

**WEST VIRGINIA
SECRETARY OF STATE
JOE MANCHIN, III
ADMINISTRATIVE LAW DIVISION**

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OFFICE WEST VIRGINIA
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NOTICE OF RULE MODIFICATION OF A PROPOSED RULE

AGENCY: DHHR - Division of Human Services TITLE NUMBER: 78

CITE AUTHORITY: W. Va. Code §49-2B-4

AMENDMENT TO AN EXISTING RULE: YES NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: _____

TITLE OF RULE BEING AMENDED: _____

IF NO, SERIES NUMBER OF RULE BEING PROPOSED: 19

TITLE OF RULE BEING PROPOSED: Family Day Care Home Registration Requirements

THE ABOVE PROPOSED LEGISLATIVE RULES, FOLLOWING REVIEW BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE, IS HEREBY MODIFIED AS A RESULT OF REVIEW AND COMMENT BY THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE. THE ATTACHED MODIFICATIONS ARE FILED WITH THE SECRETARY OF STATE.


Authorized Signature

SCANNED

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WEST VIRGINIA DIVISION OF HUMAN SERVICES LEGISLATIVE RULES

TITLE 78, SERIES 19

FAMILY DAY CARE HOME REGISTRATION REQUIREMENTS

2002

TITLE 78
LEGISLATIVE RULES
DEPARTMENT OF HEALTH AND HUMAN SERVICES
DIVISION OF HUMAN SERVICES

FILED

SERIES 19

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FAMILY DAY CARE HOME REGISTRATION REQUIREMENTS

WEST VIRGINIA
SECRETARY OF STATE

§78-19-1. General.

1.1. Scope. -- This rule establishes minimum standards and procedures for the registration of family day care homes under the provisions of WV Code § 49-2B-1 et. seq., and related federal and state codes. The WV Code is available in public libraries and on the WV State Legislature's web page at <http://www.legis.state.wv.us/>.

1.2. Authority. -- WV Code § 49-2B-4. et. seq.

1.3. Filing Date. --

1.4. Effective Date. --

§78-19-2. Application and Enforcement.

2.1. Application. This rule applies to any family day care home that operates in West Virginia.

2.2. Enforcement. This rule is enforced by the Secretary of the Department of Health and Human Resources

§78-19-3. Definitions.

In addition to the following definitions, the definitions in WV Code §49-2B-2 are applicable to this rule.

3.1. Approved Training. - Instruction or training approved by the Secretary or provided by a trainer approved through or sponsored by the West Virginia State Training and Registry System (STARS).

3.2. Caregiver. - The person primarily responsible for child care in the family day care home.

3.3. Child Abuse and Neglect. - Physical injury, mental or emotional injury, sexual abuse, sexual exploitation, the sale or attempted sale or negligent treatment or maltreatment of a child by a parent, guardian, or custodian who is responsible for the child's welfare.

3.4. Child Care or Day Care. - The services performed by a caregiver for a part of a day outside the child's home in relation to the child's physical, emotional, psychological, social and personal needs. Responsibility for the care and protection of the child are delegated by the parent and assumed by the caregiver.

3.5. Core Competencies of Early Childhood Educators. - Skills and knowledge that represent common standards of practice in the early childhood field in areas including health, safety, environment, physical development, cognitive development, development of creativity, communication, self, social, guidance, families, program management, and professionalism, as listed in Appendix 78-19 A of this rule.

3.6. Corrective Action Plan. - A written agreement between the Department and the family day care home when deficiencies are identified during an inspection or investigation of a complaint, that includes the plan and time frame for correction.

3.7. Criminal History Background Check. - A fingerprinting process that identifies a person who has been arrested or convicted of criminal behavior.

3.8. Disinfect. - Eliminate most germs from a contact surface through the use of chemical disinfectants or heat, according to Appendix 78-19 B of this rule.

3.9. Infant. - A child less than twelve (12) months of age.

3.10. Parent. - A parent by blood, marriage or adoption, or a legal guardian or other person standing in loco parentis.

3.11. Relative. - Grandparent, great grandparent, aunt, uncle, great-aunt, great-uncle, or adult sibling.

3.12. Revocation. - The termination of a certificate of registration when a family day care home fails to maintain the minimum requirements established by the Department under this rule.

3.13. Sanitize. - Remove filth or soil and small amounts of certain bacteria. For a contact surface to be considered sanitary, the surface must be clean and the number of germs reduced so that disease transmission is unlikely.

3.14. Secretary. - The Secretary of the Department of Health and Human Resources or his or her designee.

3.15. School-Age Child. - A child age five (5) years to thirteen (13) years of age.

3.16. Self-Certify - To submit a checklist indicating the results of a personal assessment by the caregiver of compliance with the requirements of this rule.

3.17. Statement of Criminal Record. - A signed declaration of criminal convictions, arrests, indictments, and authorization to allow a criminal history background check.

3.18. Substitute. - An individual who cares for children when the caregiver is absent and is responsible to the caregiver.

3.19. Toddler. - A child between the ages of twelve (12) and twenty-four (24) months.

3.20. Universal Precautions. - Procedures for infection control, as listed in Appendix 78-19 C of this rule, to use in all situations to prevent the transmission of blood borne germs that may be spread through blood and body fluids that might contain blood.

§78-19-4. Certificate of Registration Information

4.1. Application for Registration.

4.1.a. Initial. The Department shall issue an initial certificate of registration is issued to a family day care home upon application and self-certification of compliance with this rule.

4.1.b. Renewal. The family day care home shall submit an application for renewal of a current certificate of registration at least thirty (30) days before expiration of the certificate.

4.2. General Requirements.

4.2.a. A family day care home shall be registered under the name of only one caregiver per residence;

4.2.b. A family day care home shall be located in the residence of the caregiver.

4.2.c. A family day care home shall operate no longer than eighteen (18) consecutive hours in a twenty-four (24) hour period; and

4.2.d. A family day care home shall self-certify compliance with the provisions of this rule.

4.3. Departmental Action on Applications for Registration.

4.3.a. Within sixty (60) days of receipt of an application for certificate of registration, the Secretary shall provide a written decision to the family day care home that does one of the following:

4.3.a.1. Issues a regular certificate of registration if the family day care home certifies compliance with all of the requirements of this rule;

4.3.a.2. Issues a provisional certificate of registration if the family day care home is temporarily unable to certify compliance with all of the requirements of this rule; or

4.3.a.3. Denies a certification of registration if the family day care home does not certify substantial compliance with all of the requirements of this rule.

4.4. Terms and Conditions of Registration.

4.4.a. A certificate of registration is not transferable to another family day care home.

4.4.b. A certificate of registration applies only to the family day care home at the location identified in the application.

4.4.c. A family day care home shall show its certificate of registration to parents and the public upon request.

