

SOC 1.6/C43/1967

Dept. of Children & Youth

MINIMUM RULES AND REGULATIONS

FOR

INFANT NURSERIES



ISSUED BY

THE COLORADO STATE DEPARTMENT OF PUBLIC WELFARE

STATE OF COLORADO

GRANDFATHER CLAUSE

From May 1, 1967, the date of promulgation of these rules and regulations, all existing licensed Infant Nurseries shall have five years in which to meet the rules and regulations as set forth in the following pages. During this period, the minimum standards set up by the Board of Standards on Child Care for Infant Nurseries in 1959 shall be considered minimum standards for all existing licensed Infant Nurseries.

New facilities shall meet the rules and regulations promulgated on May 1, 1967.

1967-68
STATE OF COLORADO

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On June 11, 1967, the Board of the Colorado State Department of Public Welfare passed the motion that the standards promulgated by the Board on Standards of Child Care become the standards used to issue annual licenses.

The Governor's Advisory Committee on Licensing appointed an Ad Hoc Committee to establish rules and regulations relating to the licensing and operation of infant and toddler nurseries. Ten meetings were held from June 1966 through December 1966. In addition, a meeting was held in January of 1967 for the Nursery Directors to discuss the revisions. The final revision was completed on February 2, 1967 with the Governor's Advisory Committee on Licensing. Upon the recommendation of the Governor's Advisory Committee on Licensing, the State Board of Public Welfare approved these rules on March 11, 1967.

The appreciation of the Department is great and expressed to all who have helped in the formulation of these rules.

Charlene J. Birkin, Director
Colorado State Department of Public Welfare

FOREWORD

Licensing of foster boarding homes and child placement agencies in Senate Bill 113 was passed by the Colorado State Legislature on April 19, 1943. Under Chapter 196, Session Laws of Colorado, pages 625-626, a governor-appointed Board on Standards of Child Care consisting of nine members became the licensing authority.

As directed by House Joint Resolution No. 14 in 1962, the Legislative Council began a study of Licensing and Regulation of Child Care facilities. On November 30, 1962, the Research Report No. 70 was accepted by the Legislative Council for transmission to the General Assembly.

Six meetings were held, two of which were public. The final recommendations resulted in passage of Chapter 22, Colorado Revised Statutes 1963, called the Child Care Act to become effective July 1, 1963. This Act made the Colorado State Department of Public Welfare the licensing authority, with the Colorado State Board of Public Health and the Colorado State Industrial Commission assisting in licensing inspections of group care facilities. The Act also established an advisory committee of eleven members appointed by the Governor for rotating terms.

On June 21, 1963, the Board of the Colorado State Department of Public Welfare passed the motion that the standards promulgated by the Board on Standards of Child Care become the standards used to issue annual licenses.

The Governor's Advisory Committee on Licensing appointed an Ad Hoc Committee to establish Rules and Regulations relating to the licensing and operation of Infant and Toddler Nurseries. Ten meetings were held from June 1966 through December 1966. In addition, a meeting was held in January of 1967 for the Nursery Directors to discuss the revisions. The final revision was completed on February 2, 1967 with the Governor's Advisory Committee on Licensing. Upon the recommendation of the Governor's Advisory Committee on Licensing, the State Board of Public Welfare approved these rules on March 31, 1967.

The appreciation of the Department is great and expressed to all who have helped in the formulation of these rules.

Charline J. Birkins, Director
Colorado State Department of Public Welfare

DEFINITIONS:

A. FOSTER CARE HOME - means a facility for child care in a place of residence of a family, person, or persons, for the purpose of providing family care and training for a child or children under the age of sixteen years who are not related to the head of such home. The term includes any home receiving a child or children for regular part time or regular full time care, and any home receiving a child or children from any state operated institution for child care or from any child placement agency as defined in subsection (1) (b) of this section.

INTRODUCTION

It is the hope of all of us who participated in establishing the Rules and Regulations relating to the licensing and operation of Infant and Toddler Nurseries that we have expressed our thoughtful concern for the total well-being and needs of children that come to the nurseries for care.

Today, it is generally recognized that all nurseries have the responsibility of developing a program which protects and promotes the development of the child as an individual and as a member of a group. The focus is on the whole child, his social, emotional and intellectual development, as well as his physical care. Any nursery, under whatever name, supplements the home by sharing day time responsibility with parents whether for economic, emotional, social, health or educational reasons. The purpose is to share with the parent his responsibility for protecting the child and for providing opportunities for his development. All child care programs are part of community service to parents and children. This is true whether they give care and guidance during part or all day to children of working or non-working parents.

Everything that happens to a child in a nursery affects him for better or for worse. Therefore, all resources at hand, the staff, the building, the space and equipment and the program must be of a quality and be so used that the entire center is a happy and wholesome experience for children.

We aim to strengthen family life which sets the tone for each child. We wish to help each child make a successful social adjustment, achieve moral and spiritual values, develop proficiency in learning to his optimum development in order that he become an independent, creative citizen. We strive to help each child achieve and maintain sound physical and mental health. We wish them to appreciate that which is beautiful and to use leisure wisely. If we can help each child fill these needs, we are reaching our goals.

Marie C. Smith, Director
Division of Social Services

(SEPARATE SETS OF RULES AND REGULATIONS AS SPECIFIED UNDER I A 2, I B 2, I B 3, AND I C ARE AVAILABLE UPON REQUEST)

I. DEFINITIONS:

A. FOSTER CARE HOME - means a facility for child care in a place of residence of a family, person, or persons, for the purpose of providing family care and training for a child or children under the age of sixteen years who are not related to the head of such home. The term includes any home receiving a child or children for regular part time or regular full time care, and any home receiving a child or children from any state operated institution for child care or from any child placement agency as defined in subsection (1) (d) of this section.

1. Licensing of Foster Care Home - all facilities for children which come under the legal definition of a "Foster Care Home" as stated in paragraph I A (above) are regulated by one or more sets of rules and regulations or standards as defined below.

All (one or more) sets of rules and regulations or standards which are being met by a "Foster Care Home" shall be indicated on one license to each "Foster Care Home".

2. Sets of Rules and Regulations for "Foster Care Home"

a. DAY CARE HOME - receives from one to four individual children for regular part time (less than 24 hours) care. Not more than two children (including own) under 2 years of age.

b. FAMILY FOSTER HOME - receives one to four children for regular full time care. No more than two infants under two years of age, unless they be of the same family.

c. RECEIVING HOME - care for daily average of not more than eight children per month, shall be licensed as "Family Foster Homes" and must comply with "Family Foster Home" standards. Children are not to remain in excess of sixty days in Receiving Homes.

B. CHILD CARE CENTER - "Child Care Center" means a facility, by whatever name known, which is maintained for the whole or part of a day for the care of five or more children under the age of sixteen years and not related to the owner, operator, or manager thereof, whether such facility is operated with or without compensation for such care, and with or without stated educational purposes. The term shall include facilities commonly known as "day care centers", "day nurseries", "nursery schools", "kindergartens", "pre-schools", "play groups", "day camps", "summer camps", "centers for mentally retarded children", and those facilities which give twenty-four hour care for dependent and neglected children; and shall include those facilities for children under the age of six years with stated educational purposes operated in conjunction with a public, private, or parochial college or a private or parochial school, except that the term shall not apply to any kindergarten maintained in connection with a public, private, or parochial elementary school system of at least six grades; provided further that the term "kindergarten" shall mean any facility providing an educational program for children only for the year preceding their entrance to the first grade, whether such facility is called a kindergarten, nursery school, pre-school, or by any other name. The term shall not include any facility licensed as a foster care home under the provisions of this article.

1. Licensing of Child Care Center - all facilities for children which come under the legal definition of a "Child Care Center" as stated in paragraph

I A (above) are regulated by one or more sets of rules and regulations or standards as defined below.

All (one or more) sets of rules and regulations or standards which are being met by a "Child Care Center" shall be indicated on one license to each "Child Care Center".

