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**SUBCHAPTER 1. (RESERVED)**

**SUBCHAPTER 2. INFANT CARE CENTERS**

**Article 1. GENERAL REQUIREMENTS AND DEFINITIONS**

**101351**     **GENERAL** **101351**

- (a) Child care centers providing group infant care shall be governed by the provisions specified in this subchapter. In addition, such centers, except where specified otherwise, shall be governed by Chapter 1, Child Care Center General Licensing Requirements.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73 and 1596.81, Health and Safety Code.

**101352**     **DEFINITIONS** **101352**

Renumbered to Section 101152 by Manual Letter No. 98-11, effective 11/1/98.

**101361**     **LIMITATIONS ON CAPACITY AND AMBULATORY STATUS** **101361**

- (a) It shall be permissible for a child whose developmental needs require continuation in an infant care center to remain in an infant care center up to a maximum age of three years.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

**Article 2. LICENSING (Reserved)**

**Article 3. APPLICATION PROCEDURES (Reserved)**

**Article 4. ENFORCEMENT PROVISIONS (Reserved)**

**Article 5. ADMINISTRATIVE ACTIONS (Reserved)**

**Article 6. CONTINUING REQUIREMENTS****101415 INFANT CARE CENTER DIRECTOR QUALIFICATIONS AND DUTIES 101415**

- (a) In addition to Section 101215.1, the following shall apply:
- (b) The experience requirement specified in Sections 101215.1(h)(1), (2) and (3) shall be completed in an infant care center or a comparable group child care program dealing with children under five years of age.
- (c) At least three of the semester or equivalent quarter units required in Sections 101215.1(h)(1)(B), (h)(2) and (h)(3) shall be related to the care of infants.
- (d) When the director of an infant care center or the director of a combination center is temporarily away from the center, the director has the authority to delegate his/her responsibilities as specified below:
  - (1) When an assistant director is required, arrangements shall be made for the assistant director to act as a substitute.
    - (A) Arrangements shall be made for a fully qualified infant care teacher to act as a substitute for the assistant director.
  - (2) When an assistant director is not required, arrangements shall be made for a fully qualified infant care teacher to act as a substitute.
  - (3) If the absence is for more than 30 consecutive calendar days, the substitute director shall meet the qualifications of a director.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.750, 1596.72 and 1596.81, Health and Safety Code.



101416.2 **INFANT CARE TEACHER QUALIFICATIONS AND DUTIES** 101416.2

- (a) Notwithstanding Section 101216.1, the following shall apply:
- (b) Prior to employment, an infant care teacher shall have completed, with passing grades, at least three postsecondary semesters or equivalent quarter units in early childhood education or child development, and three postsecondary semester or equivalent quarter units related to the care of infants, at an accredited or approved college or university.
  - (1) After employment, a teacher who has not completed the course work required in (c)(1) below shall complete, with passing grades, at least two units each semester or quarter until the education requirements are met.
- (c) To be a fully qualified infant care teacher, a teacher shall have the following:
  - (1) Completion, with passing grades, of 12 postsecondary semester or equivalent quarter units in early childhood or child development education at an accredited or approved college or university.
    - (A) At least three of the units required in (c)(1) above shall be related to the care of infants or shall contain instruction specific to infants.
      - 1. Examples of acceptable course work are pediatric nursing and postnatal care.
  - (2) At least six months of experience in a licensed infant care center or comparable group child care program for children under five years of age.
    - (A) Experience shall be verified as having been performed satisfactorily, at least three hours per day for a minimum of 50 days in a six-month period, as a paid or volunteer staff member under the supervision of a person who would qualify as a teacher or director under this chapter.

**101416.2 INFANT CARE TEACHER QUALIFICATIONS AND DUTIES (Continued) 101416.2**

- (d) A photocopy of each teacher's transcript(s) documenting successful completion of required course work shall be maintained at the center.
- (e) Under the direction and supervision of the director and the assistant director, the infant care teacher shall provide direct care and supervision to infants at the center.
- (f) Teachers shall visually observe aides whenever aides are working with infants, except as provided for in Section 101416.5(d)(1).
- (g) An infant care teacher shall complete 15 hours of health and safety training if necessary pursuant to Health and Safety Code Section 1596.866 and as specified in Section 101215.1(m)(1).

