**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-.06 Staff.

All staff hired after the effective date of these regulations shall meet experience, education, training and age qualifications. Verification of qualifications shall be on file in the center.

(1) Qualifications of Staff

(a) The center director shall have responsibility for the day to day operation and management of the center including supervision of the planning and implementing of the children's daily activities, supervision of staff, and responsibility for maintenance of the center. The center director shall be at least 19 years of age and shall have at least twenty (20) clock hours of training in administration and management and at least four (4) clock hours of training in quality child care. In addition, the center director shall meet at least one of the following training categories:

1. One hundred twenty (120) clock hours of training in child care; a high school diploma or general education diploma (G.E.D.); and at least twelve (12) months of working experience as a child care worker/ teacher or as a director/program director in a licensed day care center or a Department approved setting. Training in child care shall include at least twenty (20) hours in each of these areas:

(i) child development;

(ii) health, safety and universal precautions;

(iii) quality child care and licensing;

(iv) the child care professional and the family;

(v) language development;

(vi) positive discipline and guidance.

OR

2. A child development associate credential (CDA) or a certified child care professional certificate (CCP) from the National Child Care Association Inc. (NCCA) and a high school diploma or general education diploma (G.E.D.); and at least twelve (12) months of working experience as a child care worker/teacher or as a director/program director in a licensed day care center or a Department approved setting.

OR

3. An associate degree in child development or early childhood education from a post-secondary school (technical, vocational, junior college), and at least nine (9) months of working experience as a child care worker/teacher or as a director/program director in a licensed day care center or a Department approved setting.

OR

4. A bachelor's degree in child development or early childhood education and at least six (6) months of working experience as a child care worker/teacher or as a director/program director in a licensed day care center or a Department approved setting.

(b) Child care workers/teachers and all substitutes who have primary responsibility for the care of a group of children shall be at least 18 years of age and shall have a high school diploma or general education diploma (G.E.D.). Within thirty (30) days after employment, child care workers/ teachers shall have at least twelve (12) hours of training in child care and development through participation in workshops, meetings, videotapes, or one-to-one consultation, unless written documentation of prior equivalent training is on file. Training in child care shall include at least one (1) hour in each of these areas:

1. child development;

2. health, safety and universal precautions;

3. quality child care and licensing;

4. the child care professional and the family;

5. language development;

6. positive discipline and guidance.

(c) Aides/assistant teachers who assist with groups of children shall be at least 16 years of age and shall:

1. have at least an 8th grade education;

2. work under the direct supervision of a person qualified as a child care worker/teacher;

3. and shall not be counted in the required staff-child ratio.

(d) Service staff, such as cooks, janitors, or bus drivers, shall not be counted in the required staff-child ratio unless they meet child care worker qualifications, are acting as a child care worker, and are giving full attention to the children.

(e) The driver of a center vehicle transporting children shall be at least 19 years of age and have a valid driver's license.

(f) A substitute staff person shall meet all qualifications of staff for whom he/she is substituting.

(g) The director, teachers, aides/assistant teachers, all service staff and all substitutes shall have at least one (1) hour of preservice training from an outside source in each of the following eleven (11) required areas:

1. Prevention and control of infectious diseases (including immunization),

2. Sudden Infant Death Syndrome (SIDS) prevention and use of safe sleeping practices,

3. Medication administration,

4. Prevention of and response to emergencies due to food and allergic reactions,

5. Building and physical premises safety,

6. Prevention of shaken baby syndrome and abusive head trauma,

7. Emergency preparedness and response planning,

8. Handling and storage of hazardous materials/ correct disposal of bio contaminants,

9. Recognition and reporting of child abuse and neglect,

10. First aid and CPR and;

11. If applicable appropriate precautions in transporting children.

(h) By August 1, 2022 the director, teachers, aides/ assistant teachers, all service staff and all substitutes must be enrolled in the Alabama Pathway's Professional Development Registry.

1. By August 1, 2022, the center director must complete an orientation training on the assessment tools utilized by the Department's Quality Rating and Improvement System (QRIS).

(2) Records on Staff

(a) Records on all staff, including substitutes and volunteers, shall be kept confidential, and shall be on file in the center at the time of employment. Records shall be maintained in the center for at least two years after the staff person has left the center. Records shall be filed in alphabetical order. Records shall contain originals or clear copies of required information. Inactive files shall be maintained separately from active files. Records shall include but need not be limited to:

1. An application for employment.

2. Information regarding character and suitability shall be obtained on all staff, including substitutes and volunteers, by the licensee/center director, and shall include but need not be limited to:

(i) Reference contacts: written statements on the required form from three unrelated references, including at least one previous employer, if ever employed.

(ii) Request for Clearance of State Central Registry on Child Abuse/Neglect, on the required form, indicating whether a perpetrator record was found, within the last five years. Forms shall be obtained from the Department’s website.

(iii) Results of a criminal history background information check including:

(I) Suitability Determination letter from the Department within last five years.

(II) Identification verification of name, date of birth, race, sex in the form of a

photo identification from any governmental agency, such as a driver’s license, non-driver’s identification, or program participation card.

(iv) Additional information regarding character and suitability is found in Rule 660-5-26-.07. 3. Written verification of education.

4. Written verification of training.

5. Required medical examination report, including TB test or chest x-ray date and results.

6. In addition to 1 through 5 above, the following specialized records shall be maintained if applicable to the staff person's specific responsibilities:

(i) Valid driver's license if the staff person transports children.

(ii) Valid commercial driver's license (CDL), if required for vehicles used to transport children. (Required for vehicles designed to carry 16 or more persons, including the driver.)

