age Group Guidelines

During morning arrival and afternoon departure times, children in different age categories may be grouped together if:

- the total arrival and departure time does not exceed 25 percent of the daily hours of operation
- the staff to child ratio, group size, and staff distribution applied are for the age category of the youngest child present; and
- the group is divided when the number of children present reaches the maximum group size of the youngest child present.

During the center's regular hours of operation, children in different age categories may be mixed within a group if:

- infants are not grouped with children of other age categories;
- there is no more than a 36-month range in age among children in a group; school age is excluded
- the staff to child ratios, group size, and staff distribution applied are for the youngest child present;
- program staff are qualified to teach the ages of all children present within the group.

Requirement - Licensed Capacity

Capacity limits: Centers shall comply with “Child/Adult Ratios & Age Distribution Restrictions”, which limits the total number of children and the number of children in each age category who are required to be present.

- A. Centers shall be licensed for the total number of children up to age 13 years old, who will be present in the facility at any one time.
- B. Within the licensed capacity, the age distribution restrictions specify the maximum number of children, by age category that may be in care at any one time.
- C. Licensed capacity of the child care center is limited by the amount of usable indoor space available to children.

Staff distribution - The license holder must ensure that the following requirements for staff distribution are met and a written staff distribution record is kept in the administrative record and posted in each classroom.

- A. Only a staff person who is qualified as a teacher, assistant teacher, or aide and who works directly with children can be counted in meeting the staff to child ratios.
- B. An assistant teacher may be substituted for a teacher during morning arrival and afternoon departure times if the total arrival and departure time does not exceed 25 percent of the center's daily hours of operation.
- C. The maximum group size applies at all times except during meals, outdoor activities, field trips, naps and rest, and special activities such as films, guest speakers, pow-wows and holiday programs.
- D. Except as provided in item B, staff distribution within each age category must be followed.
 - 1. The first staff member needed to meet the required staff to child ratio must be a teacher.
 - 2. The second staff member must have at least the qualifications of a child care aide.
 - 3. The third staff member must have at least the qualifications of an assistant teacher.
 - 4. The fourth staff member must have at least the qualifications of a child care aide.

The pattern in sub-items (1) to (4) must be repeated until the number of staff needed to meet the staff to child ratio for each age category has been achieved.

B. CAREGIVER QUALIFICATIONS

Principle

Children must be cared for and directly supervised by knowledgeable, responsible, caring individuals.

Why This Is Important

- Children need to receive the highest quality of care available.
- Children thrive emotionally, physically, and developmentally in a high quality, nurturing childcare environment.

Standards

- Caregivers shall possess the experience, skills and meet the educational qualifications.
- The Leech Lake Child Care Services Program shall have a policy for conducting background checks consistent with the Indian Child Protection and Family Violence Prevention Act.
- Employment or character references shall be completed for all caregivers.
- All caregivers shall be physically able to care for children

Requirement - Qualifications

GENERAL – All staff that has direct contact with children must meet these general qualifications:

- A. All members of the household, age 13 and over, must have completed a physical examination upon initial licensure. The physical examination must indicate good health, any limitations in the physical ability to provide care; up-to-date immunizations and that they do not present a risk of transmission of a reportable communicable disease.
- B. All members of the household, age 13 and over must have on file a negative Mantoux (TB) test upon initial license and annually thereafter. A positive mantoux test will require that physician recommendations are followed which include time limited prescribed medication and annual chest x-rays.
- C. The Child Care Services Program may, at its own discretion, require a physical examination and/or Mantoux test of any caregiver if there are concerns of physical limitation or probable cause indicating a risk of transmission of a reportable communicable disease.
- D. The Child Care Services Program may, at its own discretion, require an evaluation by a Mental Health Specialist of any caregiver that exhibits a mental health concern.
- E. In a case of previous chemical or alcohol dependency of the caregiver, the applicant must provide a signed statement that they have been free of chemical and alcohol use problems for the past two years.
- F. The license holder shall immediately notify the Child Care Services Program if they are aware of any communicable or infectious disease in the foster care home.
- G. Must pass annual criminal and human services background checks.
- H. Be trained and certified in Cardiopulmonary Resuscitation, First Aid and the treatment of obstructed airways.

The Child Care Services Program may consult with a specialist in such areas as health, mental health, or chemical dependency to evaluate the abilities of the applicant to provide a safe environment for children. The Child Care Services Program and the specialist must evaluate each applicant individually. The Child Care Services Program must request a release of information from the applicant prior to assigning the specialist to evaluate the applicant. The licensing agency must tell the applicant why it is using a specialist to evaluate the applicant.

DIRECTOR/MANAGEMENT STAFF - Shall have the general requirements (A-C) along with the following qualifications

- A. Must be at least 18 years old.
- B. Be a graduate of a high school or hold an equivalent diploma attained through successful completion of the general education development (GED) test
- C. Have at least 2,080 hours of paid or unpaid staff supervision experience
- D. Have at least nine-quarter credits or 90 hours earned in any combination of accredited courses in staff supervision, human relations, and child development.
- E. If a director functions as a teacher or develops or revises the child care program plan, the director must meet the qualifications of a teacher/team leader

TEAM LEADER/TEACHER - Shall meet the above general requirements (A-C) and the additional following qualifications:

- A. Must be at least 18 years old.
- B. Be a graduate of a high school or hold an equivalent diploma attained through successful completion of the general education development (GED) test
- C. The credential listed in column A must have the education and experience listed in column B

Column A

Column B

A high school or GED General Education Development Diploma

Experience: 4,160 hours as assistant teacher
Education: 24 quarter credits

Diploma from Association Montessori Internationale; preprimary credential, primary diploma, or provisional certificate from the American Montessori Society, without a baccalaureate degree

Experience: 2,080 hours as assistant teacher aide, or student intern
Education: 12 quarter credits

Preprimary credential, primary diploma, or provisional certificate from the American Montessori Society; or diploma from the Association Montessori internationale with a baccalaureate degree

Experience: 1,040 hours as assistant teacher, aide, or student intern
Education: no additional required

Minnesota technical institute certificate as a Child Development Assistant

Experience: 2,080 hours as an assistant teacher
Education: six quarter credits

Child Development Associate credential (center based or family day care) for preschool aide, or for infants and toddlers from the Council for Early Childhood Professional Recognition

Experience: 1,560 hours as assistant teacher or student intern
Education: no additional required

License from the Minnesota Department of Education for Pre-kindergarten Associate; or a certificate or credential for a two-year program from an accredited community college or technical college in child development or early childhood education

Experience: 1,040 hours as assistant teacher, aide, or student intern
Education: six quarter credits

Baccalaureate degree from an accredited college or university in any field

Experience: 1,040 hours as assistant teacher, aide, or student intern
Education: 18 quarter credits

License from the Minnesota Department of Education for elementary education without kindergarten endorsement

Experience: 520 hours as assistant teacher, aide, or student intern if teaching children under school age
Education: six quarter credits within one year of initial employment if teaching children under school age

License from the Minnesota Department of Education for pre-kindergarten/nursery, or a license from the Minnesota Department of Education for elementary education with a Kindergarten endorsement

Experience: no additional required
Education: no additional required

Exceptions: A registered nurse or licensed practical nurse is qualified as a teacher for infants only.

TEACHER ASSISTANT - An assistant teacher must work under the supervision of a teacher. They shall meet the general requirements (A-C) and the additional following qualifications:

- A. Must be at least 18 years old.
- B. Be a graduate of a high school or hold an equivalent diploma attained through successful completion of the general education development (GED) test
- C. An assistant teacher with the credential listed in column A must have the education and experience listed in column B

Column A

Column B

High school diploma or GED
General Education Development
equivalency

Experience: 2,080 hours as an aide or student intern

Education: 12 quarter credits

Minnesota license as a family day care or group family day care provider

Experience: 2,080 hours as a licensed family day care or group family day care provider

Education: 12 quarter credits

Diploma from Association Montessori Internationale or preprimary residential, primary diploma or provisional certificate from the American Montessori Society

Experience: 520 hours as an aide or student intern

Education: three quarter credits

Minnesota technical institute certificate as a Child Development Assistant

Experience: 520 hours as an aide or student intern

Education: no additional required

Two years full-time postsecondary education from a college or university

Experience: 1,040 hours as an aide or student intern

Education: nine quarter credits

Child Development Associate credential, center based or for family day care, from the Council for Early Childhood Professional Recognition

Experience: no additional required

Education: no additional required

Baccalaureate degree in any field from an accredited college or university

Experience: no additional required

Education: nine quarter credits

Certificate or credential for a two year program in child development or early childhood education at a Minnesota community college or technical college

Experience: no additional required

Education: no additional required

License from the Minnesota Department of Children, Families, and Learning for Pre kindergarten Associate

Experience: no additional required

Education: no additional required

AIDES - An Aide must work under the supervision of a teacher/team leader or teacher assistant to carry out the child care program activities. They shall meet the general requirements (A-C) and the additional following qualifications:

- A. Must be at least 18 years old.
- B. Be a graduate of a high school or hold an equivalent diploma attained through successful completion of the general education development (GED) test

Exceptions: An aide who is under 18 years old must be directly supervised by a teacher or assistant teacher at all times except when the aide is assisting with the supervision of sleeping children or assisting children with washing, toileting, and diapering. An aide must be at least 16 years old. They shall not be considered in the staff to child ratio requirements.

SUBSTITUTES/TEMPORARY STAFF - A person designated as a substitute must meet the general qualifications and the qualifications for the assigned staff position as specified.

Exceptions: the license holder may use substitutes who do not meet the qualifications for teacher or teacher assistant only if:

- A. the amount of unqualified substitute hours per center per calendar year does not exceed 40 hours multiplied by the number of the center's full-time teacher and assistant teacher positions;
- B. unqualified substitutes are not used as teachers or assistant teachers for more than ten consecutive working days for the same group of children per calendar year; and
- C. there is always a person qualified as a teacher present within the center.

AGENCY PLACEMENTS - Must be under direct supervision at all times by a staff person who meets the qualifications for director, teacher/team leader, or assistant teacher. Agency placements shall meet the general requirements.