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

**101416.3 INFANT CARE AIDE QUALIFICATIONS AND DUTIES 101416.3**

- (a) In addition to Section 101216.2, the following shall apply:
- (b) An infant care aide shall work under the direct supervision of the director, the assistant director or a fully qualified teacher, except as provided for in Section 101416.5(d)(1).
- (c) Aides shall participate in the on-the-job training programs provided by the licensee as specified in Section 101216(e).
- (d) An aide shall provide direct care and supervision to infants.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

**101416.5 STAFF-INFANT RATIO** **101416.5**

- (a) In addition to Sections 101216.3 (c), (e), (g) and (h), and notwithstanding Sections 101216.3 (a), (b), (d) and (f), the following shall apply:
  - (b) There shall be a ratio of one teacher for every four infants in attendance.
    - (1) An aide may be substituted for a teacher when all of the following conditions are met:
      - (A) There is a fully qualified teacher directly supervising no more than 12 infants, and
      - (B) Each aide is responsible for the direct care and supervision of a group of no more than four infants.
    - (2) When engaged in activities away from the center, there shall be a minimum of one adult to every two infants in attendance.
      - (A) This ratio may include authorized representatives of infants in care and adult volunteers to supplement the staff-infant ratio.
- (c) The director and the assistant director in an infant care center or a combination center may be counted in the staff-infant ratio when actually working with infants.
- (d) There shall be one teacher to visually observe every 12 sleeping infants provided the remaining staff necessary to meet the ratios specified in (b) above are immediately available at the center.
  - (1) An aide who is 18 years of age or older, and who meets the requirements of Sections 101216 and 101216.2(e), may visually observe 12 sleeping infants in place of a teacher if the conditions specified in (d) above are met.
- (e) There shall be provision for overlap of staff for different shifts so that continuity of care is assured.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

<b>101416.8</b>	<b>STAFFING FOR INFANT WATER ACTIVITIES</b>	<b>101416.8</b>
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- (a) In addition to Sections 101216.6(a) and 101416.5(b), and notwithstanding Section 101216.6(b), the following shall apply:
- (b) A ratio of one adult to two infants shall be maintained during activities in or near any body of water specified in Sections 101216.6(a)(1) and (3).
- (c) A ratio of one staff member to every four infants shall be maintained during activities in or near any container of water that a child can get into and get out of unassisted. This shall include, but not be limited to, wading pools, basins or water trays.
  - (1) This ratio may include authorized representatives of infants in care and adult volunteers to supplement the staff-infant ratio.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

**101417 TODDLER COMPONENT IN AN INFANT CARE CENTER 101417**

- (a) Licensees serving infants may create a special program component for children between the ages of 18 months and 30 months. The provisions of Sections 101151 through 101239.2 and 101351 through 101439.1 shall apply to infant care centers operating a toddler component, except as specified in Sections 101417(a)(1) through (6).
  - (1) Child care centers with an existing infant care program wishing to establish a toddler component shall submit an amended application as specified in Section 101169(a)(1)(A) and shall obtain approval from the Department.
  - (2) Children in a child care center between the ages of 18 months and 30 months may be placed in the toddler program. No child shall be placed in the toddler program before the age of 18 months.
  - (3) The infant care center shall obtain written permission from the child's authorized representative for the placement of the child in the toddler program.
  - (4) A ratio of six children to each teacher shall be maintained for all children in attendance in the toddler program. An aide who is participating in on-the-job training may be substituted for a teacher when directly supervised by a fully qualified teacher.
  - (5) The maximum group size with two teachers, or one fully qualified teacher and one aide, shall not exceed 12 toddlers.
  - (6) The toddler program shall be conducted in areas physically separate from those used by older or younger children. Space planning and usage for the toddler component shall be governed by the provisions of Section 101438.3. Plans to alternate use of outdoor play space must be approved by the Department.
    - (A) Requirements for physical separation between children in the toddler component and older or younger children need not apply when a planned activity is being conducted.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Section 1596.956, Health and Safety Code.