2. Sets of Rules and Regulations for Day Care facilities as specified under "Child Care Center"

a. CHILDREN'S CENTER - shall be known as a Center which is maintained for less than 24 hours per day for the care of ten or more children between the age of two-and-one-half and sixteen years. This term includes facilities commonly known as "day care centers", "day nurseries", "nursery schools", "pre-schools" and "play groups".

b. SMALL DAY CARE CENTERS - shall be known as a Center which is maintained for part of a day, but less than 24 hours per day for the care of up to ten children between the ages of two and sixteen years of age. This term includes facilities which are commonly known as "day care centers", "day nurseries", "nursery schools", "pre-schools" and "play groups".

c. INFANT NURSERY - an Infant Nursery is a facility which is maintained for less than 24 hours per day for the care of infants, birth through nine months of age.

d. TODDLER NURSERY - A Toddler Nursery is a facility which is maintained less than 24 hours per day for the care of children between the ages of ten months and two-and-one-half years.

e. PRIVATE KINDERGARTENS - shall include those facilities for children under the age of six years, but not under four and one-half years, with stated educational purposes and as specifically specified under I B "Child Care Center".

f. DAY CAMP - shall be known as a program or facility established for the purpose of providing an outdoor group living experience for children between five and sixteen years of age with social, recreational educational objectives, and which is operated four or more hours a day for three or more consecutive days during one or more seasons of the year. For Day Camps, a day is less than 24 hours per day.

g. CENTERS FOR MENTALLY RETARDED CHILDREN - mean facilities which offer specialized day programs for the education and training of mentally retarded children, ages three to sixteen, for not less than two hours per day.

(The Child Care Act vests licensing responsibility to 16 years of age. Programming for children 16 years and over is encouraged. Any community or facility applying for Federal monies shall comply with standards set by the state agency responsible for implementing Title II of law 88-164, Community Mental Health Center Act of 1963 (Federal Legislation.)

3. Sets of Rules and Regulations for Full Time twenty-four hour care as specified under "Child Care Center"

a. SUMMER CAMP - the term "Summer Camp" is understood to mean the program and facilities established for the purpose of providing outdoor group living experience for children who have completed the second

grade or are eight to sixteen years of age with social, recreational and educational objectives, for three or more consecutive 24-hour days during one or more seasons of the year.

b. SPECIALIZED GROUP HOME - is a facility established and supervised by a licensed, private child caring agency or a public agency under the supervision of the State Division of Children and Youth to accommodate up to 14 children ranging in age from five to twenty-one years. On a casework basis, an exception may be made for no more than one child under five years of age. The group home may be licensed for two children more than will be in the home on a regular basis if the regular basis is 12 or less, in order to allow flexibility for those children entering and leaving the home during transitional periods.

These facilities are for children whose special needs can best be met through a medium of a small group. The supervising agency shall define the purpose of the group home, the kinds of children who can benefit from the home, and the number and age range of children whom it can serve.

c. CHILDREN'S INSTITUTION - a children's institution is a child welfare facility providing 24-hour residential care for thirteen (13) or more children between three (3) and sixteen (16) years of age.

d. INSTITUTIONAL GROUP CARE - twenty-four hour group care of children from infancy to sixteen years of age, which does not fall under any of the above-listed definitions of facilities covered by the Child Care Center definition. AGENCY - provides twenty-four hour care.

C. CHILD PLACEMENT AGENCY - means any person whatsoever, partnership, association, firm, agency, institution, or person who arranges for placement for care, any child under the age of sixteen, or who arranges for placement for care, any child under the age of sixteen, any family, person or institution other than persons related to said child, that the natural parents or guardian of any child who places said child in a "Foster Care Home" or "Child Care Center" as defined by this section shall not be deemed to be a Child Placement Agency.

1. Licensing of Child Placement Agency - all facilities for children which come under the legal definition of a "Child Placement Agency" as stated in paragraph I C (above) are regulated by the set of rules and regulations or standards as defined below.

Child Placement Agency as the set of rules and regulations or standards which is being met shall be designated on the license.

2. Sets of Rules and Recommendations for Child Placement Agencies

D. SPECIFIC TERMS USED THROUGHOUT RULES AND REGULATIONS OR STANDARDS

1. DEPARTMENT - means the State Department of Public Welfare.

2. RULE - A Rule contains the word "shall" and is a requirement which must be met before a license may be granted. All rules are numbered or lettered.

3. CHILD CARE ACT - the law which was re-enacted by the 1967 Colorado State Legislature and sets the statutory provisions for licensing all children's facilities. It is contained in the Colorado Revised Statutes 1963 as repealed and re-enacted by the 1967 Legislature House Bill 1001, 119-8-1 et. seq. A copy of the Child Care Act is contained in the Appendix of all sets of Rules and Regulations or Standards.

II. LICENSING PROCEDURES FOR CHILD CARE CENTERS

The purpose of licensing is designed to assure the child's welfare when for any reason he is regularly cared for away from his parents and outside his own home. Child Care Centers may be operated by public or private community agencies, parent cooperatives or private owners.

A. APPLICATION - All inquiries should be directed to the Licensing Unit, Division of Children and Youth, Colorado State Department of Public Welfare, 1600 Sherman Street, Denver, Colorado 80203. Application for a license to operate a Child Care Center shall be submitted to the Department on the forms provided for that purpose by the Department. The fee as here listed shall be attached.

FEES:

- Public Centers operated by a unit of state or local government or supervised directly by a public agency..... \$1.00
- Voluntary centers operated by a non-profit organization under auspices of a social agency, settlement group, church, etc..... \$1.00
- Proprietary or commercial centers operated for the financial profit of the owner, operator, or manager..... \$5.00

B. RENEWAL

An application for a renewal license shall be submitted annually, forms being sent out by the Department.

C. APPROVAL OF OTHER DEPARTMENTS - No license for a Child Care Center shall be issued or renewed by the Department until the facilities to be operated by the applicant or licensee shall be approved by state or local departments of Public Health as conforming to the sanitary standards prescribed by said departments of Public Health under the provisions of section 66-1-7 (14) CRS 1963 and unless such facilities shall conform to fire prevention and protection requirements of local fire departments in the locality of the facility, or, in lieu thereof, of the Industrial Commission of Colorado.

D. ORIGINAL LICENSE - Initial license, provisional or regular, issued a new director or facility.

E. PROVISIONAL-NEW LICENSE - A Provisional-New license is granted to a new facility when fire and health officials have given the Department their approval in writing and the Department has given its approval, or in some instances, prior to any approvals. A letter giving specific explanation is always sent with this license.

The Provisional-New license is issued for a period of six months to permit observation of the program in operation.

F. REGULAR LICENSE

1. An original regular license is granted to any facility whenever fire and health officials have approved and the department has given its approval.

2. A regular renewal license is granted to any facility whenever fire and health officials have given the department their approval in writing and the department has given its approval.
3. The regular license expires one year from the date it is issued.

IT IS RECOMMENDED THAT YOU CHECK WITH YOUR LOCAL ZONING AND BUILDING CODE OFFICIALS FOR COMPLIANCE WITH THEIR REGULATIONS. NON-COMPLIANCE WITH ZONING AND BUILDING CODES WOULD GIVE REASON FOR THOSE AUTHORITIES TO CLOSE YOUR FACILITY.

G. PROVISIONAL LICENSE

A provisional license may be granted to a Child Care Center according to CRS 1963 chap. 22, as reenacted 1967, HB 1001 119-8-4 (3) for a period of six months for an original or renewal license, permitting it to operate if it is temporarily unable to conform to all minimum standards, upon proof by the applicant that definite attempts are being made to conform and comply with minimum requirements. Such provisional license may be renewed for six months' periods up to two years, at the discretion of the department.

H. DENIAL AND REVOCATION OF LICENSE

1. The department is responsible for the denial or revocation of a license at its discretion.
2. This action may be taken for failure to maintain required standards. Proper notification will be provided to any Child Care Center when such is contemplated.

I. APPEALS

Any Child Care Center whose license has been denied or revoked may appeal in accordance with procedure set out in Section 119-8-6 (3) of the Child Care Act (CRS 1963 chap. 22 as reenacted 1967 HB 1001)

J. PENALTY FOR VIOLATION

"Any person violating any provision of the Child Care Act or intentionally making any false statement or report to the department or to any agency delegated by the department to make an investigation or inspection under the provisions of this article shall be deemed to be guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars nor more than three hundred dollars." (CRS 1963 Chap. 22 as reenacted 1967 HB 1001, 119-8-12)

K. REPORTING CHANGES AND EVENTS TO THE DEPARTMENT

1. Changes may be contemplated which are related to and effect the foregoing details of the license as granted. Other happenings may occur by accident or fire. A Child Care Center may wish to go out of business or may wish to increase the facility to meet the larger demands of the community for service. Since these are all matters which have some

bearing on the license, they shall be reported to the department.

2. All Child Care Centers shall report in writing to the department immediately the following changes or events:
 - a. Change in name of licensee, owner or director.
 - b. Change in type of facility.
 - c. Change in location of the center.
 - d. Excess in number of children attending over the number authorized in the license.
 - e. Major changes in or additions to housing or use of rooms.
 - f. Major changes in services offered.
 - g. Termination of services.
 - h. Accidents requiring hospitalization or deaths.
 - i. Any Civil action taken against personnel directly involving the functioning of the center.