YOUTH WORKER PLACEMENTS - Must be under direct supervision at all times by a staff person who meets the qualifications for director, teacher/team leader, or assistant teacher. The Youth Worker shall meet the general requirements and the following qualifications:

- A. Currently enrolled and attending high school or equivalency (Alternative Learning Center – ALC) and at least 15 years old.

VOLUNTEERS - A staff person who meets the qualifications for director, teacher/team leader or assistant teacher must directly supervise Volunteers who have direct contact with or access to children. Volunteers shall not be considered in the staff to child ratio requirements.

Requirement - Disqualifications

A staff person in direct contact with or access to children in care must disclose the arrest, conviction and applicant background. A license holder or staff person must not be an individual who:

- A. Has a conviction of, has admitted to, has been charged with and is awaiting trial for, or there is substantial evidence indicating that the person:
 - 1. has committed an act of physical or sexual abuse;
 - 2. has committed murder or manslaughter;
 - 3. has committed a felony relating to the endangerment of children;
 - 4. has committed a felony that is defined in the center internal policy document;
 - 5. has or has had a case of major neglect according to a human service agency
- B. Abuses prescription drugs or uses controlled substances, or abuses alcohol to the extent that the use or abuse has or may have a negative effect on the ability of the provider to care or is apparent during the hours children are in care. Caregivers who have abused prescription drugs or have been dependent on controlled substances or alcohol, such that the use, abuse or dependency has had a negative effect on the ability to give care, was apparent during the hour's children are in care, or required treatment or therapy must have 12 months of verified abstinence before licensure.
- C. Has mental illness and the behavior has or may have a negative effect on the ability of the provider to give care or is apparent during the hour's children are in care.
- D. Has had parental rights terminated or currently has parental rights suspended.

- E. Refuses to give written consent for the disclosure of criminal history records.
- F. Has had a child placed in foster care within the past 12 months and the Leech Lake Child Welfare Commission determines the reasons for placement will reflect on the ability of the provider to give care. A license may not be denied if the primary reason for the placement was due to a physical illness of the parent, mental retardation of the child, a handicap of the child, or for temporary care of an infant being relinquished for adoption.
- G. Has had a child placed in residential treatment within 12 months for emotional disturbance or antisocial behavior and the Child Welfare Commission determines the reasons or placement will reflect on the ability to give care.

Disqualification factors will be reviewed by the Child Care Services Program Licensing Coordinator. The applicant will be notified of their license status and time limit for which the disqualification will be void.

C. CAREGIVER TRAINING

Principle

Well-trained caregivers can provide a healthy and high-quality environment for the children and will provide for a professional attitude in their personal development.

Why This Is Important

- Caregivers are important people in the development of young children and should have all the tools necessary to provide children with optimal care.
- Training ensures caregivers have access to current knowledge and techniques.
- Training can be an opportunity for professional development and networking with other child care providers.
- Joint training with members of the community (physicians or fire safety officials, for example) can expand the level and quality of care for children.
- Child Care providers can support families as partners in the child's education and care.

Standards

- A written plan shall be in place to ensure the training of caregivers in all required areas.
- Caregiver training shall be documented.

Requirement – Agency Training Role

The Leech Lake Child Care Services Program shall ensure that:

- A. The center complies with required trainings specified in this part;
- B. The training files will be verified during monitoring visits;
- C. The required health and safety certifications training is available annually;
- D. Other applicable training is scheduled on weekends, evenings or at times and locations convenient to the majority of providers who are licensed through the Leech Lake Band of Ojibwe;
- E. Training information is distributed to each provider who operates a licensed child care on the Leech Lake Reservation at least twice per year.

Requirement – Initial and Ongoing Training

Orientation

The orientation training for each staff must include information about:

- A. the center's mission,
- B. the child care program policies and procedures,
- C. procedures for maintaining health and safety,
- D. procedures for handling emergencies and accidents
- E. the behavior guidance standards
- F. mandated reporting responsibilities
- G. specific job responsibilities.

Health & Safety Certifications

The director, and all staff employed in the program, will be expected to obtain the following training within 90 days of employment and will be recertified every 2 years to be in compliance with the licensing requirements.

- 1. Adult & Infant CPR
- 2. First Aid
- 3. Basic Nutrition
- 4. Mandated Reporting
- 5. Fire Safety and Fire Extinguisher Use
- 6. Sanitation & Infection Control
- 7. Sudden Infant Death Syndrome
- 8. Child Car Seat Safety
- 9. Shaken Baby Syndrome

Staff must be trained in First Aid and Cardiopulmonary Resuscitation (CPR), which covers the use of techniques used with children in the treatment of obstructed airways. In addition, training must:

- A. be provided by or approved by the American Red Cross, American Heart Association or provided an individual certified to provide CPR training;
- B. be documented in employee file.

Additional Training

In addition to the required trainings (1-9) and orientation, all employees with direct contact with children are required to obtain a minimum of 16 additional training hours following an annual in service training plan.

Annual In-Service Training Plan

The license holder must ensure that an annual in-service training plan is developed, carried out and that it meets the requirements in the following items:

- A. Training is consistent with the center's child care program plan;
- B. Training must be approved by the Director and documented in employee personnel file.
The record must include:
 - date training was completed,
 - goal of the training and topics covered
 - trainer's name and organizational affiliation
 - trainer's signed statement that training was successfully completed,
 - Director's approval of the training.
- C. Training assurance forms are updated as needed for compliance purposes
- D. Orientation training must be successfully completed before starting assigned duties for new employees who will have direct contact with or access to children
- E. Health and Safety Certification requirements are followed
- F. At least one-fourth of training provided is by a resource not affiliated with the license holder.
- G. No more than four hours of the annual in service training requirement for a teacher, assistant teacher, or aide may relate to administration, finances, and records.
- H. At least 8 hours of the annual training must pertain to the age group of children for which the person is providing care.
- I. The remainder of the in-service training requirement must be met by participating in early childhood development training in the areas of:

child development	children with special needs
curriculum planning	early childhood education methods or theory
child study techniques	family studies
parent involvement	behavior guidance
child nutrition	recreation, sports, arts, and crafts methods or theory;
child health and safety	early childhood special education methods or theory;
child abuse and neglect	

SECTION II PROGRAM POLICIES

A. ADMISSION & ENROLLMENT

Principle

Established enrollment and admission policies ensure all families and staff are notified of information pertaining to the service provided.

Why This Is Important

- Written policies assure parents of the quality of care their child will receive and reduce misunderstandings between the staff and family members.
- Written policies help improve staff job satisfaction and morale.

Standards

- Written policies shall be established, implemented, maintained, available, and on file.
- Policies related to program operation shall be shared with parents of children in care.
- All staff, helpers and volunteers shall be trained in implementation of the policies.

Requirement – Admission Records

When enrolling a child, staff shall review the parent handbook with the enrolling child's parents. Parents must verify the review by signing the Parent Handbook signature page. The license holder shall have the following information available for parents, the Leech Lake Child Care Services Program or its representing agencies:

- A. The ages and numbers of children the center is licensed to serve
- B. The hours and days of operation
- C. Program options the center is licensed to operate, including description of program's educational methods; and religious, political or philosophical basis, if any and how parents may review the center's child care program plan
- D. Center's policy on parent conferences and notifications to a parent of a child's intellectual, physical, social and emotional development
- E. Center's policy requiring a health care summary and immunization record of a child
- F. Policies and procedures for the care of children who become sick at the center
- E. Notification practices for the onset of or exposure to a contagious illness or health and safety conditions
- F. Notification process when there is an emergency or injury requiring medical attention
- G. Center's policies and procedures for administering first aid and sources of care to be used in case of emergencies
- H. center's policies on the administration of medicine or other non prescription products and permission requirement for the administration of ipecac syrup
- I. Missing Child Procedure
- J. Enrollment and admission procedures and policies
- K. Fees and financial arrangement policies
- L. Authorization for picking up child policy
- M. Parent policy that parents have unlimited access to their children during hours of operation
- N. Center's behavior guidance policies and procedures
- O. Exclusion or discontinuation of services policies
- P. Meals and snacks requirements with menu posted
- Q. Sleeping and rest arrangements
- R. Disaster and emergency plans with posted drill log
- S. Policy regarding transportation and field trip requirements
- T. Procedures for obtaining written permission before each occasion of research, experimental procedure or public relations activity involving a child
- U. Policies for center closings
- V. The presence of pets in the facility
- W. Type and level of liability insurance coverage held by license holder for the center and for all vehicles owned and operated by the license holder for the transportation of child care children
- X. Parental Grievance policy
- Y. No smoking policy
- Z. Telephone number of the Leech Lake Child Welfare Program and Leech Lake Child Care Services Program

The license holder must inform the parent of the child's progress by ensuring that:

- A. a pre-enrollment conference is held between the parent and a program staff person;
- B. individual parent conferences are planned and offered by program staff at least twice a year;
- C. documentation is made in the child's record that individual parent conferences are planned and offered by program staff;
- D. the status of the child's intellectual, physical, social and emotional development is reported to the parent during the conferences; and
- E. daily written reports are made to parents of infants and toddlers about child's food intake, toileting, sleeping patterns and general behavior.

Requirement – Enrollment Records

The provider shall obtain the following information required from parents prior to admission of a child. Completed and signed admission and arrangements forms must be kept up-to-date and on file in the provider's home for each child for three (3) years.

- A. Name, birth date and current home address of the child
- B. Full name of parents, address, and telephone number of the child's parent
- C. Work/school address and telephone number of where parents may be reached
- D. the child is attending the center
- E. Names, addresses, and telephone numbers of the child's source of regular medical and dental care to be used in case of an emergency
- F. Names, addresses, and telephone numbers of two persons to be contacted if a parent cannot be reached in an emergency or when there is an injury requiring medical attention
- G. Names and telephone numbers of any persons authorized to take the child from the center
- H. Written authorization for the license holder to act in an emergency, or when a parent cannot be reached or is delayed
- I. Basic health history to include documentation of any dietary or medical needs, allergies and any health problems of the child
- J. Immunization information
- K. Written authorization, if granted, for the license holder to administer medication, other nonprescription products and ipecac syrup
- L. Special instructions for children age six weeks to 36 months, a description of the child's eating, sleeping, toileting, and communication habits, and effective methods for comforting the child
- M. The caregiver shall ask parents for information regarding the child's development, health and behavioral status and any individual needs
- N. Documentation of any individual child care program needs for the child
- O. Date of parent conferences and summary of information provided to parent at the conference
- P. Enrollment dates with the hours and days of the week the child will attend the center
- Q. Financial arrangements with child's current billing record and invoices
- R. Parent Handbook review verification

The license holder shall not disclose a child's record to any person other than the child, the child's parent or guardian, the child's legal representative, employees of the license holder, and the Leech Lake Child

Care Services Program unless the child's parent or guardian has given written consent or as otherwise required by law.