4.4.d. A record of all substantiated complaints against registered family day care homes and subsequent corrective action shall be maintained by the Department, and made available to parents and the public upon request.

4.5. Types of Certificates of Registration.

4.5.a. A regular certificate of registration is valid for a period of two (2) years from the date of issuance unless revoked or modified to a provisional status.

4.5.b. A provisional certificate of registration is valid for six (6) months from the date of issuance, may be reissued no more than two (2) times, and is contingent on a plan of correction approved by the Secretary.

4.6. Limitations on a Certificate of Registration.

4.6.a. The Secretary may place limitations on a certificate of registration based on findings:

4.6.a.1. Of insufficient space in the home;

4.6.a.2. Of inadequate sleeping areas;

4.6.a.3. Of the provision of other home-based services, such as foster care and adult family care; or

4.6.a.4. That require a corrective action plan approved by the Secretary.

4.6.b. The limitations may apply to:

4.6.b.1. The age, sex and type of problems of children in care;

4.6.b.2. The intake of additional children; or

4.6.b.3. The total number of children in the home.

4.7. Waivers and Variances.

4.7.a. A family day care home may request a waiver or variance of any requirement in this rule if:

4.7.a.1. The health, safety or well-being of children in the home is not adversely affected; and

4.7.a.2. The rule does not prohibit a waiver or variance for the requirement.

4.7.b. The request for a waiver or variance shall be in writing, addressed to the Secretary, and shall include the following information:

4.7.b.1. The specific requirement to be waived or varied;

4.7.b.2. The reasons for seeking a waiver and why a specific requirement should not be applied in a particular circumstance; and

4.7.b.3. The reasons for seeking a variance and how compliance with a specific requirement of this rule can be accomplished in a manner different from that set forth in WV Code §49-2B-1 et. seq., or in this rule.

§78-19-5. Inspection and Investigation.

5.1. A caregiver shall allow a reasonable on-site monitoring inspection by the Department.

5.2. The Department may conduct inspections with or without advance notice.

5.3. During inspections, the caregiver shall provide access to the premises and to all aspects of the family day care home operation, including the children in care and the household members.

5.4. A family day care home shall ensure that its records are available in easily accessible files for inspection.

5.5. A family day care home shall cooperate in the investigation of complaints against the home.

§78-19-6. Caregiver, Substitute and Household Member Requirements.

6.1. General Requirements.

6.1.a. The caregiver or substitute shall be:

6.1.a.1. At least eighteen (18) years of age; and

6.1.a.2. Able to read and write.

6.1.b. The caregiver or substitute shall ensure that alcoholic beverages or illegal substances are not used and that no one present in the home is under the influence of those substances during the time children are in care.

6.1.c. The caregiver, substitute and all household members shall keep information about children in care and about the families of the children confidential, except for required reporting to the Department.

6.2. Health Requirements.

6.2.a. The caregiver shall obtain a medical examination and a tuberculosis screening within thirty (30) days of application for a certificate of registration and upon application for renewal of the certificate of registration. Medical examinations may be completed up to six (6) months prior to application or renewal.

6.2.b. If an investigation determines a caregiver or household member may have a physical, mental or emotional condition that could negatively impact the care of children, the caregiver shall provide a current physical or psychological exam report by a licensed physician or a licensed mental health professional assessing the condition and its impact on the provision of care for children, which will be used by the Department to determine whether to continue, deny or place limits on the certificate of registration.

6.2.c. The family day care home shall maintain a record of current medical examinations.

6.3. Training Requirements.

6.3.a. A caregiver shall complete eight (8) hours of approved training annually according to the following guidelines:

6.3.a.1. Two (2) hours of health or safety training;

6.3.a.2. Six (6) hours of training in at least three (3) other core competency areas, listed in Appendix 78-19 A of this rule;

6.3.a.3. Within six (6) months of registration a caregiver shall obtain approved training in basic first aid that includes rescue breathing and choke saving. This training may count as the two (2) hours of health and safety training required in Paragraph 6.3.a.1. of this Subdivision for that year.

6.3.b. A family day care home shall maintain a training record with certificates of attendance for training completed during the registration period.

6.4. Background Checks.

6.4.a. At the time of application and renewal for a certificate of registration, a caregiver and each adult household member shall sign:

6.4.a.1. A statement of criminal record; and

6.4.a.2. A consent to check Department records for child and adult abuse and neglect.

6.4.b. The Secretary shall not grant a certificate of registration to a family day care home if the caregiver, or a household member:

6.4.b.1. Is currently under indictment or charged with any crime;

6.4.b.2. Is on parole or probation for a felony; or

6.4.b.3. Has been convicted of any of the following crimes:

6.4.b.3.A. Abduction;

6.4.b.3.B. Violent felonies including, but not limited, to rape, sexual assault, felonious physical assault or felonious battery;

6.4.b.3.C. Child or adult abuse or neglect;

6.4.b.3.D. Exploitation of or harm to a child or incapacitated adult;

6.4.b.3.E. Domestic violence or spousal abuse;

6.4.b.3.F. Felony arson;

6.4.b.3.G. Felony drug-related offenses within the last ten (10) years;

6.4.b.3.H. Felony Driving Under the Influence (DUI) or Driving While Intoxicated (DWI) convictions within the last ten (10) years;

6.4.b.3.I. Hate crimes as described in WV Code §61-6-21;

6.4.b.3.J. Murder;

6.4.b.3.K. Pornography involving children or incapacitated adults;

6.4.b.3.L. Purchase or sale of a child;

6.4.b.3.M. Sexual offenses including but not limited to incest, sexual abuse, or indecent exposure; or

6.4.b.3.N. Other crimes that the Secretary determines may pose a risk to children.

6.4.c. A family day care home shall not be issued a certificate of registration unless the Secretary grants a waiver of the background check requirements.

6.4.d. The Secretary may consider a waiver if the household member has:

6.4.d.1. A felony conviction other than those listed in Paragraph 6.4.b.3;

6.4.d.2. Two (2) or more misdemeanor convictions;

6.4.d.3. A substantiated incidence of maltreatment, child or adult abuse or neglect; or

6.4.d.4. An unreported conviction.

6.4.e. The family day care home shall report arrests, charges, indictments, and convictions of caregivers and household members to the Department within twenty-four (24) hours of their occurrence.

6.5. Supervision of Children.

6.5.a. A caregiver shall be physically present at the family day care home, and within sight or hearing of all children in care.

6.5.b. A caregiver shall frequently observe children in cribs and playpens.

6.5.c. When supervising outdoor play, a caregiver shall remain outdoors with the children when:

6.5.c.1. There is a pool, pond, hot tub, pail, or other body of water; or

6.5.c.2. There are children six (6) years of age or younger present.

