

STATE OF LOUISIANA

MINIMUM LICENSING

REQUIREMENTS

FOR

EMERGENCY SHELTER CARE

A Child Caring Agency Offering Emergency Shelter Care is a person, group, or organization operating one or more facilities established for the purpose of providing 24-hour emergency shelter care on a regular basis to children under age 18. Facilities caring for five (5) or more children must be licensed, but licensure is optional when emergency shelter care is to be provided to fewer than five children. The standards do not apply to state approved foster homes or to foster homes developed by licensed child placing agencies.

For the purpose of these standards, the phrase "child caring agency" shall mean child caring agency offering emergency shelter care.

I. ORGANIZATION AND ADMINISTRATION

A. PURPOSE

1. The Child Caring Agency shall have a written statement adopted by the governing body specifying objectives, purposes, agency function and services offered. When the agency operates under a charter or articles of incorporation, all of its purposes shall be stated therein.

An un-incorporated agency whether a sole proprietorship or partnership shall state clearly its purposes, objectives, agency functions and services in a written plan of operation.

COMPLIANCE REQUIREMENT: *Submission of the written documents such as charter and/or by-laws.*

2. Evidence must be shown by the agency that services and programs as stated in the operational plan are being implemented.

COMPLIANCE REQUIREMENT: *Agency's records must document the services and programs provided to individual children.*

3. When an agency adds a new function or service to its program, its governing body shall adopt a supplementary statement of such function.

COMPLIANCE REQUIREMENT: *Presentation in writing to the licensing body within 90 days of implementation of the new services, programs, etc.*

B. GOVERNING BODY

1. All corporations shall have a governing body, which is responsible for and has authority over the policies and activities of the child caring agency. If incorporated in Louisiana, the governing body shall consist of a minimum of nine (9) members, the majority of who must be Louisiana residents. If not incorporated in Louisiana, there shall be a local advisory board of seven (7) members, the majority of whom are Louisiana residents.
2. The governing or local advisory board shall consist of one of the following:
 - a. A board of local citizens elected or appointed for the purpose;
 - b. A board or committee comprised of members of a religious or charitable organization such as a church, lodge, veterans organization, etc.;
 - c. A public authority.
3. In the case of a partnership or sole proprietorship, there shall be a local advisory board of at least seven members, the majority of which are Louisiana residents.

COMPLIANCE REQUIRMENT: Corporations will provide the licensing authority with the names, addresses, telephone numbers and titles of the members of the governing body and/or local advisory board; partnerships and sole proprietorships shall provide the names and addresses and telephone numbers of each of the owners and the names, addresses and telephone numbers of the local advisory board.

4. The governing body shall be responsible for the program and standard of services of the agency.

COMPLIANCE REQUIREMENT: The governing body shall review and approve all policies of the agency. The approval will be recorded in the official minutes of the governing body or a written statement or summary of the minutes.

5. The governing body of an incorporated agency shall identify in writing that has the power to appoint and

dismiss the executive of the agency as well as the duties and responsibilities of the director.

COMPLIANCE REQUIREMENT: *Written documentation of the above.*

6. The governing body shall determine who has authority to employ and dismiss personnel.

COMPLIANCE REQUIREMENT: *Written documentation.*

7. Any policies and/or administrative decisions of the governing body which would change the purpose of the agency will be made known to the licensing agency before implementation.

COMPLIANCE REQUIREMENT: *Written notification to the licensing authority at least 30 days prior to the proposed date of implementation.*

8. The governing body and/or local advisory board shall meet as often as necessary but no less than twice a year to ensure the proper operation of the agency and care provided to children. Minutes shall be made of each meeting of the governing body or local advisory board and shall be kept on file. The minutes of an incorporated body shall be signed by an officer of the board.

COMPLIANCE REQUIREMENT: *Applicable minutes or a summary of the minutes shall be on file for review.*

9. The governing body shall complete a written annual evaluation of the administrator.

COMPLIANCE REQUIREMENT: *Written statement by the governing body and appropriate members certifying that the evaluation has been prepared.*

C. RESOURCES

1. The governing body shall be responsible for the funding of the program and shall prepare a financial statement and/or audit including the annual operational and capital budgets.