L. LICENSE INFORMATION

1. The license shall be posted in a conspicuous place in the center at all times.
2. The license shall indicate: name of licensee, owner or director, name and address of facility, number of children permitted at any one time, type of facility, type of license.

M. CORRECTED LICENSE

A license is automatically terminated and a new application is required whenever there is a change in the name of the licensee, owner or director, the type of facility, the location of the center, or when the Department grants a request for an increase in the number of children served at any one time.

N. STATISTICAL REPORTS

Statistical and other information shall be made available to licensing authorities or the Children's Bureau, HEW, when requested. This information may pertain to the number of children served, types of care given, staff number, roles, duties, and other factors that have a direct bearing or influence on the children.

III. ADMINISTRATION

Regardless of the type of organization, sponsorship or ownership, each center shall define in writing the types of service it offers to children and parents. The organization of every center must be such that the legal responsibility is clearly defined and administrative authority is specifically placed. In a private center, the director is responsible for the establishment and enforcement of policies and the operation of the center.

A. ADMISSIONS POLICIES

The infant, because of his individual needs, is best cared for in his own home. When this is not possible, a Day Care Home, which is licensed for four children with only two under two years of age is recommended.

When infants are cared for in an Infant Nursery, special consideration must be given to the following:

All infants need very individual, unhurried, loving care.

Each needs time to be cuddled, and receive adult attention. Affection can do much to strengthen an infant's security especially if he must be separated from mother for long periods.

No two babies are exactly alike. Each infant should be respected, loved and understood according to his individual personality.

Cooperative planning and good communication between the Nursery staff is essential in providing a consistent atmosphere and appropriate care for the infant.

1. The Infant Nursery shall discourage admitting an infant less than 1 month of age and shall not admit an infant over 10 months of age. An infant within this age group with special needs, which the nursery obviously cannot meet or whose presence would be undesirable, shall not be admitted to the nursery.
2. Admission policies of the Infant Nursery shall be clearly defined, formulated in writing and given to the applicants. They shall be commensurate with the needs of the infant and with the purpose of the program and shall include:
 - a. Admission policies as stated in A,2 shall be explained to the parents. Social, medical, and child development information shall be obtained from the parents which will determine whether the service will meet the needs of the infant and his parents.
 - b. Transportation: Parents, or persons legally responsible for the infant, shall provide transportation.
 - c. Authorization, arrival and departure schedule: A schedule for time of arrival at the nursery and hour of departure for home.
 - d. Interviews: Monthly interviews with parents shall be held by an appropriate, qualified member of the nursery staff in order that the parents may be kept advised of the infant's behavior, progress, and need for established community, social and health services. Notes of these conferences shall be kept on file.
3. The nursery shall be open for visits by parents and interested individuals. The nursery maintains the right to limit non-parents in the duration and frequency of visits.

B. ADVERTISING

1. Specialized services shall not be advertised unless the nursery has suitable facilities and staff members professionally qualified to offer such specific services.

2. A facility shall advertise and operate only as the type of facility for which it has been licensed.

C. INSURANCE

1. Each nursery shall carry public liability insurance for its own protection.
2. Each nursery shall comply with the Federal Social Security Act.
3. Each nursery should carry Workman's Compensation Insurance. (Consult the Industrial Commission)

D. FINANCIAL PLAN

There shall be sufficient funds at all times to insure good care and guidance of children, and sufficient funds to insure continuous operation in accordance with the rules and regulations.

E. DAILY ATTENDANCE RECORDS

A daily record shall be maintained of the total number of infants cared for at the nursery and shall be readily available to authorized personnel from the Department.

F. STATISTICAL REPORT

Nurseries shall submit statistical reports as requested by the Department.

G. FEES

1. Fees charged for infant care by community or tax supported nurseries shall be related both to the actual cost of operation and to potential income from parents.
2. The director, owner, operator or governing board or the privately owned nursery shall determine the fee schedule.

IV. PERSONNEL

A. GENERAL REQUIREMENTS

1. All personnel caring for infants in all nurseries shall have a genuine liking for children, good physical and mental health, and have high standards of personal behavior.

2. Personnel Health Qualifications.

- a. All personnel, including the director, must obtain, prior to the time of employment and every year thereafter, a doctor's statement that they are free from any evidence of illness, mental or physical, which might conflict with the infant's interests. The department shall have the right to request a psychiatric or psychological evaluation from a qualified mental health clinic of the department's choice.
- b. All personnel, including the director, shall have an annual report of a chest X-ray or tuberculin test which has been interpreted and shows no evidence of active tuberculosis.

- c. No personnel with evidence of infection shall be permitted to be on duty.
3. All personnel shall have a current advanced First Aid Certificate.
4. Personnel Records
 - a. Confidentiality of records shall be maintained.
 - b. There shall be maintained a record of each employee which shall include:

Name, address, age, training, education, experience and other qualifications; physical examination at the time of employment and subsequent annual examinations; names and telephone numbers of persons to be notified in event of an emergency.
 - c. Personnel and character references on all staff members shall be made available upon request to the authorized licensing personnel from the department.
5. These current records shall be kept at the nursery for as long as the individual is a member of the staff.

B. DIRECTOR QUALIFICATIONS

1. The director shall meet general personnel requirements IV A.
2. The director of each nursery shall be the person responsible for the infants and the facility. She shall have the quality of experience necessary to assist her in the care of infants and in administering a program which will meet the individual needs of each infant.
3. The director or a full time staff member shall be a licensed registered nurse.
4. The director shall have had a minimum of three years previous satisfactory experience in the group care of children.
5. In addition to meeting the above-stated requirements, a person who is director must complete a minimum of 24 semester hours or equivalent number of quarter hours of credit in courses dealing with child development, the nursery school child, child psychology and related subjects, or pass an examination on the contents of these courses within five years of the promulgation of these rules.
6. The director shall be responsible for maintaining minimum standards for the care of infants and for continuing operation and reputable conduct of the nursery.
7. In the absence of the director, an equally qualified responsible adult shall be appointed to carry out the program.
8. It shall be the responsibility of the director to employ staff members who are qualified by character, temperament, training, and experience to carry out a satisfactory program of infant care.

9. Persons applying for an initial license after May 1, 1972, shall be graduates of an accredited four-year college or university, with a major in early childhood education or nursing, plus one year of satisfactory previous experience in a facility which provides group care for children.

C. OTHER PERSONNEL

1. Other personnel shall meet the General Personnel Requirements IV A.
2. They shall have a minimum of 6 semester hours of child development or related courses, or equivalent experience as determined by the department.
3. When the director is not a Registered Nurse, a full-time staff member shall be a Registered Nurse.

D. SERVICE PERSONNEL

1. Service personnel shall meet general personnel requirements IV A.
2. Service personnel shall be available for housekeeping and food preparation as needed to maintain minimum standards.

E. PERSONNEL REQUIRED

1. Each infant nursery shall have a qualified director who is a Registered Nurse, or a qualified director and a Registered Nurse.
2. Each infant nursery shall have qualified staff as listed under IV C.
3. Proper provisions shall be made for a sufficient number of staff members with appropriate qualifications to carry out the program of the nursery according to the least minimum requirements, and to insure that the building is maintained in a safe and clean manner.
4. In no instance shall a nursery operate with less than two staff members, one of whom shall be free of other responsibilities while in charge of the infants.
5. The nursery shall provide qualified staff to replace members who are on sick leave or vacation.
6. A responsible adult shall always be available to substitute for a regularly assigned staff member in charge of a group of infants. Such person shall be on duty when the regularly assigned staff member is away from the group, for no matter how short a period of time, whether indoors or out.

V. INFANT STAFF RATIO

1. Each Infant Nursery shall maintain a staff ratio of one qualified staff member to each five (5) infants in attendance.
2. Infants of the director, or staff members, who attend the nursery or are on the premises for supervision and care, shall meet admission qualifications and shall be counted in the number of infants specified in the license.
3. Infants who are in attendance for only part of the day are counted only while in the nursery in determining staff requirements.

VI. HOUSING

A. LOCATION

1. No nursery shall be located where any conditions exist that would be injurious to the physical or moral welfare of the infants.
2. No nursery shall be located in a private family residence unless that portion of the residence to which infants have access is used exclusively for the infants during the hours the nursery is in operation or is separate from the usual living quarters of the family. If possible a separate building shall be acquired to house the nursery.
3. No other business enterprises shall be housed on the same premises during the hours of infant care.

