

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-.09      Nighttime Centers.

In addition to the regulations set forth for day care centers, centers providing nighttime care shall meet the following regulations or modifications:

(1) Equipment and furnishings

(a) In centers operating past midnight, cribs or cots, fitted with a waterproof mattress, shall be provided for each child.

(b) In centers operating past midnight, there shall be at least one (1) bathing facility for every fifteen (15) children.

(2) Children's Records

(a) Confidentiality

1. Children's records and information about children and their families shall be kept confidential.

2. Confidential information about children and their families shall not be used or disclosed for any purpose not directly related to the well-being of the child.

3. Any discussion about children and their families shall be treated as confidential.

4. Confidential information including children's records shall be accessible only to authorized persons.

5. The Department shall have the right to inspect center records, including children's records.

(b) Individual records on each child shall be on file in the center on the child's first day of attendance. Records shall be maintained in the center for at least two years after the child has left the center. Records shall be filed in alphabetical order. Records shall contain originals or clear copies of required

information. In-active files shall be maintained separately from active files. Records shall include but need not be limited to:

1. Child's Pre-Admission Record, on the required form, including: child's name; birthdate; home address; name, address, and telephone number of child's parent(s)/guardian(s); name, address, and telephone number of mother's and father's employer; emergency contact information; name, address, and telephone number of child's doctor; signed authorization for emergency medical treatment; special needs or instructions; list of persons child may be released to; statement that parent(s)/guardian(s) understands that the Department does not inspect activities away from the facility; permission signed by the child's parent(s)/guardian(s) for the child to participate in activities away from the facility, transportation provided by the facility, and swimming/wading provided by the facility; child's first day of attendance; child's withdrawal date.

2. Records of injury/illness occurring at the center or during away from center activities, which require professional medical attention, emergency medical attention, or hospitalization.

3. Immunizations.

- (i) On the child's first day of attendance, each child from two (2) months of age to lawful school age and each child of lawful school age who is not enrolled in public or private school kindergarten shall have a valid State of Alabama Certificate of Immunization on file in the center, unless one of the following is on file in the center:

- (I) A valid State of Alabama Certificate of Medical Exemption; OR

- (II) A valid Alabama Certificate of Religious Exemption.

- (ii) Each child's Certificate of Immunization shall be updated according to the expiration date indicated on the certificate. 4. Authorization for administering medication or medical procedures form if medication or medical procedures have been administered to the child. 5. Any other information about a child shall be kept in the child's record.

## (3) Child Care Program

## (a) Staffing.

## 1. Staff-child ratio for sleeping children:

Ages	Staff to Child Ratio
0 up to 18 months	1 to 5
18 months up to 2½ years	1 to 14
2 ½ years up to 4 years	1 to 18
4 years and older	1 to 25

2. Required staff-child ratios and grouping for day care centers shall be maintained while the children are awake.

3. At least one staff person who is at least 18 years of age, who meets child care worker qualifications and has a current Infant-Child (Pediatric) Cardiopulmonary Resuscitation Certification (CPR) and a current First Aid Certificate shall be present in the center during all hours of operation. Copies of the certificates and certifications shall be kept on file in the center.

## 4. Coverage.

(i) All children shall have staff supervision at all time.

(ii) Each staff person giving care before bedtime and bedtime periods shall be assigned the responsibility of caring for the same children nightly.

(iii) There shall be at least one (1) staff person in each room of sleeping children. Staff shall be able to see all the children at all times.

(iv) All staff on duty shall be awake and alert to the needs of the children.

(v) There shall be at least two staff persons age 18 or older available in the center building or on the premises, whenever children are present. Required staff-child ratios shall be met at all times.

(vi) While children are sleeping, lighting shall be maintained at a level that will enable children to be visible.

(b) Nightly activity schedule

1. A nightly schedule shall be posted.
2. Outdoor time shall be available to the children during daylight hours.
3. The word "napping" as included in the day care standards shall mean "sleeping" for nighttime centers.
4. The staff shall assist each child, in dressing and grooming, as needed.

(c) Food and food service.

1. Any child who goes directly from the center to school shall be served breakfast before leaving the center unless breakfast shall be eaten at school.
2. An evening meal shall be served for children in attendance.

(d) Bathing

1. If any child in care is bathed, clean water shall be provided for each child. Each child shall be bathed separately. Each child shall be supervised while bathing.
2. Individual soap, individual towel, and an individual washcloth shall be provided for each child who is bathed at the center.

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**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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