2. A new agency seeking licensure shall prepare an annual budget for the fiscal year and shall indicate all sources of income and expenditure.

COMPLIANCE REQUIREMENT: *Presentation of an annual financial statement, audit or budget to the licensing authority.*

3. A facility dependent on contributions from parents of its children or other outside funding for the care of individual children shall have funds to operate for 30 days should all funding processes cease. An agency's funding should be sufficient to prevent the children from feeling their security or placement is in jeopardy.

COMPLIANCE REQUIREMENT: *Documentation of the funds on hand or sources of credit available to the facility.*

II. PERSONNEL

A. PERSONNEL QUALIFICATIONS

All employees shall present a written statement from a licensed physician which documents the individual is free from communicable diseases.

1. Administrator

Every newly appointed administrator shall have a Bachelor's Degree from an accredited college or university and a minimum of four years experience in a social agency offering direct services to children. One year of administrative experience in social services may be substituted for two years of regular experience. A Master's Degree plus two years of social service experience may be substituted for the four years of experience. An alternative may be a Bachelor of Social Work (BSW) Degree or professional equivalent with three years experience working with children, one year of which may be experience in administration.

2. Social Work Staff

The social worker providing services to the child whether a staff person employed by the child care

agency or an employee of the child-placing agency, shall have a minimum of a Bachelor's Degree in a behavioral science. Bachelor's Degree social work staff shall be supervised by an individual with a Masters of Social Work (MSW) Degree or have consultation on a regular basis from a Board Certified Social Worker (BCSW). A facility with 20 or more children shall have a person with at least a Bachelor's Degree on the staff to supervise the social service program. Emergency care facilities licensed to exclusively care for children under the age of two are exempt from employing a social worker.

The social worker shall have a minimum of a Bachelor's Degree in a behavioral science. Bachelor's Degree social work staff shall be supervised by an individual with a Master of Social Work (MSW) Degree or have consultation on a regular basis from a Board Certified Social Worker (BCSW). A facility with 30 or more children shall have a person with a Masters of Social Work Degree on the staff to supervise the social service program.

3. Direct Child Care Staff

Direct child care staff shall be at least 18 years of age, have a high school diploma or equivalency, or in lieu of a diploma, experience supervising children's activities other than in one's own home maybe substituted.

COMPLIANCE REQUIREMENT: *The qualifications of all the above staff shall be documented in their personnel records. This shall include a brief summary of the personal interviews and at least three written references attesting to character and previous employment. References shall not be obtained from relatives of the prospective employee. A written statement by the administrator verifying compliance with these requirements is acceptable.*

4. Volunteers

Volunteers who assume direct childcare responsibilities shall be carefully screened by the agency.

COMPLIANCE REQUIREMENT: *A statement from a licensed physician certifying that the individual is free from communicable diseases,*

letters of personal reference attesting to the individual's character and reputation in the community shall be on file.

B. PERSONNEL RESPONSIBILITIES

1. Administrator

The administrator shall be responsible for implementing and complying with the following: Policies adopted by the governing body; the ongoing operations of the agency; and all federal and state laws and regulations pertaining to the operation of the agency. The administrator's specific or delegated responsibilities shall include:

- a. Directing the agency program;
- b. Representing the agency in the community;
- c. Delegating appropriate responsibilities to other staff including the responsibility of being in charge of the facility (ies) during the administrator's absence;
- d. Recruiting qualified staff and employing, supervising, evaluating, training and terminating employment of staff;
- e. Providing leadership and carrying authority in relation to all department of the agency;
- f. Providing consultation to the governing body in carrying out their responsibilities, interpreting to them the needs of children, making needed policy revision recommendations and assisting them in periodic evaluation of the agency's services;
- g. Preparing the annual budget for the governing body's consideration, keeping that body informed of financial needs, and operating within the established budget;
- h. Supervising the facility's management including building, maintenance and purchasing;

- i. Participating with the governing body in interpreting the agency's need for financial support; and
- j. Establishing effective communication between staff and children and providing for their input into program planning and operating procedures.