B. CONSTRUCTION

1. The nursery shall be designed for the protection and well-being of infants and staff.
2. All floors shall have a smooth, tight washable surface and shall not be splintered, sagged, warped or cracked. Floors shall be free of openings, drafts and dampness. Carpeting shall be properly cleaned and maintained.
3. Walls shall be constructed of smooth, cleanable material and be in sound condition free from holes.
4. At least two exit doors shall be provided from each floor. These doors shall open in the direction of exit travel.
5. Aisles shall be kept free from obstacles at all times. Fire doors shall be provided with panic release hardware when required by the State Industrial Commission or local fire department.

C. HEAT, LIGHT VENTILATION, PLUMBING

1. There shall be suitable housing which provides light, heat, ventilation, plumbing, garbage disposal and rooms conforming in construction, safety and sanitary precautions to the regulations of the State Health Department, Industrial Commission, and local fire and health regulations.

Note: It is recommended that you check with your local zoning and building code officials since with a new facility, zoning and building codes would have the right to close your facility.

2. Areas used by the infants shall be heated when the temperature falls below 63 degrees F., so that a temperature of 63-72 degrees F. within two feet of the floor is maintained.
3. Adjustable shades or curtains shall be provided and used for protection from glare and to promote an atmosphere conducive to sleep. When natural light is insufficient, it shall be supplemented by artificial light, properly diffused and distributed so that adequate light is available at all times in rooms, halls, and stairways.

4. All rooms shall be adequately ventilated, without drafts, by means of windows, that can be opened or by an air-conditioning or ventilating system.
5. All windows, doors, ventilators and other outside openings shall be protected against insects with securely fastened screening, as the season requires.
6. An adequate water supply of a safe, sanitary quality shall be obtained from a water source or system approved by the State Board of Health.
7. Radiators, registers, steam and hotwater pipes and electrical outlets shall have protective covering or insulation for the protection of infants.
8. Open grate gas heaters, open fireplaces, electric heaters or other portable heaters, shall not be used by the center to heat space used by infants.
9. If combustion space heaters are used, they shall be installed with permanent connections and protectors and vented to the outside for air intake and exhaust of fumes.

D. ISOLATION QUARTERS

1. There shall be a separate room suitable for the isolation of infants who are suspected of illness. There shall be one crib for every twenty (20) or less cribs maintained in the nursery. Forty (40) square feet of floor space shall be allotted for each crib. If more than one infant is placed in the isolation room, a partitioned arrangement shall be provided.

E. OFFICE SPACE

1. Office space separated from the areas used by the infants shall be provided for interviewing, conferences, making and keeping records and the handling of business.
2. Space and equipment shall be adequate for the administrative and staff needs of the nursery.
3. The nursery shall be equipped with telephone service.

F. MAINTENANCE SAFETY

1. All rooms, premises, and furniture shall be kept in a clean, neat and sanitary condition and in good repair at all times.
2. Rooms shall not be cleaned while occupied by infants. Dry sweeping and dusting shall be prohibited.
3. All garbage and trash shall be kept in tight, easily cleanable receptacles which are covered with close-fitting lids while pending removal, and shall be removed from the premises as frequently as necessary.
4. All furnace rooms and equipment such as fire extinguishers, wiring, gas equipment, appliances, fire escapes, exit signs, and storage of flammable

materials shall be determined and approved by the local fire department or State Industrial Commission.

5. Fire hazards and combustible materials such as paper, rags, and excelsior shall not be permitted to accumulate upon the premises.
6. All corrosive agents, insecticides, rodenticides, weedicides, herbicides, bleaches, detergents, polishes, items containing petroleum products, any product which is under pressure in an aerosol dispensing can, drugs or any other substances which may be toxic to a child if ingested, inhaled or handled (skin contact) shall be stored in a locked cabinet or enclosure located in an area not occupied by infants.
 - a. Surfaces or items that infants come in contact with shall not be painted with paint containing lead. This includes outer surfaces of buildings, fences and play equipment.
 - b. All areas, surfaces and items which infants may come in contact with shall be free of any residual pesticides.
7. Hazardous items such as firearms, explosives, plastic bags, sharp tools or instruments, etc. shall not be stored in the toddler nursery.
8. Rooms used by the infants shall not be equipped with open or unguarded stairwells, windows which present a hazard from falling, unsafely located or constructed electrical outlets, any glass items which may be broken and cause injury, etc., and elevators or other vertical shafts.
9. Premises shall be free of all safety hazards such as old refrigerators with doors, unprotected walls, cisterns, grease traps, etc., unsafe fences (one in which infants can be caught or strangled), unsafely constructed or worn and hazardous play equipment.
10. The premises shall be free of stray or unvaccinated (rabies) dogs, cats, skunks, or other animals which may cause injury or disease to the infant.
11. All windows and outside doors that are hazardous to children shall be equipped with screens or guards, which shall be attached in such a way that they may either be removed from the outside, or broken in from the outside in case of fire.

VII. SPACE REQUIREMENTS

A. INDOOR SPACE

1. The sleeping room or rooms must be in addition to and separate from the play rooms. Sleeping rooms shall be properly heated, ventilated and lighted. There shall be adequate fresh air, and the rooms shall have outside exposure, with tightly screened windows. Infants shall be protected from direct light and draft. In each sleeping room a thermometer shall be hung on an inside wall at the level of a crib and away from a heater or an area where the sun shines directly. The required minimum day-time temperature shall be 63-72 degrees F.

2. Individual cribs shall be at least three feet apart and there must be a minimum of 30 square feet for each crib in the sleeping room. (35 to 40 square feet per child is encouraged in all new construction.) Cribs shall not be placed against an outside wall. Each crib shall be of safe construction and have a firm, comfortable mattress, and heavy plastic sheeting. Bed linen shall be changed daily and kept in a sanitary condition at all times, regardless of the number of changes of linen necessary. Each room shall be designed to hold not more than ten (10) cribs. Hand washing facilities shall be conveniently located in or adjoining the crib rooms, and the attendant's hands shall be washed before and after caring for each infant. All rooms having five (5) or more children shall have two exits.

A NEW FACILITY IS DEFINED AS A BUILDING THAT HAS NEVER BEEN LICENSED OR A PREVIOUSLY LICENSED FACILITY WITH A NEW DIRECTOR.

3. Playrooms, separate from the crib room, shall be well ventilated and contain a minimum of twenty square feet per child. There shall not be less than two hundred twenty-five (225) square feet of space for eleven (11) or less infants.
4. Sufficient storage for clothes and other items shall be provided for each infant.
5. Convenient and adequate storage space shall be provided for all equipment.
6. Separate play facilities shall be provided for school age children when an Infant Nursery is connected with a Toddler Nursery, Children's Center, Small Day Care Center or Kindergarten. This shall be determined by the Center in consultation with the department.
7. Bathroom facilities shall be provided for staff.
8. Adequate provision shall be provided for rinsing diapers. (In new construction a flush sink shall be installed for this purpose.)

B. OUTDOOR SPACE

1. When outdoor space is used, adequate supervision shall be provided.
2. The outdoor area shall be fenced and free from hazards which might be dangerous to the health or life of the infants. It shall be free from unprotected wells, pools, cesspools, broken glass and other debris and inflammable material and shall be well drained. It shall be separate from area used by older children.
3. No wading or swimming pools shall be permitted.
4. The play area shall be designed so that all parts are visible and easily supervised.
5. Adequate protection against insects shall be provided.
6. When the infant is placed on the ground in the play yard, that area shall be grassed.
7. Provision shall be made for both sunny and shady outdoor play space.

C. REQUIRED EQUIPMENT

1. Equipment, materials and furnishings of the center shall be of sturdy, safe construction, easy to clean, and free from hazards which might be dangerous to the life or health of the children, whether for indoor or outdoor use; they shall be kept clean and in good safe condition, free of sharp points or corners, splinters, protruding nails, loose rusty parts, or paint which contains lead or other poisonous materials.
2. Individual equipment shall be provided for each infant, including wash basin, towels, washcloth, soap, etc. There shall be a covered sanitary container for diapers in the nursery. Removable liners for diaper pails are recommended. A linen hamper with removable bag for soiled linens other than diapers shall be provided, and a covered container for waste.
3. An adequate number of feeding tables equipped with a harness or high chairs with a broad base and a harness for securing the child, shall be provided.
4. The Infant Nursery shall provide one crib per child of not less than 2½' x 5' of sturdy, safe construction.
5. The Infant Nursery shall provide play pens, jump chairs and adult rocking chairs. The play pens shall be movable and raised at least six inches from the floor in order to avoid drafts.
6. Some play equipment from the following recommended list shall be provided; Cradle gyms, mobiles, rubber washable toys, rattles, blocks, balls, and a phonograph.