<b>101419.2</b>	<b>INFANT NEEDS AND SERVICES PLAN</b>	<b>101419.2</b>
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- (a) Prior to the infant's first day at the center, the infant care center director or assistant director shall complete a needs and services plan for the infant.
  - (1) Such plan shall be completed with the assistance of the infant's authorized representative at the personal interview specified in Section 101218.1.
  - (2) The authorized representative shall sign the plan to verify that he/she has participated in preparing it.
- (b) The needs and services plan shall be in writing and shall include the following:
  - (1) The individual feeding plan.
  - (2) The individual toilet-training plan, if applicable.
  - (3) Any services needed by the infant that are different from those provided by the center's normal program. Such items shall include but not be limited to:
    - (A) Any special exercises for infants with physical disabilities.
  - (4) A plan for subsequent personal interviews with the authorized representative.
- (c) The authorized representative shall be provided with a copy of the needs and services plan and any subsequent updates.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

**101419.3 MODIFICATIONS TO INFANT NEEDS AND SERVICES PLAN** **101419.3**

- (a) The written infant needs and services plan shall be updated at least quarterly, or as often as necessary to assure its accuracy.
  - (1) The director, the assistant director or a teacher shall update the plan with the assistance of the infant's authorized representative.
  - (2) The authorized representative shall sign the plan to verify that he/she has participated in updating it.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

**101423.1 INFANT CARE DISCIPLINE** **101423.1**

- (a) In addition to Section 101223.2, the following shall apply:
- (b) Confinement to cribs, high chairs, playpens or other similar furniture or equipment shall not be permitted as a form of discipline or punishment.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

**101425 INFANT CARE TRANSPORTATION** **101425**

- (a) In addition to Section 101225, the following shall apply:
- (b) Only licensed drivers 18 years old or older shall be permitted to operate any vehicle used to transport infants.
- (c) Motor vehicles used to transport infants shall contain a first-aid kit containing at least the supplies specified in Section 101226(d).
  - (1) When public transportation is used to transport infants, center staff shall have on hand, and available for use, a first-aid kit as specified in (c) above.
- (d) When transporting infants in any motor vehicle, the licensee shall secure each infant in a child passenger restraint system, i.e., a car seat designed for an infant. The child passenger restraint system shall be secured in the vehicle in accordance with the manufacturer's instructions.
  - (1) The manufacturer's instructions shall be maintained in the center for as long as the infant car seat is in use.

**101425**    **INFANT CARE TRANSPORTATION (Continued)** **101425**

- (2) Vehicle Code section 27360 requires that children as specified must be secured in a child passenger restraint system.

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Vehicle Code section 27315(c)(1) provides:

As used in this section, "motor vehicle" means a passenger vehicle, a motortruck, or a truck tractor, but does not include a motorcycle.

Vehicle Code section 27360 provides:

- (a) Except as provided in Section 27363, a parent, legal guardian, or driver shall not transport on a highway in a motor vehicle, as defined in paragraph (1) of subdivision (c) of Section 27315, a child or ward who is under eight years of age, without properly securing that child in a rear seat in an appropriate child passenger restraint system meeting applicable federal motor vehicle safety standards.
- (b) Subdivision (a) does not apply to a driver if the parent or legal guardian of the child is also present in the motor vehicle and is not the driver.

Vehicle Code section 27363 provides:

- (a) The court may exempt from the requirements of this article any class of child by age, weight, or size if it is determined that the use of a child passenger restraint system would be impractical by reason of physical unfitness, medical condition, or size. The court may require satisfactory proof of the child's physical unfitness, medical condition, or size and that an appropriate special needs child passenger restraint system is not available.
- (b) In case of a life-threatening emergency, or when a child is being transported in an authorized emergency vehicle, if there is no child passenger restraint system available, a child may be transported without the use of that system, but the child shall be secured by a seatbelt.
- (c) A child weighing more than 40 pounds may be transported in the backseat of a vehicle while wearing only a lap safety belt when the backseat of the vehicle is not equipped with a combination lap and shoulder safety belt.
- (d) Notwithstanding Section 27360, a child or ward under eight years of age who is four feet nine inches in height or taller may be properly restrained by a safety belt, as defined in paragraph (2) of subdivision (d) of Section 27315, rather than by a child passenger restraint system.

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**HANDBOOK CONTINUES**

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**HANDBOOK CONTINUES**

- (e) Notwithstanding Section 27360, a child or ward under eight years of age may ride properly secured in an appropriate child passenger restraint system meeting applicable federal motor vehicle safety standards in the front seat of a motor vehicle under any of the following circumstances:
  - (1) There is no rear seat.
  - (2) The rear seats are side-facing jump seats.
  - (3) The rear seats are rear-facing seats.
  - (4) The child passenger restraint system cannot be installed properly in the rear seat.
  - (5) All rear seats are already occupied by children seven years of age or under.
  - (6) Medical reasons necessitate that the child or ward not ride in the rear seat. The court may require satisfactory proof of the child's medical condition.
  