COMPLIANCE REQUIREMENT: A written job description for the position of administrator shall be adopted by the governing body that will include the above responsibilities and shall be available to the licensing authority. An organization chart, which specifies lines of authority and the agency structure, shall be on file.

2. Social Worker (When applicable)

The social worker shall be responsible for planning the most effective use of available resources toward meeting the prescribed treatment goals for each child in the facility. Emphasis in emergency shelter care shall be in crisis intervention, handling separation anxiety and alleviating immediate stress.

COMPLIANCE REQUIREMENT: A written job description for the position of social worker shall include the above responsibilities and shall be available to the licensing authority. Case records shall be available for review.

3. Direct Child Care Staff

The direct child care staff is responsible for the daily care and supervision of the child in the living group to which the child care worker is assigned. He/she must assume many of the daily child caring responsibilities that parents usually perform. Such responsibilities will take precedence over any other duties. Included in the specific job responsibilities are:

- a) Handling separation anxiety and alleviating the stress of a child in crisis;
- b) Training the child in good habits of personal care, hygiene, eating and social skills;
- c) Protecting the child from harm;

- d) Handling routine problems arising within the living;
- e) Representing adult authority to the children in the living group and exercising this authority in a mature, firm, compassionate manner;
- f) Enabling the child to meet his/her daily assignments;
- g) Participating in all staff conferences regarding child's progress in program, evaluation of treatment goals and future planning;
- h) Participating in the planning of the facilities program and scheduling such program into the operation of the living group under his/her supervision; and
- i) Maintaining prescribed logs of all-important events that occur during his/her tour of duty; significant information about the performance and development of each child in the group.

COMPLIANCE REQUIREMENT: A written job description for the position of childcare staff which includes the above responsibilities shall be available to the licensing authority; logs maintained by childcare staff shall be available to the licensing authority.

C. PERSONNEL TRAINING

1. The agency shall provide orientation for all new social work and childcare staff. The orientation shall provide training which relates to the specific job function for which the employee was hired as well as relating to the needs of children.

COMPLIANCE REQUIREMENT: A written orientation Plan.

2. At least 15 hours of in-service training shall be provided annually for all social work and childcare staff. The content of training shall include, but is not limited to; handling separation anxiety, dealing with a child in crisis, helping staff understand the individual needs of children, child growth and development and state licensing standards.

COMPLIANCE REQUIREMENT: In-service training provided for social work and childcare staff shall be documented in writing and the name of the person who conducted the training. The licensing authority representative may also document in-service training by direct observation of the training session.

3. First aid training is documented for all new childcare staff and shall be updated at least every three (3) years.

COMPLIANCE REQUIREMENT: All childcare staff shall have a written statement documenting first aid training received or in progress. Training shall be provided by a Red Cross instructor or a licensed health professional.

D. PERSONAL STAFFING STANDARDS

1. The childcare agency shall provide staff necessary to ensure the proper care, treatment, and safety of the residents.
2. An overall staffing pattern must be developed to ensure that there will be at least one direct childcare staff person on duty in a general area of the facility where children are present.
3. Child care staff required to supervise children during waking hours shall not be less than is represented in the following ratio:

Age of Child	Staff/Child Ratio
0-6 years	1 to 6 (waking hours)
6-11 years	1 to 8 (waking hours)
12 years & older	1 to 10 (waking hours)

4. Child care staff required to supervise children during sleeping hours shall not be less than is represented by the following ratio:

Age of Child	Staff/Child Ratio	Number on Duty Awake	Number on Call on Premises Asleep
0-6 years	2 to 12	1	1
6-11 years	2 to 20	1	1
	3 to 40	1	2
	4 to 60	2	2
	5 to 80	2	3
12 years & older	1 to 12	1	0
	2 to 40	1	1
	3 to 60	1	2
	4 TO 80	2	2

COMPLIANCE REQUIREMENT FOR ITEMS 1 - 4: Current personnel roster, staff; schedules and resident rosters on file in the office of the agency.