VIII. HEALTH PROGRAM

The infant receives much of his security and sense of well-being through gentle, unhurried handling, prompt satisfaction of his physical needs and loving adult attention.

No cry of an infant should go unheeded. If the infant cries in less than two hours after feeding, water or other comfort measures could be offered.

The feeding of the infant should be done in a calm and relaxed atmosphere.

As the sleep pattern of the infant changes, increased adult attention is necessary. Play for the infant should encompass talk, singing, interesting pictures, and the opportunity to watch adults.

A. THE PRE ADMISSION HEALTH EXAMINATION

1. Prior to admission, the parent shall present a medical statement signed by a doctor certifying that the infant has no abnormality or illness that would make admission undesirable.
2. Immunization for D. P. T. and polio shall be completed or in process unless any or all of these immunizations are contraindicated because of religious objection or medical explanation for non-compliance.

3. Admission of infants on a drop-in basis shall not be practiced. The occasional acceptance of an infant for a day or part of the day in exceptional instances shall only be done if a statement signed by a doctor certifying the child is free from illness is presented when the infant is entered.

B. PERIODIC HEALTH EXAMINATIONS

1. Health examinations of infants, the same as required on admission, shall be repeated every three (3) months and whenever the director shall have reason to suspect that an infant participating in the program may have a condition hazardous or potentially hazardous to others, or finds that the infant's general condition indicates the need for such examination,
2. The admission of infants with special problems shall be encouraged when the staff is qualified and has the understanding of the needs of the infant with special problems.

C. CONTROL OF COMMUNICABLE AND INFECTIOUS DISEASES

1. Each infant shall be inspected daily by a member of the staff for evidence of illness or contagion. The infant shall not be permitted to the group if he shows signs or symptoms of a communicable or infectious disease.
2. When communicable or infectious diseases occur, parents and staff members shall be notified.
3. The director shall request parents to report any exposure to communicable diseases outside of the nursery.
4. A written record shall be kept of all injuries and illnesses and subsequent treatment which any infant receives at the nursery. (See suggested health record in Appendix).

D. ISOLATION

1. Infants who are sick upon arrival shall not be admitted to the Infant Nursery.
2. Those who are suspected of being ill or become ill during the day shall be isolated from the group immediately and kept in isolation and under direct supervision and continuous observation of a staff member or volunteer until they can be taken home or suitably cared for elsewhere.
3. To provide for isolation of an infant, a crib shall be furnished with adequate bedding that can be properly washed with hot, soapy water together with suitable toys that can be washed.
4. All items used by the sick infant shall not be used by any other infant until they have been properly washed.
5. Staff members and other persons with an illness in a communicable stage shall not be permitted to have contact with the infants in the nursery nor permitted to work in a capacity where illness could be transmitted to the infants.

6. Consultation with the local Health Department shall be sought when clarification of procedures is required.

E. ACCIDENTS AND SUDDEN ILLNESS

1. When accidents or illnesses occur, the director or responsible adult in charge shall notify the parent or guardian of the infant or call the doctor or medical facility as instructed in writing by the parent or guardian. (See suggested Health Record in Appendix).
2. First Aid equipment shall be maintained and properly stored not accessible to children.

The First Aid equipment shall be the 16 unit or 24 unit First Aid Kit described and recommended in the American Red Cross First Aid Manual, Fourth Edition, pp 138 and 139 or comparable kit.

3. A written record shall be kept of all injuries, illnesses and subsequent treatment which any infant receives at the nursery. (See suggested Health Records in Appendix).
4. The nursery shall have a telephone and a readily available list of telephone numbers to call in emergencies, including the numbers of parents, pediatrician or physician, Fire and Police Departments and ambulance service.
5. Plans shall be made for the protection of the children in the event of natural disaster or enemy attack, in conformity with plans established for the locality by the office of Civil Defense.

F. PHYSICAL CARE

1. Short-sleeved scrub dresses or gowns shall be worn in the nursery. Hands shall be washed before and after each handling of an infant. Hands and arms to the elbow shall be washed at the beginning of each shift. Dial or other hexachlorophene soaps shall be used.
2. All infants shall be under the direct supervision of a responsible staff member at all times, for the safety and well-being of the infants.
3. Punishment for the infant is unnecessary and not to be permitted. The cries of an infant shall be investigated.
4. Individual cuddling of the infant during waking hours shall be encouraged.

G. PERSONAL HYGIENE

1. Each infant shall be provided with two wash cloths. One for washing the infant prior to diapering, one for face washing, and an individual towel. If disposable towels are used, they shall be the soft absorbent type. All toilet articles shall be identified and separated as to each infant and kept in a sanitary condition.
2. Wet or soiled clothing shall be changed promptly. The Infant Nursery shall provide a sufficient supply of clean clothing for emergency use.

3. A sufficient supply of clean, dry diapers shall be available and diapers shall be changed as frequently as needed. Care shall be taken to keep safety pins out of the reach of infants.
4. When changing diapers each infant shall be washed and dried using his individual equipment.
5. Soiled diapers shall be immediately rinsed and placed in plastic bags or plastic lined, covered containers.

H. MEDICATION

1. The giving or application of medication, providing dietary supplements, making special variations of diet, and carrying out special medical procedures, shall be done only on written order or prescription from a doctor to the parents or nursery.
2. Medications prescribed for an individual infant shall be kept in the original container bearing the original pharmacy label, which shows the prescription number, date filled, doctor's name, directions for use and the infant's name. When no longer needed, medication shall be returned to parents or destroyed.
3. Medications shall be kept out of reach of infants.

I. FEEDING THE INFANT

1. The Infant Nursery kitchen shall be clean and provide adequate separate refrigeration for formulas and food. Food for the infants should be kept separate from other foodstuffs and stored in their original container.
2. The Infant Nursery shall provide all infants' food other than formula.
3. Infant formula shall be provided in one of the following ways.
 - a. The Infant Nursery may keep a supply of commercially prepared formula.
 - b. The Infant Nursery may require the parents to provide a day's supply of sterilized bottles of formula which shall be refrigerated until used. Each bottle shall be labeled with the infant's name. When this method is used, all bottles shall be thoroughly rinsed when empty.
 - c. Hands shall be scrubbed with brush, dial or other hexachlorophene soap, and running water before preparing the formula.
 - d. A clean apron shall be reserved for preparing the formula.
 - e. The Infant Nursery may prepare the formula. If the Infant Nursery prepares the formula, one of the following sterilization methods shall be used.

Terminal Method:

After nipping and capping each individual bottle, the assembled units shall be subjected to a terminal heating process under

pressurized steam at 230 degrees F. for 10 minutes. Each bottle of prepared formula shall be labeled with the name of the infant.

Non-pressure Method:

After nipping and capping each individual bottle, the assembled units shall be subjected to the non-pressure method of steam or water at 212 degrees F. for 25 minutes. Each bottle of prepared formula shall be labeled with the name of the infant.

4. Hands shall be washed before feeding the infant.
5. Infants shall be individually fed solid food as directed by the physician or parents. This food should be offered before the formula.
6. All infants shall be held for bottle feeding, adhering to their own individual feeding schedule.
7. No bottles shall be propped at any time.

IX. TRANSPORTATION

Parents or persons legally responsible for the child shall provide transportation.

X. RECORD KEEPING

A. INFANTS' RECORDS

Identification and responsibility data as well as medical reports and progress reports on each infant's social, emotional and physical development shall be maintained. Confidentiality of records shall be maintained.

The following shall be included:

1. Infant's name and birthdate.
2. Dates of admission and discharge.
3. Parent's or guardian's names, addresses, telephone numbers.
4. Parent's or guardian's places of employment, telephone numbers and addresses.
5. Name, address, telephone number of a responsible person for emergency contact.
6. Name, address and telephone number of infant's doctor.
7. Name, address and telephone number of family dentist.
8. Names of persons designated to call for infant.
9. Written authorization from parents for emergency medical care.
10. Written record of immunizations shall be kept current and up-to-date.

11. Pre admission and quarterly medical certificates signed by a doctor.
12. Daily attendance record.
13. Names, ages and sex of other children in family.
14. Other adults in family (list relationship to child).
15. A two month summary of the infant's adjustment, progress and plans for a continuing program adapted to his individual needs, and a brief summary of parent conferences shall be on file.
16. Records of injury and illness for each child should be kept until that child's 22nd birthday.
17. Copies of letters sent to Licensing Unit reporting serious injury or illnesses requiring hospitalization, or deaths. See Fatality and Hospitalization Statement, Page 26, Section XII.
18. Any civil action taken against personnel directly involving the functioning of the nursery.
19. Any other specific information required by the department.