6.6. Family Day Care Home Capacity.

6.6.a. A family day care home shall have no more than six (6) children in care under thirteen (13) years of age at any one time. No more than two (2) of the children may be under twenty-four (24) months of age:

6.6.b. The number of children in the family day care home includes:

6.6.b.1. Children under six (6) years old who live in the home; and

6.6.b.2. Children under six (6) years old who are visiting and not accompanied by a parent or a responsible adult.

6.7. Substitutes.

6.7.a. Substitutes shall be reliable and at least eighteen (18) years of age.

6.7.b. The caregiver may use a substitute to provide care for children during emergency situations, illness and during occasional non-emergency situations such as vacations, child care training, and medical appointments.

6.7.c. The caregiver shall notify parents in advance when he or she plans to use a substitute for non-emergency situations.

6.7.d. The caregiver shall require the substitute to notify parents in emergency situations.

6.7.e. The caregiver shall use a substitute for no more than two (2) consecutive full weeks annually or more than an average of eight (8) hours weekly.

§78-19-7. Home Safety Requirements.

7.1. Home Requirements.

7.1.a. A family day care home shall have heat, electricity, indoor plumbing, and a working telephone.

7.1.b. A family day care home shall meet the following requirements:

7.1.b.1. Bathrooms shall be equipped with a sink that has hot and cold running water and an operating toilet;

7.1.b.2. Kitchens shall have a sink that has hot and cold running water, a working stove for cooking and a working refrigerator;

7.1.b.3. Interior doors shall lock from the inside and also shall be able to be unlocked from the outside;

7.1.b.4. Floors, walls, ceilings, steps, railings, doors, windows and furnishings in the home shall be kept clean and in good repair;

7.1.b.5. Windows or artificial lighting shall supply sufficient illumination for children's activities;

7.1.b.6. A working flashlight shall be available in the home for emergency lighting; and

7.1.b.7. The home shall have a minimum of thirty-five (35) square feet of indoor space per child. This space does not include hallways, bathrooms or rooms not intended for or approved for children's use.

7.2. Safety Barriers.

7.2.a. All indoor or outdoor stairways, hallways, and exits shall be unobstructed except for safety barriers.

7.2.b. Stairs of four (4) or more steps shall have hand railings when children under age five (5) years are in care.

7.2.c. Safety gates shall be provided at the top and bottom of stairs when infants and toddlers are in care.

7.2.c.1. Accordion expansion gates are prohibited.

7.2.c.2. Pressure mounted gates shall not be used at the top of a set of stairs.

7.2.d. Balconies, decks, porches, ramps, and play or living areas that are elevated more than thirty-six (36) inches shall be equipped with secure, child-proof railings and barriers.

7.3. Hazards.

7.3.a. Family day care homes shall:

7.3.a.1. Keep children from areas undergoing remodeling or construction;

7.3.a.2. Store cleaning supplies, detergents, aerosol cans, pesticides, poisons, flammable materials, poisonous or unknown plants, medicines, alcoholic beverages or toxic materials out of the reach of children under six (6) years of age;

7.3.a.3. Store hazardous materials separately from food items;

7.3.a.4. Store guns, ammunition, hunting knives, bows and arrows, and other weapons in a locked cabinet or closet, in an area inaccessible to children; and

7.3.a.5. Keep strings and cords long enough to encircle a child's neck (6 inches or more) out of the children's reach.

7.4. Emergency Exits.

7.4.a. Rooms used by children, except bathrooms, shall have at least two (2) exits.

7.4.b. All levels of the home used by children shall have two (2) unobstructed outside exits. The second exit from a room and from a level may be a window.

7.4.c. Windows used as exits shall be located no more than forty-four (44) inches from the floor.

7.4.d. A basement used by children shall have a door that exits directly to the outside.

7.4.e. In apartment buildings, where two exits are not available from the apartment, safe and continuous passageways, aisles or corridors that provide two exits shall serve to meet the requirements of Subdivision 7.4.b of this Subsection.

7.5. Electrical Safety.

7.5.a. Electrical cords shall be maintained in good condition.

7.5.b. Extension cords shall be heavy duty UL listed, and not run under carpets or rugs nor through common walkways, unless stabilized to prevent tripping.

7.5.c. Protective covers shall be installed on all unused electrical outlets accessible to children who are

under five (5) years of age.

§78-19-8. Fire Safety.

8.1. Evacuation Plan.

8.1.a. A family day care home shall develop and post a written plan for emergency evacuation of the children from the home.

8.1.b. The evacuation plan shall include a drawing of the primary and secondary exits from all areas of the house and meeting places for the children once they have exited the home.

8.1.c. A family day care home shall conduct monthly fire evacuation drills and maintain a written record of when they are conducted.

8.2. Heating and Cooling

8.2.a. Heating devices that require ventilation shall be vented to the outside.

8.2.b. Unvented gas heaters may be used as a supplemental source of heat when both of the following requirements are met:

8.2.b.1. A properly functioning digital carbon monoxide detector has been installed in a central location in the home; and

8.2.b.2. The heater is equipped with an oxygen depletion sensor that automatically shuts the heater off if a hazardous level of carbon monoxide accumulates.

8.2.c. Non-flammable protective barriers, guards or screens shall be installed around wood burning stoves, open fireplaces, and unvented heaters to protect children from burns and flames and to prevent access.

8.2.d. Electric space heaters are allowed if they are UL approved, stable, and inaccessible to children.

8.2.e. Kerosene heating stoves shall not be used while children are in care.

8.2.f. Heating equipment and hot water tanks shall be kept clear of combustible materials.

8.2.g. Hot water tanks shall be equipped with a pressure relief valve and in an area inaccessible to children.

8.2.h. Family day care homes shall use air conditioning or fans that are either adequately shielded or out of children's reach when temperatures exceed 80 degrees Fahrenheit.

8.3. General Fire Safety.

8.3.a. One (1) working smoke detector shall be installed on every level of the home.

8.3.b. Digital carbon monoxide detectors shall be installed in all residences that use gas appliances, fireplaces, pellet or wood-burning stoves, natural gas, oil, or propane heating systems.

8.3.c. Smoke detectors and carbon monoxide detectors shall have working batteries installed at all times.

8.3.d. Detectors shall be checked frequently and batteries replaced semi-annually to insure proper functioning.

8.3.e. An ABC-rated multi-purpose fire extinguisher shall be available in the home at all times.

§78-19-9. Environmental Safety.

9.1. Tobacco Use.

9.1.a. A caregiver shall notify parents in advance if anyone in the home smokes or uses smokeless tobacco.

9.1.b. A caregiver shall provide a smoke-free environment while children are present.

9.1.c. Smoking is prohibited when the children are in vehicles with the caregiver.

9.1.d. All tobacco products, ashtrays, butts, ashes, spittoons, lighters, and matches shall be kept out of the children's reach.