5. There shall be a licensed registered nurse or a licensed practical nurse employed at least eight (8) hours during the day, if six or more children under two years of age are under care in the facility. The nurse will be responsible for carrying out the health program as outlined by the administration and attend to the health needs of the children.
6. There shall be a licensed registered nurse or a licensed practical nurse on call during the night hours if six or more children under two years of age are under care in the facility.
7. There shall be sufficient domestic and maintenance workers that those employed to give direct care to children shall not have their duties interfered with by other responsibilities to the extent that they are unable to give adequate supervision to children in their care.
8. Staff below the age of eighteen years may be hired to augment the regular childcare staff.

COMPLIANCE REQUIREMENT FOR ITEMS 5-8: Personnel contract or documented evidence of contract arrangement on file in the office of the agency.

III. ADMISSION, INTAKE AND ACCEPTANCE OF CHILDREN

Children are considered candidates for emergency shelter care when they are in danger of abuse or severe neglect or when they are abandoned either purposely or by events beyond the control or their caretaker.

A. INTAKE PROCESS

1. The intake study shall include all available identifying information on the child. The placing agency shall provide this information within 24 hours or the next working day, whichever is less.

COMPLIANCE REQUIREMENTS: Documentation in the records of the following: a.) Name of child; b.) Name of parents or guardian; c.) Legal authorization for placement; d.) Caseworker's name; e.) Reason for referral; f.) School and grade if appropriate; g.) Physical problems, if any; h.) Medication if prescribed; i.) Names of authorized visitors.

2. At the time of placement or within 48 hours, there shall be a written placement agreement between the agency, the child and/or the child's parents or placement agency which provides for:
 - a. Written authorization for the facility to care for the child according to agency's written childcare policies.
 - b. Written authorization for the facility to obtain medical care for the child.
 - c. Written financial agreement when a charge is made for the care of the child.
 - d. Written rules regarding visits, mail, gifts and telephone calls.

COMPLIANCE REQUIREMENT: A copy of this agreement shall be in the Child's record.

3. The facility shall have a written plan for orientation of children.

COMPLIANCE REQUIREMENT: *Written documentation of the above.*

B. LIMITATIONS ON ACCEPTANCE

1. A facility shall accept only those children who meet the conditions outlined in the facility's admission policies and for whom the facility has an operational program.

COMPLIANCE REQUIREMENTS: *The conditions of the admission policies and the appropriateness of the operational program for the child shall be observed.*

2. A facility shall accept a child for care only from his parents, a court, person or agency holding court custody. If the person legally responsible for the child cannot be located, the facility shall ask the appropriate court for temporary custody. A child cannot be accepted from one parent alone where there is joint custody and the other parent is available.

COMPLIANCE REQUIREMENT: *This requirement shall be documented by a birth certificate, court order, and, or written statement from a single parent in the child's report.*

3. No child shall be denied admission to a facility based on race or national origin.

COMPLIANCE REQUIREMENT: *The facility shall have on file a written statement to this effect.*

4. An agency shall not accept more children than the maximum specified on the license unless prior approval has been obtained from the licensing authority.

COMPLIANCE REQUIREMENT: *If additional room or other changes warrant an increase in the number of children for which a facility is licensed, the licensee shall apply to the licensing authority for an increase in the number of children prior to accepting additional children.*

5. The agency shall not keep a child in care unless the child has had a medical examination including a test for tuberculosis at admission or within 72 hours after admission.
6. If there is a suspicion of child abuse when a child is placed in emergency shelter care, the local child protection agency shall be notified.

COMPLIANCE REQUIREMENT FOR ITEMS 5 - 6: Documentation shall be in the child's case record.

IV. CHILD CARE, DEVELOPMENT AND TRAINING

A. INDIVIDUAL SERVICE PLAN

1. A service plan which specifies the child's particular physical, emotional and educational needs and the way these will be met while in the emergency shelter shall be documented in the child's case record within 72 hours. When a child-placing agency is involved, development of the service plan shall be a joint responsibility.
 - a. The service plan shall include the objectives to be attained through emergency shelter placement and the anticipated length of stay.
 - b. The service plan shall include specific instructions for treatment and shall be shared with all staff involved in the service plan.
 - c. A written appraisal of the child's educational and vocational needs shall be a part of the service plan.