B. DAILY PROGRAM ACTIVITIES

Principle

Established policies ensure all families and staff are notified of information pertaining to the service provided.

Why This Is Important

- Written policies assure parents of the quality of care their child will receive and reduce misunderstandings between the childcare provider and family members.
- Written polices help improve staff job satisfaction and morale.

Standards

- Written policies shall be established, implemented, maintained, available, and on file.
- Policies related to program operation shall be shared with parents of children in care.
- All staff, helpers and volunteers shall be trained in implementation of the policies.

Requirement – Records

Center Administrative Records

The records required by this part must be maintained within the center and be available for inspection at the request of the Leech Lake Child Care Services Program. The license holder must ensure that the following records are maintained:

- A. a record of the information given to parents;
- B. personnel records;
- C. children's records;
- D. child care program plan;
- E. staff distribution schedule;
- F. a list of reportable, communicable diseases;
- G. separation reports;
- H. health & safety reports;
- I. staff training records;
- J. policy and procedures manual;
- K. disaster and emergency plan;
- L. a log of fire and tornado drills; and
- M. a written record of accidents, injuries, emergencies and incidents

Personnel Records

The license holder must ensure that a personnel record for each staff person is maintained at the center. The personnel records must contain:

- A. the staff person's name, home address, home telephone number, and date of birth;
- B. staff's letter of hire;
- C. current job description
- D. documentation of education and experience indicating that the staff person meets the requirements of the staff person's job position
- E. a current physical examination and medical records;
- F. any reprimands and letters of suspension or termination;
- G. probationary and annual evaluations;
- H. staff's current human service and criminal background checks;
- I. training certificates or documents.
- J. documentation that the staff person has completed the orientation to the center

Requirement – Parent Visitation

Parents of enrolled children may visit the center at any time during the hours of operation. Procedures must be established in the event:

- A. that a non-custodial parent wishes to see the child;
- B. when paternity has not been established and parent wishes to see the child; and
- C. there is joint custody of a child and a parent wishes to see the child (unless there is a court order preventing them from seeing the child).

Requirement – Parental Grievance Policy

The license holder shall develop policies and procedures for parents to report

- A. Suspected child maltreatment
- B. Complaints about the operation of the child care program.

The policies and procedures must include the telephone numbers of the local tribal and county child protection agencies for reporting suspected maltreatment, the County Human Services, Leech Lake Tribal Police, and Leech Lake Child Welfare Program - Family Services Department

The policies and procedures must be provided to parents of all children at the time of enrollment in the child care program and must be made available upon request.

Requirement - Behavior Guidance

General requirements – The applicant must develop written behavior guidance policies and procedures and the license holder must see that the policies and procedures are carried out. The policies and procedures must:

- A. ensure that each child is provided with a positive model of acceptable behavior;
- B. be tailored to the developmental level of the children the center is licensed to serve;
- C. redirect children and groups away from problems and toward constructive activity in order to reduce conflict;
- D. teach children how to use acceptable alternatives to problem behavior in order to reduce conflict;
- E. protect the safety of children and staff persons; and
- F. provide immediate and directly related consequences for a child's unacceptable behavior.

Persistent unacceptable behavior – The license holder must have written procedures for dealing with persistent unacceptable behavior that requires an increased amount of staff guidance and time. The procedures must specify that staff:

- A. observe and record behavior of child and staff response to behavior;
- B. develop a plan to address the behavior documented in item A in consultation with child's parent and with other staff persons and professionals when appropriate.

Separation from group - No child may be separated from the group unless the license holder has tried less intrusive methods of guiding the child's behavior which have been ineffective and the child's behavior threatens the well being of the child or other children in the center. A child who requires separation from the group must remain within an unenclosed part of the classroom under the supervision of a program staff person. When separation from the group is used as a behavior guidance technique, the child's return to the group must be contingent on the child's stopping or bringing under control the behavior that precipitated the separation, and the child must be returned to the group as soon as the behavior that precipitated the separation abates or stops.

In cases of extreme behavior, where a child cannot be calmed and the disruption is an endangerment to the child, staff or other children in the center, the child may be taken outside of the classroom to calm the behavior or for staff to seek assistance from other center personnel according to the center's policies.

A child between the ages of six weeks and 16 months must not be separated from the group as a means of behavior guidance.

Separation Report – All separations from the group must be noted on a daily log. The license holder must ensure that notation in the log includes the child's name, staff person's name, time, date and information indicating what intrusive methods were used to guide the child's behavior and how the behavior continued to threaten the well being of the child or the other children in the center.

If a child is separated from the group three times or more in one day, the child's parents shall be notified and notation of the parent notification shall be indicated in the daily log. If a child is separated five times or more in one week or eight times or more in two weeks, the procedure for persistent unacceptable behavior must be followed.

Requirement – Prohibited Action

The following shall apply to all caregivers when guiding behavior in children:

- A. No child shall be subject to corporal punishment or emotional abuse. *“Corporal punishment”* means the non-accidental infliction of physical pain on a child by a caregiver. Corporal punishment includes, but is not limited to; rough handling, shoving, hair pulling, ear pulling, shaking, slapping, kicking, biting, pinching, hitting and spanking.

“Emotional abuse” means the infliction of verbal or psychological abuse on a child by a caregiver. Emotional abuse includes, but is not limited to, name calling, ostracism, shaming, derogatory remarks about the child or child’s family and threats that threaten, humiliate or frighten the child.

- B. Food, light, warmth, clothing and medical care shall not be withheld from the child.
- C. Discipline shall not be delegated to another child.
- D. The separation of a child from a group except as noted in separation policy.
- E. An infant shall not be separated from the group for disciplinary reasons.
- F. A child separated from the group must be placed in an area or separate room that is well-lighted, free from hazards, ventilated and open to view of caregivers.
- G. If toilet training is undertaken, the provider and the parent shall cooperatively develop a plan for the timing and method to training. A child shall be offered many opportunities for toileting. No child shall be punished for toileting accidents.
- H. No child shall be physically restrained by bonds, ties or straps for disciplinary purposes.
- I. If a child must be restrained for medical reasons, that restraint should occur in accordance with the instruction of the child’s physician and/or practitioner and permission of the parent.

Requirement – Administration of Medicine

A license holder who chooses to administer medicine must ensure that the following procedures are followed:

- A. The license holder must get written permission from the child’s parent before administering medicine, diapering products, sunscreen lotions and insect repellents. Non-prescription medicine, diapering products sunscreen lotions and insect repellents must be administered according to the manufacturers instructions unless there are written instructions for their use provided by a licensed physician or dentist.
- B. The license holder must get and follow written instructions from a licensed physician or dentist before administering each prescription medicine. Medicine with the child’s name and current prescription information on the label constitutes instructions.
- C. All medicine must be kept in its original container and have a legible label stating the child’s name. The medicine must be given to the child whose name is on the label. Any unused portion must be returned to the child’s parent or destroyed.
- D. The license holder must ensure that the administration of medicine is recorded and given the name of the child, name of the medication or prescription number, date, time of dosage and the signature of the person who dispensed the medicine. The record must be available to the parent and maintained in the child’s record.
- E. Sunscreen lotions and insect repellents supplied by the license holder may be used on more than one child. A product to control or prevent diaper rash, including pre-moistened commercial wipes that cannot be dispensed in a container must be labeled with the child’s name and used only for the individual child whose name is written on the label.

Medicines, insect repellents, sunscreen lotions and diaper rash control products must be stored according to directions on the original container and so that they are inaccessible to children.

Requirement - Meals and Snacks

Well-balanced meals and snacks must be offered daily by following the guidelines below.

- A. Food served during the day must comply with the nutritional requirements of the United States Department of Agriculture, Food and Nutrition Service, (Child and Adult Care Food Program).
- B. The provider shall follow written instructions obtained from the parents, at the time of enrollment, on each child's special diet or food needs. Parents shall be consulted about special food preferences.
- C. Flexible feeding schedules must be provided for infants and toddlers, and the infant or toddler's usual diet and feeding schedule must be followed.

Menus - When food is provided by the license holder, menus must be planned on at least a monthly basis and posted in a place where they can be viewed by parents. Menus must comply with the nutritional requirements of the United States Department of Agriculture – Food and Nutrition Service

Feeding Schedules

- A. The facility shall provide nutritious meals according to a written plan.
- B. The facility shall ensure that:
 - 1. one meal and two snacks or two meals and one snack for a child in attendance five to ten hours unless four or more of these hours are spent in sleep;
 - 2. a minimum of two meals and two snacks for a child in attendance more than ten hours unless four or more of these hours are spent in sleep; and
 - 3. a nutritious snack for a child in attendance for more than two hours, but fewer than five hours;
 - 4. program staff are seated with the children during meal and snack times.
- C. Caregivers shall feed infants on demand unless the parent provides written instructions otherwise.

Infant Diets - The diet of an infant must be determined by the infant's parent. The license holder must ensure that sanitary procedures and practices are used to prepare, handle, and store formula, milk, breast milk, solid foods, and supplements. Procedures must be reviewed and certified by a health consultant. A center serving infants must:

- A. obtain written dietary instructions from the parent of the child;
- B. obtain statement of verification from the child's physician;
- C. have infant's feeding schedule available in the food preparation area;
- D. offer the child formula or milk and nutritionally adequate solid foods in prescribed quantities at specified time intervals.
- E. Label each child's bottle.

Prescribed Diet Needs - The license holder must provide for a child's dietary needs prescribed by the child's source of medical care that are not a part of the menu plan. A license holder serving a child who has a prescribed diet must keep the diet order and its duration specified in the child's record. All staff designated to provide care to the child must be informed of the diet order. Bag lunches provided by the parent are acceptable.