B. PERSONNEL RECORDS

See Personnel Section

C. HEALTH RECORDS

See Health Section and Appendix.

XII. FATALITY AND HOSPITALIZATION STATEMENT

All facilities which are licensed or certified by the Colorado Department of Public Welfare shall report in writing any fatality of a child under the supervision of the facility and any serious injury or illness of a child requiring in-patient hospitalization. This report shall be submitted to the Licensing Unit of the State Department of Public Welfare within forty-eight (48) hours of the fatality or hospitalization.

A sample reporting form for fatalities or hospitalizations is contained in the appendix.

APPENDIX I

CHILD CARE ACT
COLORADO REVISED STATUTES
1963 as amended 1967
119-8-1 through 119-8-12

119-8-1. Title.--This article shall be known and may be cited as the "Child Care Act".

119-8-2. Definitions--(1) For the purposes of and as used in this article, unless the context otherwise requires:

(2) "Foster care home" means a facility for child care in a place of residence of a family, person, or persons, for the purpose of providing family care and training for a child or children under the age of sixteen years who are not related to the head of such home. The term includes any home receiving a child or children for regular part-time or regular full-time care, and any home receiving a child or children from any state-operated institution for child care or from any child placement agency as defined in subsection (4) of this section.

(3) "Child care center" means a facility, by whatever name known, which is maintained for the whole or part of a day for the care of five or more children under the age of sixteen years and not related to the owner, operator, or manager thereof, whether such facility is operated with or without compensation for such care, and with or without stated educational purposes. The term shall include facilities commonly known as "day care centers", "day nurseries", "nursery schools", "kindergartens", "preschools", "play groups", "day camps", "summer camps", "center for mentally retarded children" and those facilities which give twenty-four hours care for dependent and neglected children; and shall include those facilities for children under the age of six years with stated educational purposes operated in conjunction with a public, private, or parochial college or a private or parochial school, except that the term shall not apply to any kindergarten maintained in connection with a public, private, or parochial elementary school system of at least six grades; further, the term "kindergarten" shall mean any facility providing an educational program for children only for the year preceding their entrance to the first grade, whether such facility is called a kindergarten, nursery school, pre-school, or by any other name. The term shall not include any facility licensed as a foster care home under the provisions of this article.

(4) "Child placement agency" means any corporation, partnership, association, firm, agency, institution, or person whatsoever who places or who arranges for placement for care, any child under the age of sixteen years with any family, person, or institution other than persons related to said child; but the natural parents or guardian of any child who places said child for care with any facility licensed as a "foster care home" or "child care center" as defined by this section shall not be deemed to be a child placement agency.

(5) "Person" shall include any corporation, partnership, association, firm, agency, or institution.

(6) "Department" means the state department of public welfare.

(7) "Related" means any of the following relationships by blood, marriage, or adoption: Parent grandparent, brother, sister, stepparent, stepbrother, stepsister, uncle, aunt, niece, nephew, or cousin.

(8) "Guardian" means the guardian of the person of a minor.

119-8-3. Application of article.--(1) (a) This article shall not apply to:

(b) Special schools or classes operated primarily for religious instruction;

(c) Hospitals and maternity homes licensed by the state department of public health under the provisions of section 66-1-7 (13) (a) and (b), C.R.S. 1963, as amended;

(d) Facilities operated in connection with a church, shopping center, business, or establishment where children are cared for during short periods of time while parents or persons in charge of such children are attending church services, shopping, or engaging in other activities during such periods;

(e) Occasional care of children with or without compensation therefor;

(f) The care of a child or children by a person in his or her private dwelling, when the parent, guardian, or other person having legal custody of such child or children gives his or her consent in writing to such care;

(g) Juvenile courts.

119-8-4. Licenses.--(1) No person shall operate a foster care home or a child care center without first being licensed to operate such home or center by the department, and paying the fee prescribed therefor; but a person operating a foster care home need not obtain a license if such person holds a certificate to operate such home from a child placement agency licensed under the provisions of this article. Said certificate shall be in such form as shall be prescribed and provided by the department, shall certify that such person is a suitable person to operate a home, and shall contain such information as the department shall require. A placement agency issuing or renewing any such certificate shall transmit a copy or report thereof to the department. No foster care home shall be certified by more than one placement agency. A foster care home, when certified by a placement agency, may receive for care, a child or children from sources other than the certifying agency, upon the written consent and approval of the agency as to each such child. All such certificates shall be considered licenses for the purpose of this article.

(2) No person shall receive or accept a child under sixteen years of age for placement, or place any child either temporarily or permanently in a home, other than with persons related to the child, without first obtaining a license as a child placement agency from the department, and paying the fee prescribed therefor.

(3) A provisional license for a period of six months may be issued to an applicant for an original or renewal license, permitting him to operate a foster care home or child care center if he is temporarily unable to conform to all minimum standards required under this article, upon proof by the applicant that

attempts are being made to so conform or to comply with any other requirements. Such provisional license may be renewed for six months' periods up to two years, in the discretion of the department.

(4) No license for a child care center shall be issued or renewed by the department until the facilities to be operated by the applicant or licensee shall be approved by the state department of public health as conforming to the sanitary standards prescribed by said department under the provisions of section 66-1-7 (14), C.R.S. 1963; and unless such facilities shall conform to fire prevention and protection requirements of local fire departments in the locality of the facility, or, in lieu thereof, of the industrial commission of Colorado.

119-8-5. Fees.--(1) (a) Fees for original licenses and renewal of licenses shall be as follows:

- (b) Foster care home (excluding homes certified by child placement agencies)..... \$ 5.00
- (c) Child care centers:
 - Public centers operated by a unit of state or local government or supervised directly by a public agency..... 1.00
 - Voluntary centers operated by a nonprofit organization under auspices of a social agency, settlement group, church, etc..... 1.00
 - Proprietary or commercial centers operated for the financial profit of the owner, operator, or manager..... 5.00
- (d) Child placement agencies..... 5.00

(2) The above fees shall be paid when application is made for any original or renewal license, and shall not be subject to refund if the application is denied. Applications for original or renewal licenses shall be made on forms prescribed by the department, and each completed application shall set forth such information as required by the department. All such licenses shall continue in force for one year from the date of issuance unless sooner revoked.

(3) Nothing in this section shall prevent any city or city and county from imposing additional fees to those specified under this section, but any applicant or licensee required to pay any additional fee so imposed shall be given a credit against the fee imposed by this section in the amount of the local fee so paid.

119-8-6. Standards for facilities and agencies.--(1) The department shall prescribe and publish minimum standards for licensing. Such standards shall be applicable to the various types of facilities and agencies for child care regulated and licensed by this article. The department shall seek the advice and assistance of persons representative of the various types of child care facilities and agencies in establishing such standards. Such standards shall be established by rules of the department, and such rules shall be issued and published only in conformity with the provisions and procedures specified in article 16 of chapter 3, C.R.S. 1963, and shall become effective only as provided in said article 16.

(2) (a) Standards prescribed by such rules shall be restricted to:

- (b) The operation and conduct of the facility or agency and the responsibility it assumes for child care;
- (c) The character, suitability, and qualifications of the applicant for a license, either original or renewal, and of other persons directly responsible for the care and welfare of children served;
- (d) The general financial ability and competence of the applicant for a license, either original or renewal, to provide necessary care for children and to maintain prescribed standards;
- (e) The number of individuals or staff required to insure adequate supervision and care of children served;
- (f) The appropriateness, safety, cleanliness, and general adequacy of the premises, including maintenance of adequate fire protection and prevention and health standards in conformance with state laws and municipal ordinances, to provide for the physical comfort, care, well-being, and safety of children served;
- (g) Keeping of records for food, clothing, equipment, and individual supplies;
- (h) Provisions to safeguard the legal rights of children served;
- (i) Maintenance of records pertaining to the admission, progress, health, and discharge of children;
- (j) Filing of reports with the department; and
- (k) Discipline of children.

(3) Any person licensed to operate a child care facility or agency under the provisions of this article, shall have the right to appeal any standard or standards which, in his opinion, work an undue hardship or when, in his opinion, a standard or standards have been too stringently applied by representatives of the department. Upon such appeal, the department shall designate a panel of three persons representing the department of institutions, the department of education, and the state department of public health, to hear such appeal and to make recommendations to the department.

119-8-7. Investigations and inspections--local authority--reports.--(1) The department shall investigate and pass on each original application and each annual renewal application for a license, and when it is satisfied that the applicant or licensee is competent and will operate adequate facilities to care for children under the requirements of this article and that minimum standards are being met and will be complied with, it shall issue a license for which applied. The department shall inspect or cause to be inspected the facilities to be operated by an applicant for an original license before the license shall be granted, and shall annually thereafter inspect or cause to be inspected the facilities of all licensees.