- (f) Notwithstanding subdivision (e), a child shall not be transported in a rear-facing child passenger restraint system in the front seat of a motor vehicle that is equipped with an active frontal passenger airbag.

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- (e) The staff-infant ratio shall be maintained while transporting infants in motor vehicles.
  - (1) The required supervision ratios shall be maintained whether the vehicle is moving or parked.
  
- (f) Infants in motor vehicles shall have constant adult supervision and shall not be left unattended under any circumstances.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

**101426.2 INFANT CARE ISOLATION FOR ILLNESS** **101426.2**

- (a) In addition to Section 101226.2, the following shall apply:
- (b) The isolation area shall be equipped with a crib, cot, mat or playpen for each ill infant.
- (c) Any infant in the isolation area shall be under constant visual observation by a director, an assistant director, a teacher or an aide.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

**101427 INFANT CARE FOOD SERVICE** **101427**

- (a) In addition to Section 101227, the following shall apply:
- (b) There shall be an individual feeding plan for each infant.
  - (1) The plan shall be completed and available for use prior to the infant's first day at the center.
  - (2) The director or the assistant director, and the infant's authorized representative and/or physician, shall develop the plan.
    - (A) The authorized representative shall sign the plan to verify that he/she has participated in developing and updating it.
  - (3) The plan shall include the following items:
    - (A) Instructions from the infant's physician relating to special diet or feeding.
    - (B) Feeding schedule.
    - (C) Breast milk or kind of formula.
    - (D) Schedule for introduction of solid and new foods.
    - (E) Food consistency.
    - (F) Food likes and dislikes.
    - (G) Food allergies.
    - (H) Schedule for introduction of cups and utensils.

101427    **INFANT CARE FOOD SERVICE** (Continued) 101427

- (4) The plan shall be updated as often as the authorized representative wants, or as necessary to reflect changes in any of the areas specified above.
- (5) The infant care center director or assistant director shall discuss current feeding theory with the authorized representative. This discussion should cover the dangers of honey.

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**HANDBOOK BEGINS HERE**

- (A) Authorities recommend that honey not be fed to any infant for the first year of life. Honey may carry botulism spores that can be harmful to young infants and has been known to cause infant botulism.
- (B) It is recommended that the discussion include the following "Recommendations for Infant Feeding Practices" by the Department of Human Services concerning the sequence for the introduction of solid foods to infants from birth to 12 months.

<b>AGE</b>	<b>FOODS</b>
<b>Birth-12 months</b>	Breast milk, iron-fortified formula, or evaporated milk formula
<b>At 4-6 months</b>	Infant cereal (dry type)
<b>At 5-7 months</b>	Vegetables, fruits and their juices
<b>At 6-8 months</b>	Protein foods (cheese, yogurt; cooked beans, meat, fish, and chicken; egg yolk)
<b>At 10-12 months</b>	Whole egg

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- (c) The infant shall be fed in accordance with the individual plan.
  - (1) Bottle-fed infants shall be fed at least once every four hours.
  - (2) The infant care center shall have appropriate food available for the infant.
    - (A) Where the infant's authorized representative elects to provide food for the infant but forgets to bring it, the center shall provide appropriate food for the infant.
  - (3) Introduction of solid foods shall be in accordance with the individual plan.

**101427**    **INFANT CARE FOOD SERVICE** (Continued) **101427**

- (d) The infant care center shall provide only commercially prepared formulas for infants.
  - (1) Commercial formulas shall be stored and prepared in accordance with label directions.
  - (2) The specific brand of formula shall be specified in the feeding plan.
  - (3) Any change from one formula to another shall be reflected in advance on the feeding plan.

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- (4) Staff of the infant care center shall not prepare infant formula from basic ingredients.

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- (e) The infant's authorized representative may provide formula or breast/mother's milk.
  - (1) Such formula or milk shall be bottled before being accepted by the center.
    - (A) Bottles shall be labeled.
- (f) The infant care center may heat formula or breast/mother's milk.
- (g) A supply of bottles and nipples shall be maintained at the infant care center. Bottles and nipples used by one infant shall not be shared with or used by another infant unless sterilized.
- (h) Infants who are unable to hold a bottle shall be held by a staff person or other adult for bottle feeding. At no time shall a bottle be propped for an infant. An infant shall not be allowed to carry a bottle while ambulatory. A bottle given to an infant able to hold his/her own bottle shall be unbreakable.

