

Washoe County Human Services Agency

Regulations for Child Care Facilities

Requirements for Administration of a Facility

SECTION 17 REQUIREMENTS FOR ADMINISTRATION OF A FACILITY

17.1 Written policies

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

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4. The information required from a parent before a child can be admitted to the facility; and
 5. The procedures to be followed by the staff of the facility in the event of an emergency.
- 17.2 Policy Statement. Every facility shall provide a copy of its policy statement to each paid or volunteer staff member, to each parent of a child enrolled in the facility, and to the Agency.
- 17.3 14-Hour Limit. At the time of enrollment, except in a child care institution, the facility shall advise the parents of the 14 hour limit. The parents shall sign a form acknowledging that they are aware of the time limitation and designate the time they will return for the child.
- 17.4 Telephone/emergency numbers. The name, business address, and business telephone number of any person who has legal or administrative responsibility for the facility must be provided to each parent of a child enrolled in the facility and to the Agency. Each facility shall have a working telephone which is listed in a local directory. A current list of emergency telephone numbers, including health agencies, fire and police departments, and ambulance services shall be posted adjacent to the telephone.
- 17.5 Employee list. The facility shall notify the Agency of all staff changes exclusive of substitutes prior to new personnel commencing employment. Licensees providing child care in occupied residences shall within 24 hours notify the Agency of changes in the household composition.
- 17.6 Change in Director. A licensee shall notify the Agency, within three working days, of the resignation or termination of the approved Director.
- 17.7 Change in services. The facility shall notify each parent of a child enrolled in the facility and the Agency of significant changes in services offered by the facility.
- 17.8 Confidentiality. The facility shall not disclose information pertaining to any child to any person who is not a member of the facility staff or an Agency representative unless:
- A. The parent has granted written permission for the disclosure (the facility shall have forms available which allow a parent to release information pertaining to his child); or
 - B. There is an emergency, as determined by the facility Director or a staff member who is in charge at the time of the emergency.
- 17.9 Reporting child abuse/neglect. Every licensee or employee of a facility who has reason to believe child abuse/neglect may be occurring in the facility, in the child's home, or

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

17.10 Procedures for admission

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

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

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

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

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

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- D. Information provided to parent at enrollment. Each facility must provide the following items to a parent/guardian of a child who enrolls the child in the facility, at or before the time of enrollment, or upon request when considering enrollment:
1. A copy of the license issued to the facility, and
 2. Summaries of any complaints and reports of any investigations conducted by the Agency which result in an outcome that is substantiated or inconclusive in the previous twelve months, and
 3. A report of any disciplinary action taken against the facility in the previous twelve months.
- *17.11 Requirements for the care of infants or toddlers. Any facility which provides care to one or more infants or toddlers must adhere to the following requirements:
- A. A caregiver must be assigned to a specific group of infants on a continuing basis.
 - B. Each infant and toddler must be under direct visual observation by a qualified caregiver at all times, except as provided for the napping area.
 - C. Each infant and toddler must be given undivided attention by the same caregiver for at least 30 minutes in the morning and 30 minutes in the afternoon, including periods of feeding and bathing. The caregiver shall, during this time:
 1. Hold and talk to the child;
 2. Encourage the development of the child's coordination by allowing him to reach for, grasp, creep, crawl, or pull up;
 3. Give toddlers the opportunity to develop the large muscles of the body by activities such as climbing and walking; and
 4. Encourage the child to interact socially through playing, using language and solving problems using materials and equipment that are appropriate for the age of the child. Infants under six months of age must be provided an additional period of not less than two hours of activity each day out of the crib, for example, in a playpen or other suitable area.
 - D. Each licensee of a facility must provide an indoor area which is covered by a soft or nonabrasive material and is protected from traveled walkways and where crawling children can be on the floor for at least a part of the day.