(2) The department may authorize any county department of public welfare, or the department of welfare or health of any city and county, to investigate and inspect the facilities to be licensed or licensed under this article, and may accept reports on such investigations and inspections from such local public agencies as a basis for such licensing. A city or city and county may impose

and enforce higher standards and requirements for facilities licensed under this article than the minimum standards and requirements specified under this article.

(3) Every facility licensed under this article shall keep and maintain such records as the department may prescribe pertaining to the admission, progress, health, and discharge of children under the care of the facility, and shall report relative thereto to the department whenever called for, upon forms prescribed by the department. All records regarding children and all facts learned about children and their relatives shall be deemed confidential both by the facility and the department.

119-8-8. Denial of original license--suspension, revocation, probation, or refusal to renew license.--(1) When an application for an original license has

been denied by the department, the department shall notify the applicant in writing of such denial, by mailing a notice to him at the address shown on his application. Any applicant believing himself aggrieved by such denial, may pursue the remedy for review as provided in subsection (3) of this section, if he shall, within thirty days after receiving such notice, petition the department to set a date and place for hearing, affording him an opportunity to be heard in person or by counsel. All hearings on the denial of original licenses shall be conducted in conformity with the provisions and procedures specified in article 16 of chapter 3, C.R.S. 1963, as in the case of the suspension and revocation of licenses.

(2) (a) The department may suspend, revoke, make probationary, or refuse to renew the license of any facility regulated and licensed under this article should the licensee:

(b) Be convicted of any offense involving moral turpitude, the record of conviction being conclusive evidence thereof;

(c) Be legally adjudicated insane or mentally incompetent, the record of such adjudication being conclusive evidence thereof;

(d) Use any narcotic or any alcoholic beverage to an extent or in a manner that such use impairs his ability to properly care for children;

(e) Consistently fail to maintain standards prescribed and published by the department;

(f) Furnish or make any misleading or any false statement or report to the department;

(g) Refuse to submit to the department any reports or refuse to make available to the department any records required by it in making investigation of the facility for licensing purposes;

(h) Fail or refuse to submit to an investigation or inspection by the department or to admit authorized representatives of the department at any reasonable time for the purpose of investigation or inspection;

(i) Fail to provide, maintain, equip, and keep in safe and sanitary condition premises established or used for child care pursuant to minimum standards prescribed by the department of public health or by ordinances or regulations applicable to the location of such facility;

(j) Willfully or deliberately violate any of the provisions of this article;

(k) Fail to maintain financial resources adequate for the satisfactory care of children served in regard to upkeep of premises and provision for personal care, medical services, clothing, and other essentials in the proper care of children.

(3) The department shall suspend, revoke, or refuse to renew a license only in conformity with the provisions and procedures specified in article 16 of chapter 3, C.R.S. 1963, and after a hearing thereon as provided in said article 16. In any such hearing a board of review, consisting of the director of public welfare or his representative, the director of the division of children and youth, and the official of the department charged with the direct administration of this article, shall preside. No such hearing shall prevent or delay any injunctive proceedings instituted under the provisions of section 119-8-11 of this article.

119-8-9. Advisory committee--institutes.--(1) (a) There is hereby created an advisory committee to advise and consult with the department in the administration and enforcement of this article. Said committee shall consist of eleven members to be appointed by the governor for terms of three years, except that of the members first appointed, four shall be appointed for three years, four for two years, and three for one year. Thereafter members shall be appointed for terms of three years except in the case of a vacancy which shall be filled for the remainder of the unexpired term. No member shall be appointed to succeed himself.

(b) The members of the advisory committee shall serve without compensation, but shall be entitled to their reasonable traveling expenses incurred in the performance of their duties, which shall be paid as a part of the expenses of administering this article.

(c) The committee shall consist of five members from among the licensees licensed under the provisions of this article, and one member representing the department, one member representing the department of public health, one member representing the department of education, one member representing the department of institutions, and two members at large who are not licensees under this article or representatives of the aforementioned departments, but who are persons of known interest in child welfare.

(d) A majority of the members of the committee shall constitute a quorum, the presence of which at any meeting thereof duly called by the department shall have full and complete power to act upon and resolve in the name of the committee any matter or question referred to it by the department. The committee shall, as soon after appointment as practicable, elect from among its members a chairman, vice-chairman, and secretary, who shall hold office until their successors are elected. The chairman shall preside at all meetings of the committee and the secretary shall make a record of the proceedings thereof which shall be preserved in the office of the department. All members of the committee shall be entitled to vote on any matter or question which properly comes before it.

(2) The department is authorized to hold institutes and programs for licensees under this article, in order to assist in the improvement of standards and practices of facilities operated and maintained by licensees, and in the

more efficient and practical administration and enforcement of this article. In conducting such institutes and programs, the department may request the assistance of public health, education, and fire safety officials.

119-8-10. Acceptance of federal grants.--The department is authorized to accept, on behalf of the state, any grants of federal funds made available for any purposes consistent with the provisions of this article. The director of the department, with the approval of the governor, shall have power to direct the disposition of any such grants so accepted in conformity with the terms and conditions under which given.

119-8-11. Injunctive proceedings.--The department may, in the name of the people of the state of Colorado, through the attorney general of the state, apply for an injunction in any court of competent jurisdiction to enjoin any person from operating any facility without a license which is required to be licensed under this article. If it is established that the defendant has been or is so operating such facility, the court shall enter a decree enjoining said defendant from further operating such facility unless and until he shall obtain a license therefor. In case of violation of any injunction issued under the provisions of this section, the court, or any judge thereof, may summarily try and punish the offender for contempt of court. Such injunctive proceedings shall be in addition to, and not in lieu of the penalty provided in section 119-8-12.

119-8-12. Penalty.--Any person violating any provision of this article or intentionally making any false statement or report to the department or to any agency delegated by the department to make an investigation or inspection under the provisions of this article shall be deemed to be guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars nor more than three hundred dollars.

APPENDIX

-1b-

INSTRUCTIONS FOR COMPLETING THE ORIGINAL APPLICATION FOR
INFANT NURSERY OR TODDLER NURSERY

Read each item carefully and completely. Further explanation of each item may be found in the Rules and Regulations booklet under the section indicated.

Request the approvals from the local fire and health departments. If the local fire department does not have an adequate fire prevention unit, please inform your licensing representative so that a referral can be made to the Industrial Commission.

IMPORTANT: It is recommended that you check with your local zoning and building code officials for compliance with their regulations. Non-compliance with zoning and building codes would give reason for those authorities to close your facility.

Fees:

- A. Public centers operated by a unit of state or local government or supervised directly by a public agency..... \$1.00
- B. Voluntary centers operated by a non-profit organization under the auspices of a social agency, settlement group, church, etc..... \$1.00
- C. Proprietary or commercial centers operated for the financial profit of the owner, operator, or manager..... \$5.00

Submit the fee with the application. Make check or money order payable to:

Colorado State Department of Public Welfare

Fees are not subject to refund if the application is denied.
Submit receipt for local license as local fees are deductible from the state license fee.

Before Mailing:

- Have you completed every item on the application and included the appropriate attachments (5)..... _____
- Have you obtained the proper approvals requested..... _____
- Have you signed the application..... _____
- Have you included the appropriate fee..... _____

Mail to:

Charline J. Birkins, Director
Colorado State Department of Public Welfare
1600 Sherman Street
Denver, Colorado 80203

Attn: Administrative Management
Licensing

For further information and clarification of questions, refer to your licensing representative.

APPENDIX

-2b-

APPLICATION FOR ORIGINAL LICENSE
INFANT NURSERY OR TODDLER NURSERY

Name of Nursery _____ Phone No. _____
 Address of Nursery _____ City _____
 Mailing Address _____
 Child Capacity of Nursery _____ Prospective attendance _____
 Age range served _____ Day and hours of operation _____
 Owner's Name, if different from director _____

(Refer to the corresponding section in the Minimum Rules and Regulations for clarification of each item.)

A. Type of center (See Definitions, Section I)

SEPARATE APPLICATION IS REQUIRED FOR EACH TYPE OF CENTER

CHECK ONE:

<input type="checkbox"/>
<input type="checkbox"/>

Infant Nursery

Toddler Nursery

B. Approvals (See Licensing Procedure, Section II)

SAFETY FROM FIRE HAZARDS (Have local department official sign)

I hereby certify that the above premises have been inspected by an authorized representative of the local fire department and have been found to meet the requirements of local fire regulations applicable to the operation of a Child Care Center. (Approval by the State Industrial Commission or the Fire Underwriters Association is acceptable.)