Food allergy information - Information about food allergies of the children in the center must be available in the area where food is prepared and served to the children with allergies. All staff providing care to the child must be informed of the allergy.

Water - Safe drinking water shall be accessible to children while indoors or outdoors and shall be dispensed by personal water bottle, drinking fountain, or cups labeled for individual use by each child.

Requirement – Naps and Rest

The applicant must develop a policy for naps and rest that is consistent with the developmental level of the children enrolled in the center. The license holder must see that the policy is carried out.

At the time of enrollment, the parent of each child must be informed of the center's policy. After consultation with the child's parent, any deviation from the policy that is designed to meet the individual needs of a child must be noted in the child's record.

A child who has completed a nap or rested quietly for 30 minutes must not be required to remain on a cot, mat, crib or bed.

Naps and rest must be provided in a quiet area this is physically separated from children who are engaged in activity that will disrupt a napping or resting child. Cribs, cots, beds and mats must be placed so there are clear aisles and unimpeded access for both adults and children on at least one side of each piece of napping and resting equipment. Cribs, cots, beds and mats must be placed directly on the floor.

A crib or portable crib must be provided for each infant for which the center is licensed to provide care. The equipment must be of safe and sturdy construction and have a bar or rail pattern such that a 2-3/8 inch diameter sphere cannot pass through.

Playpens are not to be used for napping and resting.

Separate bedding must be provided for each child in care. Bedding must be washed weekly and when soiled or wet. Blankets must be washed or dry cleaned weekly and when soiled or wet.

Requirement - Participation in Field Trips

The license holder must ensure that written permission is obtained from each child's parent before taking a child off the premises.

1. A written permission form must be obtained before each field trip or on a form that annually summarizes all field trips that will be taken.
2. The parent's written permission must state that the parent has been informed of the purpose and destination of the field trip.
3. On field trips, staff must take emergency phone numbers for the child's parent and the persons to be called if a parent cannot be reached, and the phone number of the child's physician,
4. A first aid kit must be taken

C. NURTURING AND ENRICHING ENVIRONMENT

Principle

A nurturing and enriching child care environment stimulates learning across all domains of a child's development: social, emotional, cognitive, and physical.

Why This Is Important

- The quality of a child's surroundings can have a significant effect on his or her happiness and emotional well being.
- Children who are encouraged to respect the feelings and rights of others engage in positive relationships that build social competence.
- Healthy child development and brain growth requires human contact as well as interesting and stimulating surroundings.

Standards

- A written plan for daily activities shall be in place.
- The daily activities shall include the goals for children's development and learning and the experience through which they achieve these goals.
- Daily routines shall be established to allow children to develop expectations and feel secure at the child care facility.
- Caregivers shall model respect for the feelings and rights of others, and provide an environment that respects gender, culture, ethnicity, family composition, and the special emotional, cognitive and development stages of the children in care.
- The child care setting shall include toys, activities and materials that are safe and appropriate for the various developmental stages of the children in care.
- All equipment in the setting shall be designed to support the abilities and developmental levels of the children served, with the adaptations made necessary to support children with special needs.

Requirement- Program Plan

The applicant must develop a written child care program plan, and the license holder must see that it is carried out. The child care program plan must:

- A. mandate that children have supervision at all times;
- B. describe the age categories and number of children to be served by the program;
- C. describe the days and hours of operation of the program;
- D. describe the general educational methods to be used by the program; and the religious, political, or philosophical basis, if any;
- E. have stated goals and objectives to promote the intellectual, physical, social and emotional development of the children in each age category for which care is provided
- F. specify activities designed to promote intellectual, physical, social and emotional development of a child in a manner consistent with the child's cultural background;
- G. specify that the intellectual, physical, social and emotional progress of each child be documented bi-monthly in the child's record and conveyed to the parents during conferences;
- H. provide a daily schedule for both indoor and outdoor activities;
- I. provide for activities that are both quiet and active, teacher directed and child initiated;
- J. provide for a variety of activities that require the use of varied equipment and materials; and
- K. be available to parents for review upon request.

Requirement – Interest Areas

A child care program that operates for more than three hours a day must provide daily access to indoor and outdoor large muscle activities and at least five of the following interest areas:

- A. creative arts and crafts;
- B. construction;
- C. dramatic or practical life activities;
- D. science;
- E. music;
- F. language
- G. fine motor activities;
- H. sensory stimulation activities;
- I. culture/self awareness

Requirement – Equipment

Each child care program must have the quantity and type of equipment for the age categories of children served. Equipment must be appropriate to the age categories and any special needs of the children served. A center must have enough equipment for the number of children for which the center is licensed for unless the use of equipment is rotated among groups of children. If the equipment is rotated among groups of children, the center must have enough for the maximum group size of the age category scheduled to use the equipment at times shown on the child care program plan. The minimum equipment must be accessible every day to the children of each age category. Centers operating for less than three hours a day do not have to provide outdoor equipment.

The provider must have equipment, materials and supplies in adequate quantities for the number and ages of children in care and carry out the activities specified in this part. Equipment must be appropriate and safe for the ages of the children and activities for which it will be used.

Requirement – Activities and Equipment

Child care activities must provide for physical, intellectual, emotional and social development of the child. The environment must facilitate the implementation of the activities. Activities must:

- A. Be scheduled indoors and outdoors, weather permitting;
- B. Be appropriate to the developmental stage and age of the child;
- C. Include active and quiet activity; and
- D. Contain provider-directed and child-initiated activity.

Infant Activities and Equipment – The provider shall:

- A. Respond to the infant or newborn's attempts to communicate.
- B. Provide freedom of movement to the infant or newborn during a large part of the waking day to the extent that safety and weather permits. The non-creeping child shall spend a large part of each day out of a crib or infant seat. The creeping infant shall have freedom to explore outside of the crib or infant seat.
- C. Give the infant or newborn opportunity to stimulate the senses by providing a variety of activities and objects to see, touch, smell, hear and taste.
- D. Provide activities for the infant or newborn that develops the child's manipulative and fine motor skills, self-awareness and social responsiveness.
- E. When bottle feeding, caregivers shall hold infants. The facility shall not permit bottle propping or infants carrying bottles/cups throughout the day or night.
- F. Infants shall be placed to sleep on their backs unless otherwise directed by the child's physician to reduce the risk of Sudden Infant Death Syndrome (SIDS).
- G. Mobile walkers are prohibited from use in a child care center.
- H. Playpens are not to be used for napping or resting
- I. Provide the following minimum equipment and materials for infants:

1. One area rug or carpet per group
2. A variety of infant seats/high chairs (one per child or minimum of four per group)
3. One crib with a firm, waterproof mattress and no soft bedding materials such as comforters, pillows, fluffy blankets, or stuffed toys placed inside per child
4. One changing table for every group of 12 infants
5. One covered diaper container per changing table
6. One linear foot of low, open shelving per child
7. Age appropriate books at least one per child
8. Two large, soft building blocks per child
9. Two pieces of infant mobility equipment, such as strollers and wagons per group
10. Two pieces of manipulative equipment per child (i.e. shape toys, clutch balls, etc.)
11. One mirror at least 12 inches by 36 inches in size made of Plexiglas or a similar plastic or of safety glass per group
12. One music source such as a tape player or record player per group and music selections appropriate for the music source
13. Noise or music making toys at least one per child
14. Visual and tactile sensory stimulation materials as needed to provide visual and tactile stimulation
15. Soft washable toys
16. Two sets of blankets and sheets for each crib
17. facial tissues, an adequate amount of single service towels and liquid hand soap

Toddler Activities and Equipment – The provider shall:

- A. Provide toddler with freedom of movement and freedom to explore outside crib or playpen.
- B. Talk to, listen to and interact with the toddler to encourage language development.
- C. Provide the toddler with large muscle activities and activities which develop the child's small muscle and manipulative skills.
- D. Develop and stimulate learning by reading stories to the child and looking at picture books together.
- E. Give the toddler opportunities to stimulate the senses by providing a variety of age appropriate activities and objects to see, touch smell, hear and taste.
- F. Playpens are not to be used for napping or resting
- G. Provide the following minimum equipment and materials for toddlers:
 1. one area rug or carpet per group;
 2. one non-folding child size chair, including high chairs, per child;
 3. one changing table for every group of 14 toddlers and succeeding group of 14 or fewer toddlers;
 4. covered diaper container per changing table;
 5. one cot per child (mats are acceptable for programs operating during the day for less than five hours
 6. one partially enclosed space equipped for quiet activity per group;
 7. one linear foot of low open shelving per child; and
 8. 20 linear inches of child size table edge per child.
 9. arts and crafts supplies, such as clay or play-dough, tempera or finger paints, colored and white paper, paste, collage materials, paint brushes, washable felt type markers, crayons, blunt scissors, and smocks;

10. one book per child;
11. 24 large building blocks per group;
12. 100 small building blocks per group;
13. three pieces of dramatic play equipment materials and accessories needed to carry out the theme of the activity
14. one double easel per group;
15. three pieces of durable, indoor, large muscle equipment per group;
16. three pieces of durable, outdoor, large muscle equipment per group;
17. one mirror, at least 12 inches by 36 inches, made of Plexiglas or a similar plastic or safety glass, per group;
18. one music source such as a tape recorder or record player per group and music selections appropriate for the source;
19. one set of cognitive developmental equipment and materials, such as puzzles and matching games, per child;
20. two sets of manipulative equipment, such as interlocking plastic forms or beads and string, per child;
21. one music making toy per child;
22. one soft washable toy per child;
23. sensory stimulation materials to provide visual and tactile stimulation; and
24. facial tissues, single service towels and liquid hand soap.