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- E. A caregiver may take the infant or toddler assigned to him/her outside or to areas of the facility other than their usual room for a part of each day to provide a change in their physical surrounding and to increase opportunities for social interaction.
- F. When weather permits, each toddler over 12 months of age must be taken outside for a portion of each day. If the weather is extremely hot, the toddler must be kept in a shaded area while outdoors.
- G. An infant who is awake must not be left in a crib for long periods without direct adult care and never for more than 15 minutes at a time.
- H. The staff of each facility shall:
 - 1. Provide appropriate and adequate seating for the children at the facility during snacks and meals;
 - 2. If a high chair is used, ensure that the chair:
 - a. Is in good condition;
 - b. Has a wide base; and
 - c. Has a safety belt for the child and that it is used while a child is in the chair.
 - *3. Wash with a detergent and disinfect before and after each use any chair or table that is used during a snack or meal;
 - 4. Allow, encourage and assist each child to feed himself, including, without limitation, encouraging a child to hold and drink from a cup, use a spoon and use his fingers to feed himself;
 - 5. Offer each child drinking water at times other than during his regular feedings;
 - 6. Transfer commercially prepared baby food from a jar to a dish before feeding it to a child or if fed directly from the baby food jar discard the jar after use;
 - 7. Discard any food that is left in a dish after a meal;
 - 8. Ensure that bottles and containers of food are not kept in water longer than five minutes, and stir, shake and test a bottle or container of food before using the bottle or container to feed an infant;
 - 9. Not hold an infant while preparing food;
 - 10. On a daily basis, empty, clean and sanitize any pot used to warm a bottle or food;

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11. Store each bottle of formula and container of food in accordance with the instructions from the manufacturer of the formula or food;
12. Label each bottle of formula and container of food with the name of the child to whom it belongs and the date the formula or food was prepared by the facility or was prepared or purchased by the parent;
13. Immediately refrigerate and label each container of breast milk provided by a parent;
14. Return each prepared bottle to the appropriate parent each day;
15. Return any unused, open container of food to the appropriate parent each day if the child was not fed directly from the container of food; and
16. Develop with the parents of a child a plan for feeding the child, which must include, without limitation:
 - a. Instructions for feeding;
 - b. Any special dietary restrictions, including, without limitation, any allergies to food;
 - c. A schedule of times for feeding;
 - d. Whether the child will be fed breast milk, formula or solid food;
 - e. If the child will be fed breast milk or formula, when to begin feeding solid food; and
 - f. Likes and dislikes of certain foods.
- *17. Support breastfeeding mothers by offering a designated place in the facility for the mother to breastfeed; and
18. Discard any expressed breast milk if it presents a threat to a baby under the following conditions:
 - a. If the breast milk is stored in an unsanitary bottle;
 - b. If the breast milk has been unrefrigerated for one hour or more; and
 - c. If the breast milk has been fed over a period of time that exceeds one hour from the beginning of the feeding.

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- I. A child who is fed with a bottle and does not hold his own bottle must be held by a caretaker while being fed with a bottle. The bottle must not be propped for feeding. A child who demonstrates a preference for holding a bottle during feeding may hold his own bottle and need not be held by a caretaker if the caretaker is directly observing the child.
- J. The staff of a facility may feed a child commercially prepared baby food directly from the jar in which it was packaged or from a separate dish. If the staff feeds the child from the jar, the staff shall discard the jar after it is used.
- K. The staff of a nursery for infants and toddlers shall separate the infants from the toddlers while the toddlers are engaging in physical activities.
- L. There must be a resilient surface under equipment that is used for playing and climbing at a nursery for infants and toddlers. Such equipment must be appropriate for the age of the children using the equipment.
- M. The staff of a nursery for infants and toddlers shall promote the healthy development of toddlers by:
 - 1. Expressing feelings with words;
 - 2. Giving directions that are worded in a positive manner;
 - 3. Modeling desirable behavior; and
 - 4. Redirecting behavior.
- N. The staff of a nursery for infants and toddlers shall not discipline or punish an infant or toddler by confining him to a crib, playpen or other such piece of furniture or equipment.
- *O. Record keeping. The staff of a nursery for infants and toddlers shall prepare a daily report for each child for whom it provides care. The report must be posted in a conspicuous place in each room used to care for the infants and toddlers and must include, without limitation, information concerning the feeding, diapering, and sleeping of each infant. Records shall specify time, date and amount of food given.
- P. Naps must be provided according to the needs of the infants and toddlers. There must be direct supervision of the children while they nap.
- Q. Consultant. Infant nurseries shall arrange to have a currently licensed Nevada nurse (RN or LPN) with experience in infant care available to consult regarding the general care of children. It is suggested that the public health nurses be consulted to satisfy this requirement.