(iii) Written documentation of a current American Red Cross Lifeguard Training Certificate, a current First Aid Certificate, and a current Infant-Child (Pediatric) Cardiopulmonary Resuscitation Certification (CPR) if there is a pool at the center. A copy of each certificate or certification shall be on file in the center.

(iv) Written documentation of a current First Aid Certificate, and a current Infant-Child (Pediatric) Cardiopulmonary Resuscitation Certification (CPR) shall be on file for at least one staff person present at the center during all hours of operation.

(b) Additional records to be maintained during employment.

1. Documentation of in-service training.

2. Updated/additional medical information.

3. A written report of any misconduct or dereliction of duty, including the investigation procedure followed and disposition made.

4. Written documentation of updated Infant-Child (Pediatric) Cardiopulmonary Resuscitation Certification (CPR) and updated First Aid Certificate.

5. Updated valid driver's license if the staff person transports children.

6. Updated valid commercial driver's license (CDL), if required for vehicles used to transport children. (Required for vehicles designed to carry 16 or more persons, including the driver.)

7. Within one month of employment, written and signed verification stating that each staff person has read the standards.

8. A request for Clearance of State Central Registry on Child Abuse/Neglect, on the required form indicating whether a perpetrator record was found and must be updated every five (5) years.

9. A Criminal History Suitability Determination letter from the Department must be updated every (5) years.

(c) Records on applicant/licensee/director/board member (if applicable)

1. The following information on the applicant/ director/board member (if applicable) shall be submitted to the Department at the time of application for a license or employment as a director. Updated information on the licensee/ director/board member (if applicable) may be requested at the discretion of the Department. A copy shall be kept on file at the center.

(i) Licensing Application Attachment.

(ii) Verification of education.

(iii) Verification of initial training.

(iv) Initial medical examination report, on the required form, signed by a licensed practicing medical doctor, physician's assistant as defined in, or a certified nurse practitioner.

(v) Alabama Department of Human Resources Request for Clearance of State Central Registry on Child/ Abuse Neglect issued within the last five (5)

years and updated every five (5) years thereafter.

(vi) Authorization to obtain criminal history background information check, including the following:

(I) A Suitability Determination letter from the Department, issued within the last five (5) years and updated every five (5) years thereafter.

(IV) Identification verification of name, date of birth, race, sex in the form of a photo identification from any governmental agency, such as a driver’s license, non-driver’s identification, or program participation card.

(3) Health - Staff.

(a) Initially, each staff person shall provide a statement, on the required form, from a licensed practicing medical doctor, physician's assistant or a certified nurse practitioner. The initial statement shall be dated within six (6) months prior to employment and shall document the date and results of a tuberculin skin test or chest x-ray (also dated within six (6) months). The statement shall attest to the physical suitability of the staff person to care for children or to perform services in a center, and the person's freedom from infectious or contagious diseases. The statement shall be signed by the licensed practicing medical doctor, physician's assistant, or certified nurse practitioner, and shall be on file in the center at the time of employment.

(b) At least every four years after the date of the initial statement, each staff person shall obtain a statement, on the required form, from a licensed practicing medical doctor, physician's assistant, or certified nurse practitioner, which attests to the staff person's freedom from infectious or contagious diseases and physical fitness to care for children or perform services in a center. The statement shall be on file in the center.

(c) Staff persons with symptoms of a contagious disease/ condition shall not be present in the center.

(d) A staff person who, upon observation or examination or as a result of tests, shows indication of a physical, emotional, or mental condition which could be detrimental

to the children or staff, or which would prevent satisfactory performance of duties, shall not continue work at the center until the staff person provides a written statement from a licensed practicing medical doctor indicating that the staff person is able to return to work.

(e) An additional medical or psychological evaluation or drug screening shall be required at the discretion of the Department's representative, based on information that raises reasonable suspicion. A release to allow the Department representative to confer directly with the doctor or the professional performing the evaluation shall be provided on request. “Reasonable suspicion” is defined as follows: Belief based upon evidence of past or present behavior that reasonable grounds exists to review the employee, staff, or licensee, including board members, suitability and fitness to provide care for children.

(4) In-Service Training for Staff.

(a) All staff shall be involved in ongoing training related to his/her specific responsibilities. Training in child care shall include the following areas:

1. child development;

2. health, safety and universal precautions;

3. quality child care and licensing;

4. the child care professional and the family;

5. language development; 6. positive discipline and guidance.

(b) Directors shall obtain at least twenty-four (24) clock hours of training each year.

(c) Child care workers/teachers shall obtain at least twelve (12) clock hours of training each year.

(d) Service staff (such as cooks, bus drivers, janitors) shall obtain at least four (4) clock hours of training each year.

(e) Documentation of training shall be on file in the center. Training in Infant-Child (Pediatric) Cardiopulmonary Resuscitation (CPR) and First Aid shall not be counted toward annual in-service training hours.

(f) For purposes of in-service training requirements, a year may be considered based on the center's licensing date, for example June 15, 2018 through June 15, 2019 is one year.

(g) Thereafter, the director, teachers' aides/assistant teachers, all service staff and all substitutes shall have at least one hour of annual training from an outside source in each of the following eleven (11) required areas:

1. Prevention and control of infectious diseases (including immunization),

2. Sudden Infant Death Syndrome (SIDS) prevention and use of safe sleeping practices,

3. Medication administration,

4. Prevention of and response to emergencies due to food and allergies reactions,

5. Building and physical premises safety,

6. Prevention of shaken baby syndrome and abusive head trauma,

7. Emergency preparedness and response planning,

8. Handling and storage of hazardous materials/ correct disposal of bio contaminants,

9. Recognition and reporting of child abuse and neglect,

10. First aid and CPR and;

11. If applicable, appropriate precautions in transporting children.

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