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<b>101427</b>	<b>INFANT CARE FOOD SERVICE (Continued)</b>	<b>101427</b>
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- (i) High chairs or other appropriate seating equipment shall be used to seat infants during feeding. Infants who are unable to sit unassisted in a high chair or other seating equipment shall be held by a staff person or other adult for feeding.
- (j) Bottles, dishes and containers of food brought by the infant's authorized representative shall be labeled with the infant's name and the current date.
  - (1) Formula in a partially consumed bottle shall be discarded at the end of each day.
  - (2) Food shall be discarded if not consumed within 72 hours of the date on the container label.
  - (3) Bottles and dishes provided by the authorized representative shall be rinsed and returned to the authorized representative for sanitizing at the end of each day.
- (k) The infant care center shall not serve honey or corn syrup to any infant.
- (l) Commercially prepared baby food in jars shall be transferred to a dish before being fed to the infant.
  - (1) Any food left over in the dish at the end of the meal shall be discarded.
- (m) If requested, arrangements for privacy shall be made for any mother who has reached an agreement with the infant care center to nurse her infant in the center.
- (n) Bottles and nipples maintained by the infant care center shall be sterilized using any of the following methods after each use:
  - (1) Boiled for a minimum of five minutes and air-dried; or
  - (2) Soaked for a minimum of one minute in a sterilizing solution using 1/2 cup of bleach and five gallons of water and air-dried; or
  - (3) Bottles may be washed and sterilized using a dishwasher.
- (o) Infants shall not be bathed in, and diapers or clothing shall not be rinsed in, the food-preparation area.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

101428 INFANT CARE PERSONAL SERVICES 101428

- (a) There shall be a written toilet-training plan for infants being toilet trained.
  - (1) The infant's authorized representative and the director or the assistant director shall develop the plan.
  - (2) The plan shall include the following:
    - (A) Methods of toilet training;
    - (B) Introduction and use of appropriate training equipment; and
    - (C) Introduction and use of appropriate clothing.
  - (3) Infants who are being toilet trained shall not be required to wear diapers unless specifically indicated in the plan.
  - (4) The center shall follow the plan in toilet training the infant.
  - (5) Center staff shall have ready access to the toilet-training plan for infants in their care.
- (b) The infant shall be kept clean and dry at all times.
  - (1) The infant care center shall ensure that the infant has sufficient changes of clothing and diapers so that his/her clothing and diapers can be clean and dry at all times.
  - (2) Each infant's clothing and diapers shall be changed as often as necessary to ensure that the infant is clean and dry at all times.
- (c) Soiled or wet clothing or cloth diapers provided by the infant's authorized representative shall be placed in an airtight container and returned to the authorized representative at the end of each day.
  - (1) The airtight container shall prevent the escape of fluids and odors and be portable enough to give to the authorized representative.
- (d) When changing an infant's diapers, the following shall apply:
  - (1) Each infant shall be diapered on a changing table.
    - (A) No infant shall be left unattended while on a changing table.

<b>101428</b>	<b>INFANT CARE PERSONAL SERVICES (Continued)</b>	<b>101428</b>
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- (2) Infants may be diapered on a changing pad placed on the floor that meets the requirements of Section 101439(h).
- (3) Soiled disposable diapers shall either be disposed of as recommended on the packaging or placed in an airtight container for daily disposal outside of the center.
  - (A) Containers shall be sanitized daily.
- (4) Soiled cloth diapers shall be placed in an airtight container.
- (5) Diapers provided by the center, when soiled, shall be rinsed, washed and sanitized on a daily basis. If a diaper service is utilized, the diapers shall be placed in the diaper service company container, as instructed, for pickup by the diaper service.
- (6) Towels and washcloths used for cleaning infants shall not be shared with other infants or staff and shall be washed after each use.
- (7) The changing table and changing pads shall be disinfected after each use even when disposal covers are used.
  - (A) Infant changing tables may be covered with disposable paper towels or a similar covering that shall be discarded after each diaper change.
  - (B) The floor space used for diaper changing, if soiled, shall be disinfected after each use.
- (e) Whenever a potty chair is used, the following requirements shall be met:
  - (1) The potty chair shall be placed on the floor and used in accordance with the manufacturer's instructions.
  - (2) After each use, the potty chair shall be promptly emptied into a flushing toilet, and all surfaces shall be thoroughly cleaned and disinfected.
  - (3) No infant shall be left unattended while on a potty chair or seat.
- (f) As part of toilet training, each infant shall receive instruction and assistance in hand washing after use of the toilet.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