9.2. Pets and Animals.

9.2.a. A family day care home shall:

9.2.a.1. Keep documentation available on site of rabies vaccinations for all cats and dogs kept on the premises;

9.2.a.2. Confine animals that are sick, aggressive, or injured in an area not accessible to the children;

9.2.a.3. Keep litter boxes out of areas used by children and away from food preparation areas; and

9.2.a.4. Keep pets such as birds, ferrets, reptiles, or wild animals in an area of the home or the premises that is not accessible to children.

9.2.b. If an animal bites a child and the skin is broken, the caregiver shall notify the parents immediately and notify the Department within twenty-four (24) hours.

9.3. Play Areas.

9.3.a. A family day care home shall provide for outdoor play space within reasonable walking or driving distance from the home.

9.3.b. Play areas shall be free from unsanitary or hazardous items, trash receptacles, burning facilities, abandoned cars, appliances, farm animals, animal waste, debris, combustible rubbish, unsafe toys, open sewage, chemicals, exposed roots, open or abandoned wells, tires, and any other hazardous items or conditions.

9.3.c. Outdoor play equipment shall be safe, in good repair, and free of sharp edges and protruding parts.

9.3.c.1. Anchored play equipment shall not be placed over, or immediately adjacent to, hard surfaces.

9.3.c.2. All outdoor activity areas shall be maintained in a clean and safe condition by removing debris, dilapidated structures, broken or worn play equipment, building supplies, glass, sharp rocks, twigs, toxic plants, and other injurious materials.

9.3.d. Trampolines shall not be accessible to the children in care.

§78-19-10. Health, Sanitation, and Nutrition.

10.1. Health.

10.1.a. A caregiver shall:

10.1.a.1. Observe the children daily upon their arrival, and note signs of illness or injury;

10.1.a.2. Promptly report accidents, suspected illnesses, or exposure of a child to a communicable disease to the child's parents; and

10.1.a.3. Isolate a sick child from the other children.

10.1.b. A caregiver shall obtain written permission from parents to administer non-prescription and prescription medication according to the following guidelines:

10.1.b.1. Non-prescription medication shall be administered according to a written schedule, with information about dosages and times provided by the parents; and

10.1.b.2. Prescription medication shall be stored in original containers clearly labeled with the child's name and dosage, date, and name of medication.

10.1.b.3. The caregiver shall administer the medication according to the label.

10.1.c. The caregiver shall maintain a record of each child's health examinations and immunizations according to the following guidelines:

10.1.c.1. A general medical examination for children who have not yet reached their sixth (6) birthday shall be obtained within six (6) months prior to or thirty (30) days following admission to the home;

10.1.c.2. Children's medical examination records shall be updated annually;

10.1.c.3. Immunization records shall be completed and updated according to the schedule recommended by the Department;

10.1.c.4. If immunizations are not current, the caregiver shall obtain a schedule for completion from the parent for the family day care home's files; and

10.1.c.5. A family day care home shall not require immunization records for children whose parents provide written documentation of religious objections, or when immunizations are contraindicated due to a medical condition documented by a physician.

10.2. Sanitation.

10.2.a. The family day care home shall have sufficient safe water for drinking, hand washing, and other household needs.

10.2.b. The family day care home shall have safe drinking water available to the children at all times.

10.2.c. If a family day care home uses water from sources other than a regular municipal water supply, the water shall be tested annually for compliance with water quality requirements of the West Virginia Department of Public Health.

10.2.d. The caregiver and the children shall thoroughly wash their hands with soap and water for at least ten (10) seconds any time they are soiled, including at the following times:

10.2.d.1. Before eating;

10.2.d.2. Before handling or preparing foods;

10.2.d.3. After contact with animals;

10.2.d.4. Before and after diaper changing, assisting a child with toilet use, or personal bathroom use; and

10.2.d.5. When the caregiver or the children come into contact with blood or bodily fluids containing blood.

10.2.e. The caregiver shall employ universal precautions for protection from disease and infection, as detailed in Appendix 78-19 C of this rule.

10.2.f. The caregiver shall store food and drinks in closed containers and refrigerate as needed.

10.2.g. To ensure the cleanliness of the home the caregiver shall:

10.2.g.1. Cover garbage cans with lids, maintain them in a sanitary manner with liners, and empty them daily;

10.2.g.2. Clean bathroom facilities used by the children daily and when soiled, as listed in Appendix 78-19 B of this rule;

10.2.g.3. Clean dishes in a dishwasher or in hot water and detergent. If they are washed by hand, they shall be rinsed thoroughly and allowed to air dry;

10.2.g.4. Maintain the family day care home and furnishings in a safe and sanitary condition to prevent accidents and illnesses;

10.2.g.5. Ensure that the family day care home is free of rodent or insect infestation; and

10.2.g.6. Ensure doors and windows that are left open have screens.

10.3. Nutrition.

10.3.a. Children shall receive nutritious meals and snacks, served in a sanitary manner and in amounts adequate to meet their nutritional needs, as detailed in Appendix 78-19 D of this rule.

10.3.b. Children shall be encouraged, but not forced to eat.

10.3.c. Children who do not require a highchair shall be seated comfortably at a table when meals and snacks are served.

§78-19-11. Water Safety.

11.1. Pools and Hot Tubs.

11.1.a. The caregiver shall prohibit the children's use of wading pools, inflatable pools, and hot tubs.

11.1.b. A caregiver shall enclose in-ground swimming pools with a fence at least four (4) feet high.

11.1.c. A caregiver shall equip above ground pools with the following:

11.1.c.1. Entry gates and ladders that remain locked when the pool is not in use;

11.1.c.2. A fence that encloses the pool and is at least four (4) feet high; or

11.1.c.3. A fence manufactured strictly for above ground pools that extends at least two (2) feet above the pool with a locking ladder attached;

11.1.d. The caregiver shall ensure that any pools used by the children have working filtration systems and are maintained to prevent development of bacteria and algae.

11.1.e. A caregiver shall equip hot tubs with a hard cover.

11.2. Water Play.

11.2.a. A caregiver shall make sure that the children involved in swimming activities are supervised by an adult swimmer.

11.2.b. When a caregiver takes children to swimming areas outside the home, the caregiver shall:

11.2.b.1. Obtain prior written permission from the parents;

11.2.b.2. Supervise the children at all times; and

11.2.b.3. Ensure that life guards are present.

§78-19-12. Emergency Practices.

12.1. Emergency Information.

12.1.a. A family day care home shall ensure that written emergency information is available near the telephone within easy access of the caregiver, children, and substitutes that contains numbers for the following:

12.1.a.1. Police and fire departments;

12.1.a.2. The child abuse and neglect hotline;

12.1.a.3. Ambulance service;

12.1.a.4. A poison control center;

12.1.a.5. Parents' work and home;

12.1.a.6. Numbers for each child's doctor; and

12.1.a.7. An emergency substitute, if applicable.