COMPLIANCE REQUIREMENT: A written service plan on file.

2. When appropriate, procedures shall be established which give the child, parents or legal guardians the opportunity for participation in the formulation of the service plan.

COMPLIANCE REQUIREMENT: These procedures shall be stated in writing and made available to parents or legal guardian.

3. When a child's service plan indicates the need for professional consultation or treatment, the agency shall be responsible for obtaining those specified services.

COMPLIANCE REQUIREMENT: a) When professional services are obtained, documentation shall be included in the child's case record. b.) A schedule indicating when needed service not yet provided are planned to be provided shall be included in the child's case record.

B. DAILY ASPECTS OF CARE

1. The daily schedule shall be developed in relation to the needs of the children.

COMPLIANCE REQUIREMENT: a.) The agency's written general childcare policies shall reflect how a child's daily schedule is developed to meet his or her needs. b.) A copy of the daily schedule shall be available for school, non-school and vocation periods.

2. Children shall be given training in good habits of personal care, hygiene and grooming. They shall be supplied with personal care, hygiene, and grooming items and supplies.

COMPLIANCE REQUIREMENT: The general childcare policies on the child's daily schedule shall reflect how training in personal care is met.

3. The agency shall make available to each child an adequate number of supervised recreational activities.

COMPLIANCE REQUIREMENT: Activity schedules shall be available which indicate the inclusiveness of each activity and by whom supervised.

C. CLOTHING

The facility shall see that each child is supplied with his or her own clothing. Each child shall be provided with clothing that is properly fitted, appropriate for the child's age and sex, and comparable to the majority of children's clothing in the community.

COMPLIANCE REQUIREMENT: a). Each child's clothing shall be identifiable by some type of labeling system. b.) Children shall be permitted to help in selecting their own clothing.

D. HEALTH ASPECTS OF CARE

1. Responsibility for the health supervision of the facility shall be placed with one physician. The agency shall have written policies and procedures for obtaining diagnosis and treatment of medical and dental problems.

COMPLIANCE REQUIREMENT: a.) Copies of the policies and procedures shall be available to the licensing authority. b.) The agency shall ensure access to 24 hour, seven day per week medical coverage by hospitals, physicians and dentists. c.) The agency shall make known to all staff member the policies and procedures to be followed in an emergency.

2. Immunization shall be given according to recommendations of a physician or the schedule established by the State Office of Health.

COMPLIANCE REQUIREMENT: Current medical and immunization records shall be maintained as follows: a.) A medical consent form signed by a person authorized to give consent. b.) Record of medical examinations. c.) Immunization records. d.) Record of each visit to physician and recommended treatment.

3. Facilities for medical isolation shall be available.

COMPLIANCE REQUIREMENT: Space for isolation purposes shall be designated.

4. Medication shall be prescribed only by a licensed physician and administered under his direction.

COMPLIANCE REQUIREMENT: Medication records shall include the medication given, the time, the dosage, and the name of the person administering the medication.

E. FOOD AND NUTRITION

1. Planning, preparation and serving of foods shall be in accordance with the nutritional, social and emotional needs of the children in care. The diet shall include a variety of food attractively served. Children shall be encouraged but not forced to eat all food served.

2. Food provided shall be of adequate quality and in sufficient quality to provide the nutrients for proper growth and development.
 - a. "Food for Fitness" - A daily food guide, developed by the United States Department of Agriculture shall be used as a basis of meeting nutritional standards. See appendix for Daily Food Guide.
 - b. Children shall be provided a minimum of three meals daily and snacks.
 - c. All milk and milk products used for drinking shall be Grade A and pasteurized.
 - d. There shall be no more than 14 hours between the last meal or snack one day and the first meal the following day.

COMPLIANCE REQUIREMENTS FOR ITEMS 1 and 2: *Menus shall be prepared and maintained on file for at least one month after used.*

F. MONEY

1. The agency shall provide a plan for all children over five years of age to have money for personal use. Money received by a child shall be his own personal property and shall be accounted for separately from the agency's funds. When indicated in the treatment plan, a child may be required to use his or her earned money to pay for room and board. Donations accepted for a child shall be used in accordance with the donor's expressed intent.