<b>101429</b>	<b>RESPONSIBILITY FOR PROVIDING CARE AND SUPERVISION FOR INFANTS</b>	<b>101429</b>
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- | (a) In addition to Section 101229, the following shall apply:
  - (1) Each infant shall be constantly supervised and under direct visual observation and supervision by a staff person at all times. Under no circumstances shall ANY infant be left unattended.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.

<b>101430</b>	<b>INFANT CARE ACTIVITIES</b>	<b>101430</b>
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- | (a) Notwithstanding Section 101230, the following shall apply:
  - | (1) The infant care center shall develop, maintain and implement a written plan to ensure the provision of indoor and outdoor activities designed to meet the needs of infants, including but not limited to:
    - (A) Quiet and active play.
    - (B) Rest and relaxation.
    - (C) Eating.
    - (D) Toileting.
    - (E) Individual attention.
    - | (F) Being held by a caregiver.
  - | (2) The center shall ensure the participation of infants in the above activities.
  - | (3) All infants shall be given the opportunity to nap/sleep without distraction or disturbance from other activities at the center whenever the infant desires.
    - | (A) No infant shall be forced to sleep, to stay awake or to stay in the napping area.
      - | (i) The center is not prohibited from scheduling nap times for infants over 12 months old.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.





**101438.2 OUTDOOR ACTIVITY SPACE FOR INFANTS** **101438.2**

- (a) In addition to Section 101238.2, the following shall apply:
- (b) Outdoor activity space shall be physically separate from space used by children in the child care center and school-age child care center components.
- (c) Placement of playpens shall not create hazards to other infants or adults in the play area.
- (d) The outdoor activity space shall be equipped with a variety of age-appropriate toys and equipment.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

**101438.3 INDOOR ACTIVITY SPACE FOR INFANTS** **101438.3**

- (a) In addition to Section 101238.3, the following shall apply:
- (b) Indoor activity space for infants shall be physically separate from space used by children in the child care center and school-age child care center components.
  - (1) The center may use moveable walls or partitions to separate the above groups in the same room provided that each group has the total amount of square footage in indoor activity space required by this chapter.
  - (2) Moveable walls or partitions, if used, shall be at least four feet high; shall be constructed of sound-absorbing material; and shall be designed to minimize the risk of injury to infants.
- (c) The calculation of indoor activity space for infants shall not include space designated and used for cribs.
  - (1) The sleeping area for infants shall be physically separate from the indoor activity space. This separation shall be accomplished as specified in (b) above.
- (d) The various child care center components in a combination center may share office space, food-preparation space, storage space and any other general-purpose space.
- (e) The indoor activity space shall be equipped with a variety of age-appropriate washable toys and equipment.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.

<b>CHILD CARE CENTER</b>		
<b>101439</b>	<b>GENERAL LICENSING REQUIREMENTS</b>	<b>Regulations</b>
<b>101439</b>	<b>INFANT CARE CENTER FIXTURES, FURNITURE, EQUIPMENT AND SUPPLIES</b>	<b>101439</b>

- (a) In addition to Section 101239, and notwithstanding Section 101239(h), the following shall apply:
- (b) The infant care center shall be equipped with appropriate furniture and equipment including, but not limited to, cribs, cots or mats; changing tables; and feeding chairs.
- (c) The type, height and size of furniture and equipment shall be age appropriate.
- (d) Swings, playpens and all such equipment and furniture shall be assembled or installed according to the manufacturer's instructions, and shall be maintained in good repair and safe condition.
  - (1) Equipment that is purchased already assembled shall not be modified.
  - (2) A baby walker shall not be allowed on the premises of a child care center in accordance with Health and Safety Code Section 1596.846.

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**HANDBOOK BEGINS HERE**

Health and Safety Code Sections 1596.846(b) and (c) state:

- (b) A baby walker shall not be kept or used on the premises of a child day care facility.
- (c) A "baby walker" means any article described in paragraph (4) of subdivision (a) of Section 1500.86 of Part 1500 of Title 16 of the Code of Federal Regulations.