Preschool Activities and Equipment – The provider shall:

- A. Encourage conversation between the child and other children and adults.
- B. Provide opportunity to play near and with other children; provide time and space for individual and group play; allow for quiet time to talk or rest; allow for unplanned time and individual play time.
- C. Foster understanding of personal and peer feelings and actions and allow for the constructive release of feelings and anger through discussion and play.
- D. Give assistance in toileting and provide time to carry out self-help skills and provide opportunity to be responsible for activities such as putting away play materials and helping around the house.
- E. Provide opportunity for each child to make decisions about daily activities and to take credit for the consequences of decisions.
- F. Provide time and areas for age appropriate large muscle play.
- G. Provide learning, small muscle, manipulative, creative or sensory activities.
- H. Read stories, look at books together and talk about new words and ideas with the child.
- I. Provide the following minimum equipment and materials for preschool children:
 1. one area rug or carpet per group;
 2. one non-folding child size chair per child;
 3. one cot or bed and waterproof mattress per child (mats are acceptable for programs operating during the day for less than five hours). This is not required for preschoolers in programs operating for less than five hours per day if rest is not indicated as part of the center's child care program;
 4. two square feet of wall or bulletin board display space per child one-half at child's eye level

5. one partially enclosed space equipped for quiet activity per group;
6. one linear foot of open shelving per child;
7. 20 linear inches of child size table edge per child
8. arts and crafts supplies, such as clay or play dough, tempera or finger paints, white or colored paper, paste, collage materials, paint brushes, washable felt type markers, crayons, scissors, and smocks;
9. two books per child;
10. 48 large building blocks per group;
11. 200 small building blocks per group;
12. five pieces of dramatic play equipment and materials and accessories required to carry out the theme of the activity;
13. one double easel per group;
14. three pieces of durable, indoor, large muscle equipment per group;
15. three pieces of durable, outdoor, large muscle equipment per group;
16. one mirror, at least 12 inches by 36 inches, made of Plexiglas or a similar plastic or safety glass, per group;
17. one music source such as a tape recorder or record player per group and music selections appropriate for the source;
18. one set of cognitive developmental equipment and materials, such as puzzles and number and letter games, per child;
19. two sets of manipulative equipment, such as interlocking plastic forms, per child; pictures at child's eye level, mobiles, and other items as needed to create a pleasant environment and provide sensory stimulation;
20. one rhythm instrument per child.
21. facial tissues, single service towels and liquid hand soap

School Age Activities and Equipment – The provider shall:

- A. Provide opportunities for individual discussion about the happenings of the day and planning for activities.
- B. Provide indoor and outdoor space (weather permitting) and opportunity for games, activities or sports using the whole body.
- C. Provide space and opportunity for individual rest and quiet time.
- D. Allow increased freedom as the child demonstrates increased responsibility.
- E. Provide opportunities for group experiences with other children.
- F. Provide opportunities to develop and expand self-help skills or real-life experiences.
- G. Provide opportunities for creative and dramatic activity, arts and crafts and field trips.
- H. Provide each school age child with a mat, bed, cot, sofa or sleeping bag.
- I. Provide the following minimum equipment and materials for school age children:
 1. one area rug or carpet per group;
 2. two square feet of wall or bulletin board display space per child;
 3. one non-folding child size chair per child;
 4. one partially enclosed space equipped for quiet activity per group;
 5. one linear foot of open shelving per child;
 6. 20 linear inches of table edge space per child.

7. arts and crafts supplies, such as clay or play-dough, tempera or finger-paints, white or colored paper, paste, collage materials, paint brushes, felt type markers, crayons, and scissors;
8. two books per child;
9. three sets of dramatic play equipment with materials and accessories
10. one music source such as a tape recorder or record player per group and music selections appropriate for the source;
11. five musical or rhythm instruments per group;
12. three pieces of durable, outdoor, large muscle equipment per group;
13. pictures at child's level, mobiles, and other items as needed to create a pleasant environment and provide sensory stimulation;
14. one set of cognitive developmental equipment and materials, such as puzzles and games, per child;
15. five sets of manipulative equipment, such as interlocking plastic forms, per group;
16. ten pieces of sports or recreational equipment, such as bats, balls, hoops, and jump ropes, per group.
17. facial tissue, single service towels; and liquid hand soap.

Special Needs - For children with special needs who require special therapy, program or behavior guidance, the parent, physician or therapist shall provide necessary information and the caregiver shall follow written instruction for any special needs.

D. EMERGENCY AND EVACUATION

Principle

Written policies and procedures assure that the providers, children and all parties are prepared should an emergency occur.

Why This Is Important

- Having a written procedure causes less confusion and prevents injury.
- Established policies for emergency situations and evacuation ensure the safety and well-being of all persons in the childcare setting.

Standards

- The childcare setting shall have on file an approved disaster plan appropriate for the program, addressing potential disasters such as fire, blizzard, tornado, etc.
- Evacuation plans and procedures shall be reviewed with staff
- An evacuation route shall be posted in an appropriate area within the evacuation path

Requirement – Accidents, Emergencies and Evacuation

A plan must be in place and on file, in the event of an emergency that might take place in the facility or while on a field trip. The child care setting shall have:

- A. emergency plans and procedures appropriate for the program, addressing potential disasters such as fire, blizzard, tornado, etc.
- B. emergency phone numbers readily available. The numbers must be those of:
 - the local fire department, police department, emergency transportation and poison control center.
 - the parents, parent's preferred hospital, physician and dentist.
 - two emergency contact persons for each child if parent can not be reached.
 - the poison control center that shall be called immediately in case of a poisoning.
- C. permission slips, signed by parents or legal guardians, for emergency transport to health care facilities for the provision of emergency care.
- D. permission for emergency treatment.
- E. individual plans for children with special health care needs, including allergies, developed by that child's physician.
- F. a minimum of two unobstructed exits leading to safe, open areas.
- G. approved, properly maintained, multipurpose fire extinguishers, appropriate for the size of the facility and caregivers shall be trained on their operation.
- H. an appropriately stocked first aid kit that is easily accessible to caregivers at all times, including during field trips and while transporting children. At a minimum the first aid kit shall include: emergency plans, disposable gloves, band-aids and bandages, tape, sterile gauze pads, roll gauze, scissors, emergency numbers, first aid resource guide and an insect sting kit.
- I. an appropriately stocked disaster kit that is easily accessible to caregivers at all times, including during field trips and while transporting children. At a minimum the disaster kit shall include the following items for each person: 3 pack of water, 2400 calorie food bar, solar blanket & poncho. Additional items for disaster kit shall include: radio flashlight siren, utility knife, duct tape, emergency whistle, box of water purification tablets, wet wipes, Red Cross Emergency Instructions, first aid kit (listed above), light stick, pliers, pair of leather palm gloves and a box of waterproof matches.
- J. prior arrangements made for a substitute to provide care during emergencies.
- K. a designated area within the residence that children and staff shall go to for cover in case of severe storms or tornado
- L. a designated area within the community that children and staff shall go to in the event evacuation is necessary from the facility
- M. telephones or another identified and acceptable means of communication shall be available to facilitate contact with emergency services.
- N. an operable battery flashlight and battery operated radio or TV available
- O. emergency evacuation procedures in place and an evacuation route posted prominently within the facility to evacuate children as a first priority in the event of a fire or other emergency. The procedures must include:

1. emergency phone numbers;
2. a place to meet outdoors for roll call;
3. smoke detector and fire extinguisher locations;
4. plans for monthly fire and tornado drill sessions; and
5. posted escape routes to the outside from all levels used by children. In a building with three or more dwelling units, enclosed exit stairs must be indicated.
6. identify persons responsible for each area;
7. identify primary and secondary exits;
8. identify a tornado shelter area;
9. identify building evacuation routes;
10. described use of a fire extinguisher and close off spots of the fire area; and
11. parent phone numbers and sources of emergency medical and dental care, poison control center, fire department, health authority, tribal police, Leech Lake Child Welfare Program and the Leech Lake Child Care Services .

Fire extinguishers must be serviced annually by a qualified inspector and monitored throughout the year by the Leech Lake Child Care Services. The name of the inspector and the date of inspection must be written on a tag attached to the extinguisher.

A list of emergency numbers must be posted next to the telephone. If a 911 emergency number is not available, the numbers listed must be those of the local fire department, police department, emergency transportation and poison control center.

Requirement - Emergency and Accident Policies and Records

Policies and records - The applicant must develop written policies governing emergencies, accidents, and injuries. The license holder must ensure that written records are kept about incidents, emergencies, accidents, and injuries that have occurred.

Instruction record - The license holder must keep a record of instruction to all staff persons and, when appropriate, to children and parents, about how to carry out the policies.

Policy Content - The policies must contain:

- A. Procedures for administering first aid.
- B. Safety rules to follow in avoiding injuries, burns, poisoning, choking, suffocation and traffic and pedestrian accidents.
- C. Procedures for the daily inspection of potential hazards
- D. Procedures for fire prevention and steps to follow in the event of a fire. Fire procedures must:
 1. mandate monthly fire drills and a log of drill times and dates;
 2. identify primary and secondary exits, building evacuation routes, phone numbers of the fire department, persons responsible for evacuation of children and areas for which they are responsible.
 3. instruction on how to use a fire extinguisher and how to close off fire areas; and
 4. provide for training of staff to carry out the fire procedures.

- E. Procedures to follow in the event of a blizzard, tornado or other natural disaster that include the location of emergency shelter, plans for monthly tornado drills from April to September and a log of times and dates showing that the drills were held.
- F. Procedures to follow when a child is missing.
- G. Procedures to follow for gun fire and/or hostage situations
- H. Procedures to follow if an unauthorized person or a person who is incapacitated or suspected of abuse attempts to pick up a child or if no one comes to pick up a child.
- I. Sources of emergency medical care.
- J. Procedures for reporting accidents, injuries and incidents involving a child enrolled in the center, a staff person or a visitor. The written record must contain the name and age of persons involved, date and place of the accident, injury or incident, type of injury, action taken by staff and to whom the accident, injury or incident was reported.
- K. Procedures mandating a semi-annual analysis of the record in item H and any modification of the center's policies based on the analysis.

The following records must be maintained and kept on file in the center's administrative record:

- A. the procedures in the policy content;
- B. a log of fire and tornado drills; and
- C. a written record of accidents, injuries, emergencies and incidents

E. TRANSPORTATION

Principle

Children shall always be transported in a safe manner

Why This Is Important

- Motor vehicle accidents are the leading cause of death for children in the United States.

Standards

- The license holder shall have a written policy to ensure transportation safety and that proper procedures are followed.