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- 17.12 Responsibility for children. The facility shall assume responsibility for a child between the place where he is called for and the facility and from the time he leaves the facility until he is delivered to his parents, legal guardian, or other person designated by his parents or legal guardian.
- 17.13 Arrangements for transportation of school-age children shall be by agreement between the facility and the child's parents, i.e., whether the child is to walk, ride his bicycle, or travel in a car. The facility shall exercise reasonable caution to see the child arrives at the facility from school when expected and to follow-up on his whereabouts if he should be late.
- 17.14 Procedures for overtime/abandoned children except in child care institutions.
- A. If the parents do not pick up the child at the expiration of the 14-hour period, the facility shall take immediate steps to locate the parents.
- B. The following procedures shall be followed by the facility when a child has been left at the facility in excess of 14 hours within any 24-hour period or appears to be abandoned:
1. If the facility is unable to contact the parents or other person designated by the parents, the facility shall notify the Agency's Child Protective Services Division. The Child Protective Services Supervisor shall consult with the facility Director to determine appropriate action on an individual case basis. After regular business hours, the facility Director shall notify law enforcement authorities who in turn will contact Agency staff.
 2. On the first day of each month the facility Director shall report to the Agency all incidents of children who have been left at the facility in excess of the 14 hour maximum allowable time.
- *17.15 Lack of valid work permit. A licensee of a child care facility shall ensure that an employee of the child care facility is in the presence of an independent contractor retained by the child care facility during any period in which the independent contractor is performing any services at the child care facility when a child is present.
- A. The employee of the child care facility who is required to be in the presence of the independent contractor pursuant to Subsection 1:
1. Must be qualified to supervise the children at the child care facility; and
 2. Shall, during the period for which the independent contractor is performing the services at the child care facility, supervise and ensure the safety of each child at the child care facility.

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- *17.16 Reporting complaints, arrests, or child protection history. A prospective employee of an applicant for a license to operate a child care facility or an employee of a current licensee shall notify the applicant or licensee not later than 24 hours after being charged with or convicted of a crime listed in Subsection 2 of NRS 432A.170, receiving notice that he or she is in the subject of an investigation for child abuse or neglect, or receiving notice that a report of abuse or neglect has been substantiated against him or her.
- A. A resident of a child care facility who is 18 years of age or older, other than a resident who remains under the jurisdiction of a court pursuant to NRS 432B.594, or participant in an outdoor youth program who is 18 years of age or older shall notify the licensee of the child care facility or outdoor youth program, as applicable, not later than 24 hours after being charged with or convicted of a crime listed in Subsection 2, receiving notice that he or she is the subject of an investigation for child abuse or neglect, or receiving notice that a report of abuse or neglect has been substantiated against him or her.
- 17.17 Operation and maintenance of facility. The operation and maintenance of a child care facility shall promote the health, safety, and welfare of the children who are to be served in the facility by:
- A. Assuring safe and adequate physical surroundings;
- B. Assuring supervision and care of the children by capable, qualified personnel of sufficient number;
- C. Assuring an adequate program of activities and services to enhance the development of each child.
- 17.18 Release of children. The facility shall release a child only to the child's legal custodian(s) or to a person designated by the child's legal custodians.
- 17.19 Record Retention. Any records required to be kept on the care of or service to a child will be kept on site for 90 days unless specified otherwise.
- 17.20 List of Excludable Diseases. Upon registration of a child, the child care facility shall give to the parent(s) or guardian a written list of excludable diseases and conditions described in Subsection 26.15.
- 17.21 Notification to the Child Care Facility when a Child has an Excludable Disease. Upon registration of a child, the child care facility shall give written notification to the parent(s) or guardian that states the parent(s) or guardian must inform the childcare facility of their child's illness when the illness is one described in Subsection 26.15. The notification to the childcare facility must occur within 24 hours of the parent(s) or guardian becoming aware of the illness.

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- *17.22 Priority given to Military Families. A child care facility shall, give priority in admission to a child whose application for admission includes official documentation of the Federal Government and the parent meets the definition of military families according to Section 1.48.