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**HANDBOOK ENDS HERE**

- (e) High chairs or low-wheeled feeding tables and any such equipment used for seating an infant shall have broad-base legs.
  - (1) Seats and backrests shall be made of washable and moisture-resistant material.
  - (2) An infant shall not be permitted to pull on or climb on or into a high chair.
  - (3) Whenever an infant is in a high chair, the tray shall be properly latched on both sides.
  - (4) An infant shall not be permitted to stand up in a high chair.
  - (5) No infant shall be left unattended while in a high chair.

**101439** **INFANT CARE CENTER FIXTURES, FURNITURE, EQUIPMENT** **101439**  
**AND SUPPLIES** (Continued)

- (f) All such equipment or furniture shall be washed with a detergent/disinfectant after each use as specified in Section 101438.1.
- (g) Furniture shall be maintained in good repair and safe condition.
- (h) Infant changing tables shall:
  - (1) Have a padded surface no less than one-inch thick and be covered with washable vinyl or plastic.
  - (2) Have raised sides at least three inches high.
  - (3) Be maintained in good repair and safe condition.
  - (4) While in use, be placed within arm's reach of a sink.
  - (5) Not be located in the kitchen/food-preparation area.
- (i) There shall be a minimum of one hand washing sink to every 15 infants and one potty chair to every five infants being toilet trained.
  - (1) If sufficient potty chairs are not available for the number of infants being toilet trained, a combination of potty chairs and toilets with training seats may be used to meet the ratio specified in (i) above.
  - (2) Infants shall not be permitted to play with potty chairs.
- (j) Toilets and potty chairs and hand washing sinks for infants shall be in close proximity to indoor and outdoor activity space.
- (k) Toy storage containers shall meet the following requirements:
  - (1) Lids and the hardware used to hinge lids on boxes or chests shall be removed.
  - (2) All edges and corners shall be rounded and padded.
  - (3) The container shall be well ventilated.
  - (4) The container shall not be lockable.
  - (5) The container shall be maintained in good repair and safe condition.



**101439.1 INFANT CARE CENTER NAPPING EQUIPMENT** **101439.1**

- (a) In addition to Section 101239.1, the following shall apply:
- (b) A standard size six-year crib or porta-crib meeting the following requirements shall be provided for each infant who is unable to climb out of a crib:
  - (1) Stacking wall cribs or cribs stacked one on top of another, often referred to as tiered cribs, shall not be permitted.
  - (2) Cribs shall not limit the ability of staff to see the infant.
  - (3) Cribs shall not limit the infant's ability to stand upright.
  - (4) Crib mattresses shall be:
    - (A) Covered with vinyl or similar moisture-resistant material.
    - (B) Wiped with a detergent/disinfectant daily and when soiled or wet.
    - (C) Maintained in a safe condition with no exposed foam, batting or coils.
  - (5) Cribs equipped with bumper pads shall be covered with vinyl or similar moisture-resistant material. Each crib shall have a sheet to cover the mattress and, depending on the temperature, a sheet and/or blanket to cover the infant.
    - (A) If bumper pads are used, they shall be installed around the entire inner portion of the crib and tied or snapped into place in at least six places.
    - (B) The mattress shall be set at its lowest position and the side rail shall be locked in its highest position.
    - (C) Cribs shall have spaces between crib slats of no more than 2 3/8 inches.

**101439.1 INFANT CARE CENTER NAPPING EQUIPMENT (Continued)** **101439.1**

- (c) Floor mats or cots that meet the requirements of Section 101239.1(b) shall be provided for all infants who have the ability to climb out of a crib.
- (d) Each crib, mat or cot shall be occupied by only one infant at a time.
- (e) Each infant's bedding shall be used for him/her only. Such bedding shall be replaced when wet or soiled, or when the crib, mat or cot is to be occupied by another infant.
  - (1) Bedding shall be changed daily, or more often if required by (e) above.
    - (A) Soiled bedding shall be placed in a suitable container and made inaccessible to infants until washed or picked up by a commercial laundering service.
- (f) Cribs, mats or cots shall be arranged so as to provide a walkway and work space between the cribs, mats or cots sufficient to permit staff to reach each infant without having to step over or reach over any other infant.
  - (1) Placement of cribs, mats or cots shall not hinder entrance or exit to and from the napping space.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72 and 1596.81, Health and Safety Code.