12.1.b. Emergency information for each child and parental permission forms for emergency medical treatment shall be obtained prior to a child's placement in the home, maintained in the providers records, and updated when information changes.

12.1.c. Emergency information for each child includes emergency contacts, family information, permission to seek medical treatment, and permission to transport the child.

12.1.d. Emergency consent forms shall be notarized.

12.2. First Aid Supplies.

12.2.a. A family day care home shall keep the following first aid supplies available in a portable container and ensure they are out of children's reach:

12.2.a.1. A thermometer;

12.2.a.2. Disposable gloves;

12.2.a.3. Blunt tipped scissors;

12.2.a.4. Tweezers;

12.2.a.5. Bandage tape;

12.2.a.6. Sterile gauze;

12.2.a.7. Non-medicated adhesive strips;

12.2.a.8. Sealed packages of alcohol wipes or antiseptic;

12.2.a.9. Soap;

12.2.a.10. Syrup of ipecac; and

12.2.a.11. A first aid guide.

12.2.b. A family day care home shall administer syrup of ipecac only upon instructions from a poison control center or a licensed physician.

§78-19-13. Transportation.

13.1. General Transportation.

13.1.a. When transporting children the caregiver shall:

13.1.a.1. Notify parents in advance when activities are planned that require transportation;

13.1.a.2. Make sure the children's emergency consent forms are carried in the vehicle in case of accident or illness;

13.1.a.3. Accompany children on activities that require transportation;

13.1.a.4. Ensure the driver transporting the children has a valid driver's license; and

13.1.a.5. Ensure the vehicle used to transport the children is maintained in safe running condition, with insurance and a current inspection sticker.

13.2. Child Safety During Transportation.

13.2.a. A family day care home shall ensure that:

13.2.a.1. Children three (3) years of age and under are secured in an approved child safety seat, as required by WV Code §17C-15-46;

13.2.a.2. Children over three (3) years of age are secured in individual seat belts, as required by WV Code §17C-15-46; and

13.2.a.3. Children do not share seatbelts.

§78-19-14. Program and Equipment.

14.1. Daily Routine.

14.1.a. A family day care home shall post the daily routine.

14.1.b. The daily routine shall be appropriate to the ages of the children in care and include:

14.1.b.1. Specific meal times;

14.1.b.2. Naps times for children who need them;

14.1.b.3. Indoor play time;

14.1.b.4. Outdoor play time on days when temperatures are forty (40) degrees and above, weather and circumstances permitting;

14.1.b.5. A balance of active and quiet play; and

14.1.b.6. Time to learn self-help skills, such as hand washing, brushing teeth, dressing and toileting.

14.2. Program.

14.2.a. A family day care home shall implement a program that:

14.2.a.1. Is appropriate to the ages and stages of development of children in care; and

14.2.a.2. Enhances the healthy growth and development of children.

14.2.b. A family day care home shall select toys, equipment, and activities referenced in the resource tables in Appendix 78-19 E of this rule. Examples include:

14.2.b.1. Art and craft activities, music, games, puzzles and books;

14.2.b.2. Building blocks;

14.2.b.3. Outdoor play equipment, such as balls and riding toys;

14.2.b.4. Dress up clothes for dramatic play;

14.2.b.5. Manipulative toys;

14.2.b.6. Large muscle equipment; and

14.2.b.7. Science materials.

14.2.c. A family day care home shall ensure that age-appropriate books are read on a daily basis to children between the ages of six (6) months and five (5) years of age.

14.3. Equipment.

14.3.a. A family day care home shall ensure each child has an appropriately-sized place to rest, such as a crib, playpen, bed, cot, sofa, or mat with clean individual bedding.

14.3.b. Toys and equipment used by the children shall be non-toxic, safe, sturdy, easy to clean and free of hazards, as specified in Appendix 78-19 E of this rule.

§78-19-15. Guidance and Discipline.

15.1. Guidance.

15.1.a. The caregiver and parents shall discuss and agree upon positive methods of guidance that encourage a child's acceptable behavior.

15.1.b. The caregiver shall use guidance that helps the children understand appropriate behavior and is

appropriate to their ages.

15.1.c. A family day care home shall have rules that are fair, consistent, and relevant to the children's ages.

15.1.d. A family day care home may use a time out that lasts no more than one (1) minute for each year of a child's age only for the purpose of helping a child regain control.

15.2. Discipline.

15.2.a. A caregiver, household member or substitute shall not use any of the following harmful forms of discipline:

15.2.a.1. Punishing a child physically including spanking, hitting, kicking, biting, shaking, swatting, thumping, pinching, popping, shoving, spitting, or other cruel treatment;

15.2.a.2. Punishing or threatening a child in association with food, sleep, rest, or toilet training;

15.2.a.3. Putting anything in or on a child's mouth as punishment;

15.2.a.4. Confining a child in a closet or locked room or using physical restraints for confinement;

15.2.a.5. Using loud, profane, or abusive language or threats of physical punishment;

15.2.a.6. Punishing a child psychologically including public or private humiliation, shaming, and negative remarks about the child or child's family;

15.2.a.7. Punishing a child emotionally including rejecting, terrorizing, ignoring, or isolating; and

15.2.a.8. Allowing a child to discipline other children.

15.2.b. A caregiver shall not seek or accept parental permission to use any punishments or acts prohibited in this rule.

§78-19-16. Infants and Toddlers.

16.1. Equipment.

16.1.a. A family day care home:

16.1.a.1. Shall provide infants and toddlers with a crib, port-a-crib, or playpen that has no more than two and three-eighths ($2 \frac{3}{8}$) inches between slats, side, or end panels;

16.1.a.2. Shall not allow infants or toddlers to sleep on any type of adult bed or sofa;

16.1.a.3. Shall not place soft pillows or stuffed animals in infant beds during sleep or nap times;

16.1.a.4. Shall not allow the use of mobile walkers;

16.1.a.5. Shall ensure that high chairs, infant swings, playpens and cribs are safe and in good working condition; and

16.1.a.5. Shall disinfect toys and play equipment used by infants and toddlers after each use. Resource tables are contained in Appendices 78-19 B and E of this rule.

16.2. Feeding and Care.

16.2.a. A family day care home caring for infants and toddlers shall:

16.2.a.1. Keep milk and formula under refrigeration at all times;

16.2.a.2. Offer water to infants and toddlers several times daily;

16.2.a.3. Hold infants six (6) months of age and younger while bottle-feeding. Bottle propping is prohibited;

16.2.a.4. Hold infants and toddlers with special needs over six (6) months of age while bottle-fed until they are able to hold their own bottles securely;

16.2.a.5. Ensure that infants and toddlers participate in activities outside of cribs or playpens;

16.2.a.6. Hold, cuddle, talk to, sing to, and respond to the particular needs of infants and toddlers; and

16.2.a.7. Place an infant who is unable to turn over independently on his or her back to sleep unless medical documentation prohibits sleep in that position.

