DEPARTMENT OF HUMAN RESOURCES SOCIAL SERVICES DIVISION ADMINISTRATIVE CODE

CHAPTER 660-5-26
DAY CARE LICENSURE - CHILD CARE LICENSING AND PERFORMANCE STANDARDS FOR DAY CARE CENTERS AND NIGHTTIME CENTERS

660-5-26-.05 Transportation.

Note: The Department of Human Resources does not inspect away-from-center activities, including swimming, transportation, or any other activities. The licensee shall assume full authority and responsibility for activities away from the center.

(1) Transportation Provided by the Center.

(a) If the center provides transportation or any activities away from the center, a written statement, signed by each child's parent(s)/guardian(s), shall be on file in the center prior to the child's participation in such activities. The statement shall indicate that the parent(s)/guardian(s) has/ have been informed that the Department of Human Resources does not inspect activities provided away from the center and that the licensee assumes full responsibility for such activities.

(b) The center shall be responsible for each child who is using transportation contracted for, arranged by, or provided by the center. For purposes of these regulations, transportation includes the use of vehicles as well as walking to and from away-from-the-center activities.

(c) Transportation checklists.

1. Checklists, on the required form, shall be used to account for the loading and unloading of each child from the vehicle at every location. Checklists shall also be used to account for each child during activities that include walking to and from the center.

2. The center shall designate the staff person responsible for completing the checklist. The designated staff person shall sign (initials are not acceptable) the checklist when it has been completed.

3. The driver of the vehicle shall sign (initials are not acceptable) the completed checklist at each location, indicating he or she has checked each seat in the vehicle at each location to verify that no child is left on the vehicle.

4. Completed checklists shall be kept on file in the center for the current year plus at least two additional years. (See Rule 660-5-26-.08, (5), for requirements regarding records to be kept in the center.)

(d) When the center provides transportation to and from the home or another designated location, the center shall be responsible for picking the child up at the designated location and delivering the child to the care of the designated person.

(e) Supervision of children in center vehicles.

1. In addition to the driver, staff shall be provided to meet required staff-child ratios for children younger than lawful school age. (See Rule 660-5-26-.04, for required ratios.) Note: The driver of the vehicle shall not be counted in the required staff-child ratio when children younger than lawful school age are transported.

2. For children of lawful school age and older, fewer than fifteen (15) children may be transported with only the driver of the vehicle, provided the driver meets child care worker qualifications.

3. If fifteen (15) or more children of lawful school age are transported, at least one (1) staff person in addition to the driver shall be required.

4. If thirty (30) or more children of lawful school age are transported, at least two (2) staff persons in addition to the driver shall be required.

5. No child shall be left in a vehicle without adult supervision at any time.

6. A staff person shall accompany each child younger than 2½ years of age from the vehicle to the care of the designated person.

7. A staff person shall visually supervise each child 2½ years of age and older from the vehicle to the care of a designated person.

8. The driver shall check each seat of the vehicle at each location to verify that no child is left on the vehicle.

(f) Safety precautions in all vehicles used and operated by the center in transporting children.

1. Stationary seating space for each child shall be provided, and no child shall sit on the floor. Children shall remain seated while the vehicle is in motion.

2. Doors shall be locked at all times when the vehicle is moving.

3. Children shall not be transported in the front seat of any vehicle with a passenger side air bag.

4. The driver of the vehicle and all passengers shall be secured in a passenger restraint system at all times when the vehicle is moving.

5. Each child shall be properly secured using an aftermarket or integrated child passenger restraint system meeting applicable state and federal motor vehicle safety standards. Each child passenger restraint system shall be appropriate for the age and size of the child.

(i) Each child younger than one (1) year of age or weighing less than twenty (20) pounds shall be secured in an infant only or a convertible seat used in a rear facing position which is properly anchored to the vehicle, installed and used according to the manufacturer's instructions and maintained in good condition.

(ii) Each child younger than five (5) years of age or weighing less than 40 pounds shall be properly secured in a convertible seat in the forward facing position or in a forward facing seat which is properly anchored to the vehicle, installed and used according to the manufacturer's instructions and maintained in good condition.

(iii) Each child younger than six (6) years of age shall be properly secured in a booster seat which is properly anchored to the vehicle, installed and used according to the manufacturer's instructions and maintained in good condition.

(iv) Each child six (6) years of age and older, the driver, and each adult passenger shall be secured in an individual seat belt, which is properly anchored to the vehicle.

(g) Vehicle safety check.

1. A safety check, on the required form, shall be done annually and signed and dated by a mechanic, on all vehicles regularly used by the center to transport children.

2. A copy of the safety check, on the required form, shall be on file in the center. The safety check shall show that the following items are operating in a safe condition: brakes; tires; lights (head, signal, brake, tail); windshield wipers; steering; and exhaust system; ventilation and heating system; and passenger restraint systems.

(2) Transportation Provided by Parent(s)/Guardian(s) or Other Designated Person(s).

(a) Each child being transported by parent(s)/guardian(s) or other designated person(s) shall be accompanied into and out of the center by the parent, guardian, or other person.

(b) The center shall require the parent(s)/ guardian(s) or other person(s) designated by the parent(s)/ guardian(s) to sign (signature required, initials not acceptable) each child in/out at each arrival/departure to the center, indicating the time of arrival/departure. An exception to the written signature will allow the use of Biometric ID for parent(s)/ guardians(s.) This Biometric ID system will measure some unique aspects of the individual such as but not limited to fingerprint and/or iris recognition.

(c) If any child walks to the center from school or another designated location, or is transported to/from the center by school bus, center staff shall sign (signature required, initials not acceptable) each child in upon arrival, indicating time of arrival.

(d) The center shall require written authorization from a child's parent(s)/guardian(s) to release a child to any person other than the parent(s)/guardian(s) or persons designated on the child's preadmission form.

(e) The center shall require unfamiliar authorized persons to show photographic identification when releasing a child.

Author: ShunDria Robinson/Zoe Moore
Statutory Authority: Code of Ala. 1975, as amended (hereinafter referred to as Code), §§38-7-1 through 38-7-18, §§41-22-19, §§38-2-6(10), (12), (13), (15), §§26-14-3, §§26-14-4.
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