Requirement - Policies and Procedures

- A. Only licensed drivers shall be allowed to transport children.
- B. Copy of all driver licenses shall be in personnel file.
- C. Automobile insurance shall be maintained to meet or exceed minimum state standards.
- D. Copy of insurance shall be in provider's file
- E. Written permission slip signed by a parent or recognized guardian shall be on file.
- F. Children shall be fastened in the vehicle in an age-appropriate restraint positioned and installed.
- G. Children shall be required to use safety belts or, for children under age 4, federally-approved and properly installed child passenger restraint systems (car seats).
- H. Children shall never be transported in the rear of a pick-up truck.
- I. Children shall never be transported in the front seat of a vehicle.
- J. Children shall never be left unattended in vehicles.
- K. Appropriate caregiver to child ratios shall be maintained during the transportation of children.
- L. Strict policies shall be developed to prevent persons under the influence of alcohol or illegal drugs from operating vehicles while transporting children.
- M. Vehicles shall be routinely inspected and maintained to ensure that all safety features are operational and documentation in file.
- N. There shall be no smoking in vehicles when transporting children.
- O. When license holder provides transportation to and from the center, a second adult must be present in vehicle and children must not be transported more than one hour per one-way trip.
- P. If children are transported, a written permission slip signed by a parent or recognized guardian shall be on file.

SECTION III - SAFE AND HEALTHY ENVIRONMENT

A. BUILDING AND PREMISES

Principal

Children require a safe and healthy physical environment to eat, sleep, and play.

Why this Is Important

- A clean and maintained environment supports each child's physical, cognitive, emotional, and social development.
- Proper attention to the issues of safety and sanitation protects the health of children and caregivers and prevents injuries.
- Prevention strategies can help improve staff job satisfaction and morale, and reduce the number and seriousness of injuries and illnesses
- Established childcare health and safety policies ensure the safety and well-being of all persons in the childcare setting.

Standards

- Guidelines shall be developed to assure facilities are safe, and meet tribal fire and safety regulations.
- A plan shall be in place to ensure routine maintenance, and sanitation procedures shall be conducted to keep the structure clean, sound, and in good repair.

Requirement – Physical Environment

Facility Floor Plan and Designated Areas - Indoor and outdoor space to be used for child care must be designated on a facility floor plan. This space must be exclusively used for child care by the center during the hours of operation. The initial application for licensure and the center's administrative record must contain a floor plan of the center. Precise scale drawings are not required. The plan must indicate the:

- A. dimensions and location of all areas of the center designated for the provision of child care
- B. planned use of each area; and
- C. size and location of areas used for outdoor activity.

Indoor Space - The licensed capacity must be limited by the amount of indoor space.

The following guidelines must be met:

- A. A minimum of 25 square feet of usable indoor space is required for infants and toddlers.
- B. A minimum of 35 square feet of usable indoor space is required for preschool and school age children.
- C. Hallways, stairways, closets, utility rooms, lavatories, water closets, kitchens, and space occupied by cribs or cubbies may not be counted as indoor space.
- D. Twenty-five percent of the space occupied by furniture or equipment used by staff or children may be counted as indoor space
- E. Usable space, equipment, and exit arrangements shall be adequate for the number, ages, and abilities of the children.
- F. Areas occupied by children must be checked daily and prior to use by children, for hazards.
- G. The facility must have the required amount of smoke detector and carbon monoxide detectors and follow tribal guidelines regarding the installation and appropriate use.
- H. During construction or remodeling, children shall not have access to dangerous construction or remodeling areas within or around the facility.
- I. The child care setting shall have a minimum of two unobstructed exits leading to safe, open areas.
- J. Approved, properly maintained, multipurpose fire extinguishers, appropriate for the size of the home shall be readily available.
- K. An operable telephone must be located within the facility with a list of emergency numbers posted next to the telephone.
- L. An appropriately stocked first aid kit shall be present and easily accessible to caregivers at all times.

Means of Escape - From each room of the residence used by children, there must be two means of escape. One means of escape must be a stairway or door leading to the floor of exit. The other must be a door or window leading directly outside. The window must be able to be opened without special knowledge. It must have a clear opening of not less than a 5.7 square feet area and have a minimum clear opening dimension of 20 inches wide and 24 inches high. The window must be within 44 inches from the floor.

Outdoor Activity Space - An outdoor activity area that complies with the following items must be provided or available for all child care programs except those licensed to exclusively provide sick care, drop in care, and those operating for less than three hours a day.

The following guidelines must be met:

- A. A center must have an outdoor activity area of at least 1,500 square feet, and there must be at least 75 square feet of space per child within the area at any given time during use
- B. An outdoor activity area used daily by children under school age must be within 2,000 feet of the center or transportation must be provided by the license holder. In no case, however, shall the outdoor activity area be farther than one-half mile from the center.
- C. Usable space and equipment shall be adequate for the number, ages, and abilities of children.
- D. The area must contain outdoor large muscle equipment as required
- E. Outdoor play areas shall be checked daily for hazards, and prior to use by children,
- F. On-site supervision must be provided by a caregiver.
- G. The area must be enclosed if it is located adjacent to a traffic, rail, water, machinery, or other environmental hazard, unless the area is a public park or playground.
- H. Area must be free of litter, rubbish, toxic materials, water hazards, machinery, unlocked or junk vehicles, human or animal wastes and sewage contaminants.

Heating and Venting Systems - The following heating and venting guidelines must be met:

- A. Stove and heater locations must not block escape in case of fire.
- B. All heating and venting systems require an outside ventilation system in accordance with codes used by the Leech Lake Health Division. Ventilation shall be provided to prevent accumulation of harmful odors and fumes.
- C. Outside doors and windows used for ventilation in summer months must be screened to provide protection from insects.
- D. Combustible items must not be located within 36 inches of a furnace or other heating source.
- E. Fireplaces, wood burning stoves, solid fuel appliances, space heaters, steam radiators and other potentially hot surfaces, such as steam pipes, must be protected by guards to prevent burns. All fireplaces, wood burning stoves, space heaters, steam radiators and furnaces must be installed in accordance to NEPA regulations.
- F. The furnace, hot water heater and any workshop area must be inaccessible to children and separated by a door, partition or gate. There must be allowance for air circulation to the furnace.
- G. Sufficient heating and cooling shall be provided within the child care setting to maintain a temperature that will not cause harm to the children. An average of 68 to 72 degree Fahrenheit must be maintained in indoor areas used by children.

Stairways & Decks - All stairways must meet the following conditions:

- A. Stairways of three or more steps must have a handrail.
- B. Any open area between the handrail and stair tread must be enclosed with a protective guardrail. The back of the stair risers must be enclosed.
- C. Gates or barriers must be used when children between the ages of 6 months to 24 months are in care.
- D. Stairways must be well lighted, in good repair and free of clutter and obstructions.
- E. Decks, balconies or lofts used by children, that are more than 30 inches above the ground floor, must be surrounded by a protective guardrail.
- F. Wooden porches or decks must be free of splinters and coated with wood preservation, paint or constructed with treated wood.

Locks & Latches - Door locks and latches must meet the following guidelines:

- A. A closet door latch must be made so that children can open the door from the inside.
- B. Every bathroom door lock must permit opening of the locked door from the outside and opening device must be readily accessible to all caregivers.

Toilets and hand sinks - Toilets and hand sinks must be provided as specified in items A to G:

- A. The center must have at least one hand sink and one toilet for each 15 children or portion of 15 children specified in the licensed capacity. One toilet training seat or training chair must be provided for every 15 toddlers specified in the licensed capacity. Any hand sink required for children, other than infants, must be in the toilet area.
- B. In newly constructed centers or those undergoing major remodeling to the plumbing system, foot or wrist operated sinks must be provided in the diaper changing area.
- C. Hand sinks for children must not be used for custodial work or food preparation.
- D. The temperature of hot water in the hand sinks used by children must not exceed 120 degrees Fahrenheit.
- E. Single service towels or air dryers must be available to dry hands and designed for easy use by the children.
- F. Toilets, sinks, faucets, and hand drying devices in the toilet area used by children under school age other than infants must be placed at a height appropriate to the ages of the children.
- G. Portable steps may be used to meet the requirement in item F for toddlers and preschoolers, if the steps are sturdy and washable.

Requirement- Sick Children

Space must be provided in the center for a child who becomes sick at a center not licensed to operate a sick care program. Space must be separate from activity areas used by other children. A cot and blanket must be provided. The space must be within sight and hearing of a staff person and supervised by a staff person when occupied by a sick child.

Requirement – Pets

All pets housed within the facility shall be maintained in good health and limited to fish, guinea pigs, gerbils, rabbits, hamsters, rats, and mice the provider shall ensure that:

- A. parents are notified prior to admission of the presence & types of pets in the facility;
- B. children handle animals only with supervision;
- C. pet cages are located and cleaned away from food preparation, storage or serving areas;
- D. play areas are free of animal excrement not confined to pet cages;
- E. parents of a child whose skin is broken by an animal bite or scratch, are notified of the injury on the day the injury occurs; and
- F. the health officer is immediately notified whenever a child in care is bitten by an animal. The provider shall take reasonable steps to confine the animal. Notification shall be given to the animal's owner before any steps are taken to destroy the animal.

Requirement – Hazardous Materials

Access and exposure to hazardous materials shall be prevented as follows:

- A. Poisons, toxic materials, cleaning supplies, sharp or pointed objects, plastic bags, matches, flammable liquids, drugs of any kind, insecticides, guns, and other hazardous materials shall be stored and/or locked, covered, or removed so as to be inaccessible to children.
- B. All water hazards such as pools and permanent standing water, shall be enclosed with a fence, or otherwise safeguarded to ensure that they cannot be accessed without supervision. When using a swimming pool or beach, an individual trained in CPR & first aid must be present.
- C. Any pool used by children must meet safety requirements
- D. Electrical outlets accessible to children shall be covered with child-resistant safety plugs.
- E. Paint on both interior and exterior premises shall be free from hazardous quantities of lead.
- F. The areas used by children must be free from debris, loose flaking, peeling or chipped paint, loose wallpaper or crumbling plaster, litter and holes in the walls, floors or ceilings.
- G. Rugs must have a non-skid backing or be firmly fastened to the floor and be free from tears, curled or frayed edges and hazardous wrinkles.
- H. Smoking is prohibited in the facility where children will be cared for.
- I. Persons under the influence of alcohol or illegal drugs shall not be allowed in the childcare setting.
- J. Smoking and illegal drugs shall be prohibited on the premises of the facility at all times.
- K. Kitchens, stairs and other hazardous areas must be inaccessible to children.
- L. Radiators, fireplaces, hot pipes and other hot surfaces in areas used by children must be shielded or insulated to prevent burns.
- M. Centers must have sewage disposal systems that conform to the local sewage system ordinance.
- N. Plumbing must meet the regulation guidelines.