COMPLIANCE REQUIREMENT: *The agency shall document the procedure for handling the children's money.*

2. The child shall be encouraged to learn how to manage money.

COMPLIANCE REQUIREMENT: *The policy for handling children's money shall include specific ways and procedures for children to obtain, safeguard, save, invest, withdraw, and spend their money.*

G. COMMUNITY RELATIONSHIPS

1. When the child shows sufficient self-control and emotional stability, the child caring agency shall encourage and arrange for him to participate in community activities such as: school, recreational or cultural functions, and visits with parents, relatives and friends.
2. Whenever appropriate the agency shall make possible and encourage visits by interested individuals or groups and their participation in on-campus activities.

COMPLIANCE REQUIREMENT: *The agency shall document its plan for encouraging children to participate in community life.*

3. Children shall be permitted the opportunity to attend off-campus religious services of their choice.

COMPLIANCE REQUIREMENT: *There shall be a written policy statement regarding the religious program available or the absence of one.*

H. EDUCATION, WORK AND TRAINING

1. The agency shall assume the responsibility for arranging an educational plan appropriate for each child.
2. The agency shall use off-campus education facilities for those students who are able to participate in an off-campus school setting.
3. For children unable to attend regular classes, the agency shall use community education resources or its own recourses or some combination of these resources to help the child develop and become self-sufficient to the extent of their capacity.
4. The agency not having State Department of Education accreditation or an approved school program or access to such shall make this information clear in its policies, brochures and information given to all applicants.

5. If the child caring agency does have a school program accredited or approved by the State Department of Education, documentation of this accreditation or approval shall be on file at the agency.

COMPLIANCE REQUIREMENTS FOR ITEMS 1 - 5: *The child caring agency shall outline in writing the provisions made for these needs.*

6. The child caring agency shall differentiate between tasks of daily living which children are expected to perform as part of living together, jobs to earn spending money, and jobs performed in or out of the facility to gain vocational training.

COMPLIANCE REQUIREMENT: *a.) The task of daily living which children are expected to perform as part of living together shall be made known to the child during his or her orientation to the facility. The task of daily living shall not preclude leisure time and recreational activities. b.) The agency's rules regarding jobs to earn spending money or gain vocational training shall be made known to all children old enough to have a job. c.) Children in care shall not be used as employees. The work that they perform shall not be work that ordinarily is performed by staff.*

I DISCHARGE

1. The agency shall have written documentation describing discharge policies and procedures.

COMPLIANCE REQUIREMENT: *The documentation shall be available for review.*

2. Children shall not be retained more than 45 days in emergency shelter care. There can be two renewals of thirty days each by written contract between the emergency shelter care facility and the placing party.

COMPLIANCE REQUIREMENT: *Written documentation.*

3. No child shall be precipitously or arbitrarily discharged from care.

COMPLIANCE REQUIREMENT *The agency shall give due notice of discharge to all appropriate parties such as parents, legal guardian, and the placing agency.*

4. If a child has been received under care from a court, the child shall not be discharged to other persons except on the order of the court and after an investigation of home conditions satisfactory to the court, unless the child is being returned to the court for disposition.

COMPLIANCE REQUIREMENT: Self-evident.

5. The discharge plan for the child shall be recorded in the child's record upon his or her release and a summary of the plan made available to all appropriate parties.

COMPLIANCE REQUIREMENT: a.) The circumstances surrounding the discharge shall be documented in the case record. b.) The name, address and relationship or the person to whom the child is released shall be recorded. c.) Date of discharge shall be recorded.

V. CHILDEN'S RIGHTS

A. PRIVACY

1. The staff of the facility shall function in a manner that allows appropriate privacy for each child. The facility's space and furnishings shall be designed and planned to enable the staff to respect the children's right to privacy and at the same time provide adequate supervision according to the ages and developmental needs of the children.