16.3. Diapering and Toilet Training.

16.3.a. A caregiver caring for children in diapers shall:

16.3.a.1. Use a clean non-porous surface or pad for diaper changing and shall clean it after each use;

16.3.a.2. Have sufficient quantities of clean diapers available; and

16.3.a.3. Change diapers when soiled and dispose of them in a closed container that is emptied daily.

16.3.b. A family day care home caring for a child who is toilet training shall:

16.3.b.1. Discuss and agree with the child's parent on a schedule for toilet training; and

16.3.b.2. Empty and sanitize potty chairs after each use.

§78-19-17. Night Time Care.

17.1. Sleeping.

17.1.a. A family day care home providing night time care:

17.1.a.1. Shall not place mats or sleeping bags directly on the floor for overnight sleeping;

17.1.a.2. Shall provide the children with clean linen, pillows, and additional coverings as needed for comfort;

17.1.a.3. Shall be awake while the children are awake and sleep only when all the children are asleep; and

17.1.a.4. Shall ensure that only children of the same family and sex sleep together in the same bed.

17.2. Bathing.

17.2.a. When bathing a child, the caregiver shall:

17.2.a.1. Discuss bathing arrangements with the child's parents;

17.2.a.2. Provide age appropriate bathing facilities for children for overnight care;

17.2.a.3. Supervise a child under six (6) years of age while bathing;

17.2.a.4. Equip bathtubs and showers with safety devices to prevent slipping or falling; and

17.2.a.5. Provide soap, clean water, clean individual wash cloths and towels for each child.

§78-19-18. Parent Involvement.

18.1. Responsibilities.

18.1.a. A family day care home shall maintain all completed parental forms required by the Department, including emergency information and medical forms, on file.

18.1.b. The caregiver shall require parents to review and sign daily sign in and out sheets to document the time all children are in care.

18.1.c. A family day care home shall keep records on file for two (2) years.

18.1.d. The caregiver shall work with parents, the school system, The Birth to Three Program, and other providers to plan for a child's transition to other programs.

18.2. Rights.

18.2.a. The caregiver shall give parents an opportunity for pre-enrollment visits to discuss services and requirements of the family day care home as well as the needs of the family and children.

18.2.b. The caregiver shall give custodial parents immediate and unlimited access to their children in care, and follow these guidelines:

18.2.b.1. The caregiver shall release the children only to the individuals listed on the parent's emergency consent form; and

18.2.b.2. The caregiver shall require identification before releasing a child to someone unknown to the caregiver.

§78-19-19. Required Reporting to the Department.

19.1. A family day care home shall immediately report suspected child abuse or neglect to the Department in accordance with WV Code §49-6A-1 et seq.

19.2. A family day care home shall immediately report to the Department any accidents or illnesses resulting in emergency treatment, hospitalization, or the death of a child.

19.3. A family day care home shall report the following within seventy-two (72) hours:

19.3.a. An adult added to the household so statements of criminal record, child abuse and neglect history can be completed;

19.3.b. Major damage to the home caused by fire, flood, or storms; and

19.3.c. A change in address.

§78-19-20. Enforcement Action.

20.1. This rule may be enforced by revocation of a certificate of registration, or by immediate closure, or both, in accordance with WV Code §§49-2B-11 and -12.

§78-19-21. Administrative and Judicial Review.

21.1. In accordance with the provisions of WV Code §49-2B-13, a family day care home may seek an

administrative review of a decision made by the Secretary by requesting a hearing within thirty (30) days of receiving the notice of the decision.

21.2. A family day care home may also seek immediate relief from the decision of the Secretary by a showing of good cause made by verified petition to the circuit court of Kanawha County or the circuit court of the county where the home is located.

Appendix 78-19 A

WEST VIRGINIA CORE COMPETENCIES

It is implicitly understood that these competencies are necessary to promote the optimal development of all children, including those with special needs, and that activities and environments should be adapted to accommodate each child's learning modality and style.

Health

- Is familiar with what diseases require exclusion of children; what diseases require isolation of children in attendance; and what diseases and conditions can be included in the regular classroom;
- Models and promotes good health and nutrition habits;
- Provides environment that contributes to the prevention of illness;
- Nurtures children's developing identity and feelings of self-worth;
- Integrates health care activities into the curriculum;
- Can identify symptoms of common early childhood illnesses;
- Provides for nutritional needs of children as specified under USDA; and
- Can demonstrate effective procedures to prevent the spread of disease.

Safety

- Provides a safe environment to prevent and reduce injuries;
- Is attentive to children's activities;
- Has skills and knowledge to prevent injuries and handle emergencies and injuries appropriately when they occur;
- Has formal training and up-to-date Certification in First Aid for children, including rescue breathing; and
- Recognizes indicators of child abuse and neglect and understands legal responsibility to report suspected child abuse.

Environment

- Appropriately addresses issues of space, social relationships, materials and routines in setting the environment;
- Promotes warm, positive, nurturing and respectful interactions among providers, children and families.
- Creates an interesting, secure and enjoyable environment that encourages play, exploration and learning;
- Supports a broad array of experiences;
- Establishes a reliable routine;
- Maintains an appropriate adult/child ratio; and
- Encourages visits and participation by parents and includes families as partners in the provision of services.

Physical Development

- Provides a variety of equipment, activities and opportunities to promote the physical development of children;
- Provides for physical development, including large and small muscle strengthening, coordination and control;
- Recognizes, respects and accommodates wide differences in individual rates of physical development;
- Demonstrates an understanding of patterns and stages of a child's physical growth; and
- Observe and discusses with parents and notes in writing any unusual patterns of growth or unusual behavior that might be related to physical capability.

Cognitive Development

- Provides activities and opportunities that encourage curiosity, exploration and problem-solving;
- Uses developmental criteria and understanding of learning styles in working with children;
- Responds to children's interests by providing new learning opportunities;
- Responds to children's questions with information and enthusiasm;
- Respects the relationship of cognitive development with other areas of development (physical, social and emotional);
- Demonstrates an understanding of patterns and stages of a child's cognitive growth; and
- Understands and can explain to parents the ways in which each of the activities for children contribute to cognitive development.

Development of Creativity

- Provides opportunities that stimulate children to play with sound, rhythm, language, materials, space, ideas in individual ways;
- Supports and respects children's expression of creative abilities;
- Encourages spontaneous expression; and
- Expands children's imaginations.

Communication

- Communicates verbally and non-verbally with other staff to create a well-functioning team;
- Models good communication skills;
- Provides opportunities and support for children to understand, acquire and use verbal and non-verbal means of communicating thoughts and feelings;
- Provides ample opportunity for children to listen, interact and express themselves freely with other children and adults; and
- Demonstrates an understanding of patterns and stages of a child's language development.