Requirement – Electrical Services

The following electrical guidelines must be met:

- A. All electrical receptacles accessible to children under first grade must be tamperproof or shielded when not in use.
- B. All major electrical appliances must be properly installed, grounded and in good working order.
- C. Extension cords shall not be used as a substitute for permanent wiring. Extension cords and flexible cords shall not be affixed to structures, extended through walls, ceilings, floors, under doors or floor coverings nor be subject to environmental damage or physical impact.
- D. Electrical wiring must be sized to provide for the load and be in good repair.

Requirement – Equipment

Equipment shall be maintained to reduce the possibility of injury or illness as follows:

- A. Materials, toys, and furnishings shall be non-toxic, safe, age appropriate, durable, and maintained in good condition.
- B. All materials must meet the United States consumer product safety standards.
- C. All toys and articles intended for use by children under three years of age that present choking; aspiration or ingestion hazards because of small parts must meet the safety standards.
- D. Toys and equipment that are likely to be mouthed by infants and toddlers must be made of material that can be disinfected
- E. Infant and toddler toys shall be made of non-toxic materials and shall be cleaned and/or sanitized when mouthed or soiled. If toys are not used, they shall be cleaned weekly.
- F. Equipment and furniture must be durable, in good repair and structurally stable after assembly and installation. Equipment must be free of sharp edges, dangerous protrusions or points where a child could be pinched or crushed and openings or angles that could trap part of a child's body.
- G. The layout and maintenance of all indoor equipment and surfaces shall be carefully selected to minimize the possibility of injury to children.
- H. Equipment shall be stored in a safe and orderly fashion when not in use.
- I. Cribs, cradle boards and/or infant sleep equipment shall keep the infant safe from the dangers of suffocation, and will not allow a child to either fall, become entrapped, or having clothing tangled on protrusions.
- J. Playpens shall not be used for sleeping
- K. No child shall sleep on a bare, uncovered surface. Seasonally appropriate covering, such as sheets or blankets that are sufficient to maintain adequate warmth, shall be available and shall be used by each child.

- L. Children shall not share bedding. Related children may share sleeping arrangements upon parental approval. Each item of sleep equipment (sheets, blankets, pillows, etc.) shall be assigned to an individual child and shall be used only by that child while he/she is enrolled in the facility. Each mat, cot, or crib mattress shall be covered with the child's individual sheet for exclusive use by that child.
- M. A center must have storage space for each child's clothing and personal belongings. The space must be at a height appropriate to the age of the child.
- N. Fire extinguishers must be serviced annually by a qualified inspector. The name of the inspector and date of the inspection must be written on a tag attached to the extinguisher.

Requirement – Maintenance of Activity Areas

The building interior and exterior shall be maintained as follows:

- A. Guidelines shall be developed to assure facilities are safe, and meet tribal, state, or local fire and safety regulations.
- B. The facility shall follow tribal, state, or local guidelines regarding the installation and appropriate use of smoke detectors and carbon monoxide detectors
- C. Indoor and outdoor play areas shall be checked for hazards daily and prior to their use by children.
- D. A plan shall be in place to ensure routine maintenance, and sanitation procedures shall be conducted to keep the structure clean, sound, and in good repair.

B. INFECTION CONTROL

Principal

Proper policies and practices significantly reduce the spread of disease and ensures a healthy and safe child care environment.

Why This Is Important

- Many illnesses can be spread from person to person, particularly among young children in group care where diapers, drooling, and frequent hand to mouth behavior increase the likelihood of disease transmission.
- Young children may be more vulnerable to certain vaccine-preventable diseases. Child care can provide a service by identifying children who need health services and referring them to receive required immunizations, appropriate health examinations, and other health services in the early years of life.
- Poor food preparation practices can lead to contamination and disease.
- Caregivers who are physically and emotionally healthy are likely to provide a higher quality of care to children.
- Children with more than mild infectious diseases can pose a safety hazard to other children by requiring a disproportionate amount of the caregiver's attention.

Standards

- Staff and helpers shall be trained in the policies regarding infection control.
- Policies must address the importance of sanitation and the operable condition of the residence and equipment.
- Policies must address the importance of children and caregiver health to ensuring a healthy and safe child care environment.
- A written policy for determining inclusion, exclusion, and dismissal of ill children shall be implemented.
- A written plan shall be in place for caring for an ill child.
- A written plan shall be in place addressing medication administration.

Requirement - Immunizations

Children receiving care shall be age-appropriately immunized in accordance with Indian Health Service (IHS) or the State Public Health Agency recommendations upon enrollment.

Immunization records must be kept current. The provider shall request, update and keep on file the dates of immunizations received by a child in regular attendance at the facility as follows:

1. for an infant, every six months;
2. for a toddler, annually;
3. for a preschool child, every 18 months; and
4. for a school age child, every three years.

Tribes may exempt:

1. Children whose parents or guardians object to immunization on religious grounds.
2. Children whose medical condition requires that immunizations not be given.

Requirement - General Sanitation

The following sanitary procedures must be used to reduce the spread of communicable disease.

- A. Any surface contaminated by body fluids (saliva, mucus, vomit, urine, stools, or bloods) shall be cleaned and disinfected immediately, and caregivers shall use universal precautions, including gloves, when cleaning contaminated areas.
- B. A regular cleaning schedule shall be established to include daily, weekly and monthly duties.
- C. Toilet areas, including sinks, countertops, faucets, handles doorknobs, toilet bowls, toilet and seats, shall be cleaned immediately when soiled, or at least daily.
- D. Residence must have operable toilet facilities that conform to local septic system ordinances.
- E. Equipment shall be kept clean, sanitary, and in operable condition.
- F. Potty chairs and changing tables shall be cleaned and disinfected after each use.
- G. Floors shall be cleaned when soiled or at least daily. Carpets and rugs shall be shampooed when soiled and vacuumed at least daily.
- H. Toys shall be cleaned when soiled or at least weekly.
- I. Toys that children can place in their mouths shall be cleaned and disinfected after each use.
- J. Bedding and blankets must be washed weekly and when soiled or wet.
- K. The license holder shall provide liquid hand soap, toilet paper, facial tissues and single use paper towels and make them accessible to children.
- L. Separate towels, washcloths, drinking cups, combs and other personal articles must be used for each child.
- M. Garbage and rubbish shall be removed from rooms daily or as needed where children and adults will be present and stored in a closed container that prevents access by children, and animals including rodents, and insects.

Requirement - Diapers

Children in diapers shall be kept clean and dry. The following sanitary procedures must be used to reduce the spread of communicable disease.

- A. Diapers and clothing must be changed when wet or soiled.
- B. An adequate supply of clean diapers must be available for each child and stored in a clean place inaccessible to children.
- C. A diaper must be changed only in the diaper changing area.
- D. This area must be separate from the areas used for food storage, food preparation and eating.
- E. The area must have a sink equipped with hot and cold running water within three feet of the diaper changing surface and a closeable container for the soiled and wet diapers. The container must be emptied when full, and at least daily
- C. The diaper changing area must be covered with a smooth, nonabsorbent surface. If the surface is not disposable, it must first be washed with soap and water to remove debris and then disinfected with a solution of at least two teaspoons of chlorine bleach to one quart of water after each diapering.
- D. Single service disposable wipes or clean disinfected cloths must be used for washing a soiled child before diapering.

Requirement - Food Service Sanitation

The following procedures shall be followed:

- A. Food preparation areas shall be separate from areas of eating, play, toileting, diaper changing and areas where animals are kept.
- B. Food preparation areas, including countertops and tabletops, shall be cleaned and disinfected, before and after each use.
- C. Dishes, highchair trays and food service utensils shall be cleaned after each use.
- D. There shall be separate basins/sinks for diaper changing cleanup and the cleaning of food service utensils.
- E. Dishes and food service utensils shall be allowed to air dry and stored in a manner that preserves their clean/disinfected status.
- F. Individuals responsible for food preparation or service shall be free of contagious disease or illness.
- G. The facility or license holder must be in compliance with State Department of Health Guidelines.
- H. If food is prepared off site by another facility or if food service is provided according to a contract with a food service provider, that facility must be in compliance with the State Department of Health Guidelines

Requirement – Universal Precautions

Spills of body fluids (i.e., feces, blood, saliva, nasal discharge, eye discharge and injury or tissue discharges) shall be cleaned up immediately, as follows:

- A. For spills of vomit, urine and feces, floors, walls, bathrooms, tabletops, toys, kitchen countertops and diaper changing tables shall be cleaned and disinfected.
- B. For spills of blood or blood-containing body fluids and injury and tissue discharges, the area shall be cleaned and disinfected. Gloves shall be used in these situations unless the amount of blood or body fluid is so small that it can easily be contained by the material used for cleaning.
- C. Persons involved in cleaning contaminated surfaces shall avoid exposure of open skin sores or mucous membranes to blood or blood-containing body fluids and injury tissue discharges by using gloves to protect hands when cleaning contaminated surfaces.
- D. Mops shall be cleaned, rinsed in sanitizing solution and then wrung as dry as possible and hung to dry.
- E. Blood-contaminated material and diapers shall be disposed of in a plastic bag with a secure tie.

Illness may be spread in a variety of ways, such as by coughing, sneezing, direct skin-to-skin contact, or touching an object or surface with germs on it. Infectious germs may be contained in human waste (urine, feces) and body fluids (saliva, nasal discharge, tissue and injury discharges, eye discharges, and blood). Since many infected people carry communicable disease without having symptoms, and many are contagious before they experience a symptom, staff need to protect themselves and the children they serve by carrying out, on a routine basis, sanitation and disinfection procedures that approach every potential illness-spreading condition in the same way.

Education of staff regarding cleaning procedures can reduce the occurrence of illness in the group of children with whom they work.