COMPLIANCE REQUIREMENT: Each child shall have access to a quiet area where he or she can withdraw from the group when not specifically engaged in structured activities.

2. The child shall not be placed in a position of having to acknowledge his or her dependency, destitution or neglect.
3. The child shall not be required to make public statements to acknowledge his or her gratitude to the child caring agency.
4. Children shall not be required to perform at public gatherings.

COMPLIANCE REQUIREMENTS FOR ITEMS 2, 3 and 4: The facility shall not require the child to make written or oral statements regarding his or her background or dependency on the facility for care.

5. The facility shall not use reports or pictures or release or cause to be released research data from which children can be identified without written consent from the child and the parents or legal guardians and/or the court having jurisdiction.

COMPLIANCE REQUIREMENT: The signed consent form shall be on file at the facility before any reports, pictures, or research data are released from which the child can be identified. The signed consent form shall indicate how any reports or pictures shall be used.

B. CONTACT WITH FAMILY AND COLLATERALS

1. There shall be contacts between the child and parents or legal custodian while the child is in care unless the rights of the parents have been legally terminated or restricted by court order. The frequency of contact shall be determined by the needs or the child and family.
2. Children in care shall be allowed to send and receive uncensored mail and conduct private telephone conversations with family members unless the best interests of the child of a court of competent jurisdiction necessitates restrictions.
3. If it has been determined that the best interests of the child necessitate any restrictions on communications or visits these restrictions shall be ordered by the court.
4. If limits on communications or visits are indicated for practical reasons, such as expense of travel or telephone calls, such limitations shall be determined with the participation of the child and family.
5. Children shall not be denied the right to contact an attorney, probation officer, social worker, judge or other officer of the court.

COMPLIANCE REQUIREMENT FOR ITEMS 1 - 5: The facility shall have clearly stated written policies regarding visits, gifts, mail and telephone calls between the child, family members and appropriate collaterals. Any restrictions as specified in Items 3, 4 and 5 above shall be documented in the child's record

C. PARTICIPATION IN PROGRAM DEVELOPMENT

Children's opinions and recommendations shall be considered in the development and continued evaluation of the program and activities.

COMPLIANCE REQUIREMENT: The procedures for this shall be documented in program policy.

D. DISCIPLINARY STANDARDS

1. Only specifically, authorized staff members shall be allowed to handle discipline.
2. Children shall not be subjected to corporal punishment.
3. Children shall not be subject cruel, severe, unusual, degrading or unnecessary punishment.
4. Children shall not be subjected to verbal remarks which belittle or ridicule them, their families or others.
5. Children shall not be denied food, mail or visits with their families as punishment.
6. Any discipline or control shall be individualized to fit the needs of each child.
7. Seclusion, defined as the placement of a child alone in a locked room, shall not be employed.

COMPLIANCE REQUIRMENT FOR ITEMS 1 - 7: a.) The facility shall have written policies regarding methods used for control and discipline of children which shall be available to appropriate staff and to the children's parents or legal custodian. b.) The incidents for which disciplinary measures are taken and the method of discipline used shall be logged by the authorized staff member.

8. Physical holding shall only be employed to protect the individual from physical injury to himself or others. Physical restraints shall not be employed as punishment.
9. Mechanical restraints shall not be employed as punishment.

COMPLIANCE REQUIREMENT FOR ITEM 8 and 9: *The need for restraint by physical holding and the length of time this type restraint was employed shall be recorded in the child's case record.*

E. CLOTHING AND PERSONAL POSSESSIONS

1. Each child shall be provided adequate clothing which is appropriate for his or her age group and which reflects community standards.

COMPLIANCE REQUIREMENT: *The facility shall not required clothing or dress which would set the child apart from other children in the community.*

2. A child shall be allowed to bring appropriate personal possessions to the facility and shall be allowed to acquire possessions of his or her own.

COMPLIANCE REQUIREMENT: *Prior to admission, information shall be made available to the child and his or her parents or legal guardian concerning what personal possessions may be brought to the facility and the kinds of gifts a child may receive. They shall also be informed about what articles children cannot have or receive when at the facility.*

F. CIVIL RIGHTS

Children shall not be segregated or denied participation in overall program activities because of race or national origin.