Self

- Provides physical and emotional security for each child;
- Helps each child to know, accept and take pride in himself or herself;
- Helps children develop independence;
- Demonstrates and encourages respect for and valuing of cultural, racial, gender, socio-economic and physical ability differences;
- Supports child's self-esteem by providing opportunities for the child to master new abilities, to experience success and safely make mistakes;
- Helps children find their own ways to handle increasingly challenging tasks;
- Demonstrates an understanding of patterns and stages of a child's self-growth;
- Recognizes each child as a unique person and establishes a caring relationship; and
- Recognizes each child's identity as part of a family and works in partnership with parents.

Social

- Helps each child feel secure and accepted in the group;
- Helps children learn to communicate and get along with others;
- Encourages feelings of empathy and mutual respect among children and adults;
- Integrates multi-cultural/anti-bias themes, literature and experience in all curriculum areas;
- Demonstrates an understanding of patterns and stages of a child's social development; and
- Demonstrates the ability to facilitate the development of group cooperation among the children and to contribute to a feeling of community and family supportiveness in the program as a whole.

Guidance

- Provides a supportive environment in which children learn and practice appropriate and acceptable behaviors;
- Provides consistent limits and realistic expectations;
- Clearly and positively defines expectations;
- When setting expectations, takes into account each child's development and needs;
- Supports children's efforts to independently resolve their own problems;
- Discusses guidance with parents and makes sure that children understand any differences in approach between the home and the program; and
- Demonstrates ability to use positive methods of guidance rather than punishment.

Families

- Supports the family's role as primary Caregiver and teachers of the children;
- Respects and supports each child's cultural, racial and socio-economic background;
- Creates and maintains open, friendly, cooperative relationships with each child's family;
- Encourages each family's involvement in the program in a variety of ways, responsive to each family's situation;
- Supports the child's relationship with his or her family;
- Respects the diverse values of families;

- Individualizes referrals to community resources for families;
- Recognizes children and families with emotional distress, abuse and neglect and provides avenues of assistance.
- Establishes regular communication with parents to gain needed information about the child's life outside the program and give parents needed information about the child's play; and
- Generates opportunities for the program and parents to collaborate.

Program Management

- Works cooperatively with co-workers and families;
- Has a systematic approach to organizing, planning and keeping records;
- Delegates responsibility;
- Uses all available resources to ensure effective operation;
- Keeps accurate records of needs, plans and practices; and
- Observes and records children's behavior, makes plans based on observed needs.

Professionalism

- Makes decisions based on knowledge of early childhood theories and practices;
- Promotes quality in child care services;
- Takes advantage of opportunities to improve competence;
- Continues to set new goals, takes initiative;
- Works to resolve issues and problems cooperatively and respectfully;
- Advocates for quality child care;
- Develops relationships with other child care professionals for support and information exchange; and
- Is familiar with and assists families in accessing available community resources; and
- Joins professional organizations and plays responsible role.

Appendix 78-19 B

DISINFECTANT AND SANITIZING SOLUTION

!!!Remember to mix fresh solution daily!!!				
To disinfect diaper changing tables and other hard surfaces:				
¼ cup bleach	to	1 gallon of water	=	800 ppm
2 tablespoons (1 oz.) bleach	to	½ gallon of water	=	800 ppm
	to	1 quart of water	=	800 ppm
2 teaspoons (1/4 oz.) bleach	to	1 pint of water	=	800 ppm
To sanitize cots, tables, counters and toys:				
1 tablespoon (½ oz.) bleach	to	1 gallon of water	=	200 ppm
2 teaspoons (1/4 oz.) bleach	to	½ gallon of water	=	200 ppm
1 teaspoon (1/8 oz.) bleach	to	1 quart of water	=	200 ppm
½ teaspoon bleach	to	1 pint of water	=	200 ppm
To sanitize dishes & utensils:				
2 teaspoons (1/4 oz.) bleach	to	1 gallon of water	=	100 ppm
<p>!!!Dishes and utensils must be submerged in sanitizing solution for at least one minute!!! Example: If sink will hold 3 gallons then mix 6 teaspoons bleach to 3 gallons of water. Mix fresh with each dishwashing – the solution should be replaced when the bleach concentration falls below 50 ppm.</p>				
Measurement Equivalent:				
1 teaspoon	=	1/8 fluid ounces		
2 tablespoons	=	1 fluid ounce		
1 cup	=	8 fluid ounces		
1 pint	=	16 fluid ounces		
1 quart = 2 pints	=	32 fluid ounces		
1 gallon = 4 quarts	=	128 ounces		
<p>Pollutants and trace minerals are often reported in units called ppm. What is a ppm?</p> <p><i>Part per million; 1 gram in 1 million grams of material</i></p>				

Appendix 78-19 C
Universal Precautions

Spills of body fluids (i.e., urine, feces, blood, saliva, nasal discharge, and injury or tissue discharge) shall be cleaned up immediately as follows:

For spills of vomit, urine, and feces: walls, bathroom, table tops, toys, kitchen counter-tops, and diaper-changing tables shall be cleaned and disinfected.

For spills of blood or blood-containing body fluids and injury tissue discharges, the area shall be cleaned and disinfected. Gloves shall be used in these situations unless the amount of blood or body fluid is so small that it can easily be contained by the material used for cleaning. If disposable gloves are used, they shall be discarded immediately and hands washed.

Persons involved in cleaning contaminated surfaces shall avoid exposure of open sores or mucous membranes to blood or blood-containing body fluids and injury or tissue discharges by using gloves to protect hands when cleaning contaminated surfaces.

Mops shall be cleaned, rinsed in sanitizing solution, wrung as dry as possible and hung to dry.

Blood-contaminated material and diapers shall be disposed of in a plastic bag with a secure tie.