A solution of $\frac{1}{4}$ cup of household liquid chlorine bleach in one gallon of tap water prepared fresh daily is an effective surface disinfectant for environmental surfaces and other inanimate objects that have first been thoroughly cleaned of organic soil.

Gloves are used primarily when people know or suspect they may contact blood, blood-containing body fluids, or tissue or injury discharges. The fluids may contain the viruses that transmit HIV and hepatitis B.

(From Caring for Our Children: National Health and Safety Performance Standards: Guidelines for Out-of-Home Child Care Programs (1992), page 75)

Requirement – Handwashing

Thorough hand washing is one of the most important and effective means for preventing disease transmission. The following procedures shall be implemented:

- A. All caregivers, helpers, volunteers, and children shall wash all parts of their hands for at least 10 seconds with soap and water and rinse them with water.
- B. All caregivers, helpers, volunteers, and children shall wash their hands:
 - 1. before and after eating, before and after giving medication, and after participation in outdoor play;
 - 2. after diapering, toileting, cleaning, and the handling of body fluids, even if gloves are used; and
 - 3. after handling animals, animal waste, or animal cages.
- C. Paper towels shall be used to dry hands and turn off faucet handles. Only one individual shall use each paper towel once.
- D. Providers must monitor hand washing and assist a child who needs assistance.
- E. In sinks and tubs accessible to children, the water temperature must not exceed 120 degree Fahrenheit to prevent children from scalding themselves while washing.

Requirement – Food Safety

Procedures for preparing, handling, and serving food, must comply with the requirements for food and beverage establishments in chapter 4626 of the MN State Health Department Guidelines. If the food is prepared off site by another facility or if food service is provided according to a contract with a food service provider, the facility or license holder must ensure that food is prepared in compliance.

Food shall be stored, prepared, and served in a manner that prevents the spread of disease.

Water

- A. Safe drinking water shall be accessible to children while indoors or outdoors and shall be dispensed by personal water bottle, drinking fountain, or cups labeled for individual use by each child.
- B. Water from privately-owned wells must be tested annually by a Minnesota Health Department certified laboratory for coliform bacteria and nitrate nitrogens to verify safety.
- C. The provider shall file a record of the test results with the Indian Child Welfare Commission. Retesting and corrective measures may be required if results exceed drinking water standards or where the supply may be subject to off-site contamination.

Food Handling

- A. Food shall be properly wrapped and handled.
- B. Food that has been served to the child and not eaten shall be discarded by placement in containers with tight-fitting lids that are emptied at least daily.
- C. Warm food should be maintained and served at a temperature not less than 140 F.
- D. Cold foods shall be maintained refrigerated at a temperature of 40 F or lower in the refrigerator and 0 F or lower in the freezer.
- E. No homemade food brought from home shall be shared among the children.

Bottle Feeding and Breastfeeding

- A. Breast milk (if not frozen) and prepared bottles of formula shall be kept refrigerated until immediately before use.
- B. Frozen breast milk shall be thawed under cold running water or in the refrigerator.
- C. When there is more than one bottle-fed infant, bottles of breast milk and formula shall be labeled with the child's name and shall be used only for the intended child.
- D. Microwaves shall never be used to heat bottles of formula or breast milk.
- E. Any contents remaining in a bottle of formula or breast milk after feeding shall be discarded.
- F. Prepared bottles of formula shall be discarded after 24 hours if not used. An open container of ready-to-feed or concentrated formula shall be covered, refrigerated, and discarded after 48 hours if not used.
- G. Unused, expressed breast milk shall be discarded after 48 hours if refrigerated, or after 2 weeks if frozen.
- H. Bottles must be washed by hand after each use.

Choking Prevention

- A. Precautions against choking shall be taken when feeding infants and toddlers.
- B. Caregivers shall not offer foods to children under 4 years of age that are implicated in choking incidents (whole, hard, small, thick and sticky, smooth, or slippery). Examples of these foods are hot dogs (whole or sliced into rounds), whole grapes, hard candy, nuts, seeds, raw peas, hard pretzels, chips, peanuts, popcorn, marshmallows, spoonfuls of peanut butter, and chunks of meat larger than can be swallowed whole.
- C. Direct supervision shall occur when the above mentioned foods are served to children over 3 years old.

Requirement - Exclusion

A child in the providers care with any of the following conditions is a sick child and must be excluded from care. Reasonable exclusion criteria for ill children benefit all children in the child care group, their caregivers, and their parents. The provider must exclude a child:

- A. with a reportable illness or condition that a physician determines to be contagious and has not had sufficient treatment to reduce the health risk to others;
- B. with chicken pox until the child is no longer infectious or until the lesions are crusted over;
- C. who has vomited two or more times since admission that day;
- D. who had three or more abnormal, loose stools since admission that day;
- E. who had contagious conjunctivitis or pus draining from the eye;
- F. who has a bacterial infection such as streptococcal pharyngitis or impetigo and has not completed 24 hours of antimicrobial therapy;
- G. who has unexplained lethargy;
- H. who has lice, ringworm or scabies that is untreated and contagious;
- I. who has a 100 degree Fahrenheit auxiliary or higher temperature of undiagnosed origin before fever reducing medication is given;
- J. who has an undiagnosed rash or a rash attributable to a contagious illness or condition;
- K. who has significant respiratory distress;
- L. who is not able to participate in child care program activities with reasonable comfort;
- M. who requires more care than the program staff can provide without compromising the health and safety of other children in care;
- N. if keeping the child in care poses an increased risk to other children or adults in the child care facility, as determined by the caregiver or, if necessary, a local health official.

If a child becomes sick while at the center, the child must be isolated from other children in care and the parent called immediately. A sick child must be supervised at all times. The license holder shall require that a child's parent notify the provider within 24 hours of a diagnosis of a serious contagious illness or parasitic infestation so the provider may notify the parents of other children in care.

The license holder must post or give notice to the parents of exposed children the same day the center is notified that a positive diagnosis has been made for a contagious illness or parasitic infestations. The provider shall notify the health officer and the Leech Lake Child Care Services of any suspected case of reportable disease.

Requirement – Caregiver Health

The following policies have been developed for maintaining and addressing issues related to health:

- A. All caregivers must have an annual physical examination.
- B. All caregivers must have an annual Mantoux (TB) test on file.
- C. Immunizations must be current and on file for all caregivers.
- D. All caregivers shall be physically and emotionally able to care for children

ACKNOWLEDGMENTS

The U.S. Department of Health and Human Services' Child Care Bureau developed the document *Minimum Standards for Tribal Child Care Centers* that was incorporated into the document that is under this title: *Leech Lake Band of Ojibwe Licensing Requirements for Child Care Centers*.

The *Minimum Standards for Tribal Child Care Centers* include the headings of *Principle, Why This Is Important and Standards*. The headings of *Requirements* have been added from current *Leech Lake Band of Ojibwe Licensing Requirements for Child Care Centers*.

The *Minimum Standards for Tribal Child Care Centers* represents three years of consultation with Tribes, Tribal organizations and Tribal child care programs. To oversee the development of the standards, the Child Care Bureau convened the Tribal Child Care Standards Advisory Committee that included representatives from Tribal child care programs, the Child Care Bureau, the Indian Health Service, the Maternal and Child Health Bureau, the Head Start Bureau (American Indian Programs Branch), the American Academy of Pediatrics, and other health and child care organizations.

DOCUMENT SUMMARY

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193) requires that in lieu of any licensing and regulatory requirements applicable under State and local law, the U.S. Department of Health and Human Services shall develop minimum child care standards for Indian Tribes and Tribal Organizations receiving funds under the Child Care and Development Fund (CCDF). The law requires that the standards be developed in consultation with Indian Tribes and Tribal Organizations and appropriately reflect Tribal needs and available resources.

REGULATORY PROCESS

The Child Care Bureau, U.S. Department of Health and Human Services, is issuing the minimum standards as regulation and is requiring CCDF Tribal Lead Agencies to implement the standards.

TECHNICAL ASSISTANCE

The Child Care Bureau will be providing technical assistance to Tribal Lead Agencies regarding implementation of the standards. Cluster Trainings will be conducted, giving Tribes the opportunity to identify their individual technical assistance needs.

CENTER-BASED CARE

The standards in this document are specifically for child care centers. The terminology and content are tailored to reflect the unique circumstances related to centers. A separate document addresses standards for family child care providers. While the two sets of standards are similar, the separate documents are designed to assist Tribal Lead Agencies' outreach and training efforts with providers.

MINIMUM STANDARDS

These standards represent the baseline from which all programs should operate to ensure that children are being cared for in healthy and safe environments and that their basic needs are being met. Many Tribes may currently be exceeding the standards set forth in this document. Other may need to adopt the standards. We expect that CCDF Tribal Lead Agencies will have the option of using Tribal, State or local licensing or regulatory requirements, as long as the requirements meet or exceed the new minimum standards.

RELATIVE PROVIDERS

Consistent with the statutory provision related to the CCDF health and safety requirements Tribal Lead Agencies have the option of exempting relative providers (i.e., grandparents, great grandparents, siblings living in a separate residence, aunt or uncles) from meeting the standards.

ORGANIZATION OF DOCUMENT

The *Minimum Standards for Tribal Child Care Centers* document is organized in three sections that correspond with the basic CCDF health and safety standards: (1) policies, practices, and caregiver training; (2) building and premises; and (3) infection control. Each section is divided into subsections around specific topic areas (e.g., staff ratios). Each subsection contains a principle, and explanation of why the topic is important, and standards relating to the topic.

CONSULTATION PROCESS

The *Minimum Standards for Tribal Child Care Centers* document represents three years of consultation with Tribes, Tribal organizations and Tribal child care programs. To oversee the development of the standards, the Child Care Bureau convened the Tribal Child Care Standards Advisory Committee that included representatives from Tribal child care programs, the Child Care Bureau, the Indian Health Service, the Maternal and Child Health Bureau, the Head Start Bureau (American Indian Programs Branch), the American Academy of Pediatrics, and other health and child care organizations. In addition, the Child Care Bureau has undertaken several activities to inform and consult with Tribal Leaders, including holding consultative sessions with Tribal Leaders and Tribal CCDF programs at the last three National Tribal Child Care Conferences.