Signed: _____ Date: _____

Title: _____ Department: _____

Address: _____

Comments: _____

SANITATION SURVEY (have local department inspect and sign)

I, a duly authorized health officer of the area in which this establishment is located, hereby certify that the above premises have been inspected and have been found to meet the requirements of the Colorado State Department of Public Health and local requirements applicable to the operation of a Child Care Center.

Signed: _____ Date: _____

Title: _____ Department: _____

Address: _____

Comments: _____

AGAIN, IT IS RECOMMENDED THAT YOU CHECK WITH YOUR LOCAL ZONING AND BUILDING CODE OFFICIALS FOR COMPLIANCE WITH THEIR REGULATIONS. NON-COMPLIANCE WITH ZONING AND BUILDING CODES WOULD GIVE REASON FOR THOSE AUTHORITIES TO CLOSE YOUR FACILITY.

C. Administration (see Section III)

Under what auspices do you operate? _____
If under a Board of Directors, attach a schedule furnishing the name, address, length of term, and title of each member. (Attachment 1)

Name and address of insurance company: _____

What type and amount of public liability insurance do you carry? _____

D. Personnel (See Section IV)

Director

Name: _____ Age: _____

Address: _____

Work hours: _____ Date of annual medical: _____

List the names and addresses of three references of the director.
PLEASE PRINT - DO NOT LIST RELATIVES

Submit to the Department detailed information on the experience and educational qualification of the director. Attach transcript of any college work. (Attachments 2 and 3)

Registered Nurse (Infant Nurseries only)

Name: _____ Age: _____

Name of School of Nursing: _____

Date of graduation: _____ Work Hours: _____

Date of Annual Medical: _____

Other staff

Name	Age	Position	Work Hours	Date of Medical

Submit to the department a separate sheet giving detailed information on the experience and educational qualifications of the entire staff. Include the Advanced First Aid Certificate expiration date for all Nursery personnel. (Attachment 4)

E. Child Staff ratios (See Section V)

What ratio of children per adult do you maintain? _____

APPENDIX

F. Program (See Sections VII and VIII, Infant Nursery; Section VI and IX, Toddler Nursery)

How are the children fed? _____

What are your principle play materials and equipment? _____

G. Housing and Space Requirements (See Sections VI and VII, Infant Nursery; Sections VII and VIII, Toddler Nursery)

Is the nursery located in the home? _____ or separate building? _____
Type of structure: _____
Is the nursery on the ground floor? _____
Number of rooms available for children's use on ground floor: _____

Attach sheet with rough plan of nursery, including indoor and outdoor space - give dimensions of rooms and area. (Attachment 5)

Number of toilets _____ Lavatories _____ Baths _____
Number of square feet of play space for children, exclusive of halls, crib rooms, stairways, baths, storage areas, kitchens, isolation quarters, staff rooms, lockers, laundry furnace room and floor space occupied by permanent built-in equipment: _____
Number of square feet of fenced outdoor play area: _____
Number of crib rooms used? _____ Number of square feet in each crib room? _____
Number of cribs in each crib room? _____

H. Health Program (See Section VIII for Infant Nursery; Section IX, Toddler Nursery)

Are annual medicals required and placed on file of all children and staff? _____
What provisions are made for isolating a sick child? _____

Is a written report of a physical examination required BEFORE a child is admitted? _____
Is there a daily health inspection of children? _____ By whom? _____
Does each child have individual toilet articles and space for his personal belongings? _____
Are meals served? _____ Who plans the menus? _____
Are child size tables and chairs available for toddler's meals? _____

I. Records (See Section X, Infant Nursery; Section XI, Toddler Nursery)

What information is taken on the child at enrollment? _____

What information is on file of the child's family? _____

APPENDIX

I. D. Number: _____

-1c-

RENEWAL APPLICATION FOR LICENSE
INFANT NURSERY AND TODDLER NURSERY

Name of Nursery _____ Phone No. _____
Address of Nursery _____ City _____
Mailing Address _____

SEPARATE APPLICATION IS REQUIRED FOR EACH TYPE OF CENTER

CHECK ONE: Infant Nursery
 Toddler Nursery

- Fees:
1. Public centers operated by a unit of state or local government or supervised directly by a public agency..... \$1.00
 2. Voluntary centers operated by a non-profit organization under the auspices of a social agency, settlement group, church, etc. \$1.00
 3. Proprietary or commercial centers operated for the financial profit of the owner, operator, or manager..... \$5.00

A. Name of Director _____
Address and Telephone No. _____
Name of owner (if different) _____

Check changes since issuance of previous license. Those checked should be explained on separate sheet.

Function of Nursery _____ Staff or supervision of Nursery _____
Structural or physical change _____ Number of children _____

B. Within the last 12 months has there been an inspection by the local sanitation and fire authorities? Yes _____ No _____

Sanitation (date) _____

Fire (date) _____

Have the recommendations, if any, been executed? Yes _____ No _____

C. Do you have any suggestions for the operation of an Infant and Toddler Nursery?

If so, please explain on separate sheet

Yes _____ No _____

DATE _____

SIGNATURE _____
TITLE _____

Mail to: Charline J. Birkins, Director
Colorado State Department of Public Welfare
1600 Sherman Street
Denver, Colorado 80203

Attention: Administrative Management
Licensing

APPENDIX

-1d-

SAMPLE CHILD'S HEALTH RECORD

Health Record for _____
(Name of Facility)

Child's Name _____ Sex _____ Birthdate _____

Address _____

Mother's Name _____ Father's Name _____

Check illnesses child has had: Measles _____ German Measles _____ Chickenpox _____

Mumps _____ Scarlet Fever _____ Strep Throat _____ Rheumatic Fever _____ Allergy (Indicate type) _____ Drug Reaction _____

Contact with tuberculosis: Yes _____ No _____

If tuberculin test given: Date _____ Result _____

If chest X-rayed: Date _____ Result _____

Surgery, accidents, other illnesses or special problems _____

Immunizations: Date of completed primary or latest booster _____

Year of latest Immunization

Smallpox _____

Diphtheria _____

Tetanus _____

Pertussis _____

Poliomyelitis _____

Measles _____

Physical findings (include, if tested, Vision and Hearing)

Comments and Recommendations to Nursery personnel:

Date _____ Doctor's Signature _____

APPENDIX

-le-

SAMPLE CHILD'S INTAKE RECORD

Child's Name _____ Birthdate _____

Name by which child is most often called _____

Address _____ Telephone _____

Father's Name _____

Where employed _____ Business Telephone _____

Mother's Name _____

Where employed _____ Business Telephone _____

If neither father nor mother can be reached, in case of emergency call:

Address _____ Telephone _____

Persons designated to call for child _____

Name and address of child's Doctor _____ Telephone _____

Name and address of family Dentist _____ Telephone _____

Has your child had previous experience in all day group care? _____

Other children in family (Please list name, age and sex of each) _____

Other adults in family (List relationship to Child) _____

Please give any information concerning your child which will be helpful in his experience in group living (such as play, eating, sleeping habits, fears, likes and dislikes, etc.) _____

This application must be accompanied with the signed medical statement.

I shall strive to cooperate with the director and follow nursery rules.

Date _____

Signed by Parent _____

APPENDIX

-2a-

I _____ hereby give my permission to the school to call a doctor for medical or surgical care for my child _____ should an emergency arise. It is understood that a conscientious effort will be made to locate me or my husband (or wife) _____ before any action will be taken, but if it is not possible to locate us, this expense will be accepted by us.

Date: _____ Signed _____
Parent

SAMPLE INJURY AND ILLNESS REPORT

Name _____ Date _____ Time _____

Nature and circumstances _____

Place of accident _____

Nursery equipment involved _____

First Aid administered _____ Other treatment _____

Was this reported to Parents: Yes _____ No _____ Time _____

Witnesses: _____

Other Comments:

Date: _____ Signed _____
Facility Personnel

Approval: _____
Director's Signature

APPENDIX

-1f-

SAMPLE FORM

FATALITY OR HOSPITALIZATION REPORT

Name of Facility Reporting _____

Address _____ City _____

Director _____

Name of Child _____ Age _____

Name of Parents _____

Address _____ City _____

Witness of Accident _____

Address _____ City _____

Describe any action taken or treatment given to child at the center _____

Treatment given by _____

If hospitalized, where and for how long _____

Attending Physician's Name _____

Please explain the type and the circumstances of the child's serious illness or injury that resulted in hospitalization and/or death _____

If the center's insurance was utilized, give name of insurance company and what coverage was received _____