Appendix 78-19 D
MINIMUM MEAL PATTERN PLAN FOR CHILDREN

Meal	1-2 Year Old	3-5 Year Old	6-12 Year Old
Breakfast			
Milk, fluid	½ cup	¾ cup	1 cup
Juice or fruit	¼ cup	½ cup	½ cup
Cereal or bread product	Choose one of the following		
- Enriched or whole grain	½ slice	½ slice	1 slice
- Cold, dry cereal or	¼ cup	1/3 cup	¾ cup
- Cooked cereal	¼ cup	¼ cup	½ cup
- Cooked pasta or noodle	¼ cup	½ cup	¼ cup
Midmorning or midafternoon snack (the following choices are recommendations only)			
Milk, fluid; or juice; or fruit;	½ cup	½ cup	1 cup
Cereal or bread	Choose one of the following		
- Enriched or whole grain	½ slice	½ slice	1 slice
- Cereal	¼ cup	1/3 cup	¾ cup
Lunch or Supper			
Milk, fluid	½ cup	¾ cup	1 cup
Meat and/or meat alternate	Choose one of the following		
- Meat, poultry or fish	1 ounce	1 ½ ounce	2 ounces
- Cheese	1 ounce	1 ½ ounce	2 ounces
- Cooked dry beans	¼ cup	3/8 cup	½ cup
- Peanut butter	¼ tbsp.	3 tbsp.	4 tbsp.
- Egg	1 egg	1 egg	1 egg
Vegetables and fruit - 2	¼ cup	½ cup	¾ cup
Bread and bread alternates	Choose one of the following		
- Enriched or whole grain	½ slice	½ slice	1 slice
- Cooked pasta or noodle	¼ cup	¼ cup	½ cup
- Cooked cereal grains	¼ cup	¼ cup	½ cup
- 1 pound of meat or cheese meets minimum serving for:	16 children	11 children	8 children
Recommended Daily Dietary Allowances of the National Research Council/National Academy of Sciences			

APPENDIX 78-19 E

Resource Tables for Section 14 of this rule.

The following tables suggest examples of play equipment, types of toys, and materials that can be used with children of different age groups. All activities and equipment need to be suited to a child's age and stage of development. Toys for infants and toddlers should be sturdy, have no sharp points or edges, have no loose parts that could be swallowed or block airways, and be painted with non-toxic paint.

Table A: Equipment and Materials for Infants

Type of Materials	Types of Supplies and Equipment
Music, Art and Dramatic Play	Wrist or ankle bells; rattles; adult operated tape or cd player with assorted music; musical toys designed for infants; musical mobiles; banging materials that are simple and light weight; secured infant mirrors; play telephones; soft washable dolls, animals and puppets; simple toys with wheels or rollers.
Blocks and Manipulative Play	Soft and textured blocks, disks or keys on a ring; squeeze toys; teething toys; interlocking rings; large connecting blocks, large hollow blocks; jumbo pop beads; nesting cups, stacking toys; simple peg boards; boxes.
Language and Science	Picture books; toy telephones; adult operated recordings, tapes, discs and players; photographs; textured surfaces; floating toys; sponges; spoons and scoops.
Large Muscle Equipment	Low, soft or padded climbing platform for crawlers; infant activity gym; foam or soft plastic balls; simple push toys; secure swings designed for infants.

APPENDIX 78-19 E

Resource Tables for Section 14 of this rule.

Table B: Equipment and Materials for Toddlers

Type of Materials	Types of Supplies and Equipment
Music, Art and Dramatic Play	Well secured unbreakable mirrors; adult operated tape or cd player with assorted music accompanied by simple body and finger movement; hand bells, xylophones, drums, toddler pianos/keyboards; non toxic art supplies such as play-dough and large crayons; finger paints; large paint brushes used with washable paint on paper; washable markers; kitchen play sets, tool play sets; hats, capes, purses, shoes, boots; play telephones; soft dolls, animal figures, puppets; simple wheel toys such as cars and trains with large wheels or rollers.
Blocks and Manipulative Play	Large connecting blocks, large hollow blocks, large wooden blocks; jumbo pop beads; nesting cups; simple peg boards, simple puzzles; simple threading toys; mobile pull toys; simple dial, key and button toys; pop-up boxes; boxes.
Language and Science	Picture books, touch-me books, simple rhyming books, books for lap reading; toy telephones; adult operated recordings/tapes/discs and players; photographs; water play toys, scoops and containers.
Large Muscle Equipment	Low, soft or padded climbing platforms and slides; riding/rocking toys that are feet propelled; foam or soft plastic balls; gym mats; play tunnels; push toys; secure swings designed for toddlers.

APPENDIX 78-19 E

Resource Tables for Section 14 of this rule.

Table C: Equipment and Materials for Children age 2-5 years

Type of Materials	Types of Supplies and Equipment
Music, Art and Dramatic Play	Bells, cymbals, drums, tambourines, sand blocks, triangles, rhythm sticks, keyboards, blowing instruments; rattles; adult operated tape or cd player with assorted music; non toxic art supplies such as play-dough, large crayons and finger paints; large paint brushes used with washable paint on paper; washable markers; glue sticks; chalk; sponges; adjustable easel; colored construction paper; blunt end scissors; unbreakable mirrors; dress-up and role playing materials; masks; housekeeping equipment; play house; doctor kit; doll equipment; play scene sets with people figures and animal figures; puppets; train and car sets.
Blocks and Manipulative Play	Connecting blocks, large hollow blocks, hardwood unit blocks and accessories; nesting cups, stacking toys; pop beads; peg boards, puzzles; threading toys; boxes; shape sorters; matching games; mosaic blocks.
Language and Science	Picture books, easy to read along books or beginning reader books, pop-up books; hidden pictures; child oriented magazines; child dictionary; tape/cd players and recorders; photographs; beginning computer software; aquariums; terrarium; sandbox and play equipment; water play equipment such as cups, droppers, floating toys, containers; magnets; magnifying glasses; collections such as rocks and shells; simple gear and lever devices; simple math games.
Large Muscle Equipment	Low climbing platforms and slides; riding and rocking toys; foam or soft plastic balls; sports balls of all sizes matching the age of child; jump rope; flying disks; gym mats; play tunnels; push and pull toys that look like adult equipment; low child swings; stable ride on equipment.

APPENDIX 78-19 E

Resource Tables for Section 14 of this rule.

Table D: Equipment and Materials for School Age Children

Type of Materials	Types of Supplies and Equipment
Music, Art and Dramatic Play	Tape, cd or karaoke player/recorder; variety of music; assorted musical instruments such as hand bells, xylophones, drums, pianos/keyboards; art supplies such as clay, paints, paint brushes, markers, yarn, scissors, glue, colored pencils, variety of art paper, chalk, scraps of material, beads, common household items for art construction; weaving materials; models; mirrors; dress-up and role playing materials; masks; housekeeping and gardening equipment; play house, tent, grocery store, work shop; doctor kit; culturally diverse dolls; doll equipment; play scene sets with people figures and animal figures; puppets;
Blocks and Manipulative Play	Small interlocking blocks; log builder sets; wood blocks and accessories; geometric interlocking blocks; materials for detailed construction of models; jig-saw puzzles and 3-D puzzles.
Language and Science	Story books; chapter books; tape recorders; cameras; computer programs; games and books that require problem solving; games based on words; matching games; beginning strategy games; globes; maps; aquariums; terrarium; gardening; magnets; magnifying glasses; collections such as rocks and shells; ant farms; child microscope.
Large Muscle Equipment	Music for movement; sports balls and equipment for beginning team play; target activities; complex climbing structures such as ladders and ropes; hula hoops; jump rope; outdoor running and tagging games.