COMPLIANCE REQUIREMENT: *The facility shall comply with all appropriate federal and state civil rights laws.*

G. RELIGIOUS PARTICIPATION

Children shall have an opportunity to participate in religious services and functions of their parents' choice.

COMPLIANCE REQUIREMENT: The facility shall make available the opportunity to attend religious services but not impose participation against the wishes of the child and/or parents.

VI. BUILDING, GROUNDS AND EQUIPMENT

A. FURNISHINGS AND EQUIPMENT

The furnishings and equipment shall be adequate, sufficient, and substantial for the needs of the age groups in care.

1. Sleeping Rooms

- a. All bedrooms shall be on or above street grade level and be outside rooms. Normally, bedrooms shall accommodate no more than four residents. Any deviation from this size shall be justified on the basis of meeting the program needs of the specific individuals being served. Bedrooms must provide at least 80 square feet per person in multiple sleeping rooms, and not less than 100 square feet in single rooms.
- b. Each resident shall be provided a separate bed of proper size and height, a clean comfortable mattress and bedding appropriate for weather and climate.

COMPLIANCE REQUIREMENT: Children six years of age and older shall be provided with a rigid-frame single bed standard twin mattress (length 75 in. x width 38 in. x height 6 in. Children ages two (2) to six (6) may be provided with youth beds with rigid frames. Infants up to two years of age shall be provided with standard size cribs.

- c. There shall be at least three feet of space between beds or cribs.
- d. When possible, there should be individual sleeping rooms for adolescents and for children whose behavior would be upsetting to the group.
- e. Appropriate furniture shall be provided, such as a chest of drawers, a table or desk, and an individual closet with clothes racks and shelves accessible to the residents.

- f. Individual storage space reserved for the child's exclusive use shall be provided for personal possessions such as clothing, toys, and other items so that they are in easy access to the resident.

COMPLIANCE REQUIREMENT: Self-evident by on-site observation.

2. Bath and Toilet facilities

- a. There shall be a separate toilet and bath facilities for boys and girls beyond nursery age.
- b. There shall be separate toilet facilities for employees.
- c. Toilets should be convenient to sleeping rooms
- d. Toilets, bathtubs, and showers shall provide for individual privacy unless specifically contraindicated by program needs.

3. Dining Room and Kitchen

- a. There shall be a designated space for dining.
- b. Dining room tables and chairs shall be adjusted in height to suit the ages of the children.

4. Heat and Ventilation

- a. Temperature shall be maintained within reasonable comfort range (65 degrees to 85 degrees)
- b. Each habitable room shall have direct outside ventilation by means of windows, louvers, air conditioner, or mechanical ventilation, horizontally and vertically.

COMPLIANCE REQUIREMENT FOR ITEMS 2 - 4: These requirements shall be self-evident upon on-site observation.

B. PLAY SPACE AND EQUIPMENT

1. Indoor and outdoor play space: The indoor play space shall be a minimum of 35 square feet per child, separate from and excluding bedrooms, halls, kitchen and any rooms not available to children. The outdoor play space shall be a minimum of 75 square feet per child. This area shall not include parking and must be an area, which is reserved primarily for recreational purposes.

COMPLIANCE REQUIREMENT: *Self-evident upon on-site visit and/or floor plan and site plan.*

2. Play Equipment: There shall be play equipment sufficient to opportunities for all children in care opportunities for easy access to such equipment.

COMPLIANCE REQUIREMENT: *An on-site visit must reveal play equipment suitable for all ages of children in care. The following types of equipment are suggested as suitable for each age group and other similar types of play equipment may be substituted according to the needs of each facility:*

Infants: Rattles, squeeze toys, stuffed toys, teething rings.

Toddlers: Pull toys, blocks, sand pile, sand pails and shovels, wheel toys, climbing steps and boxes, "walking" boards, finger paints, clay, water colors, colored paper, paste, scissors and picture books.

Three to Six years: Large boxes, balls, slides, swings, bars, rope ladder, hammers, shovels, saws, work benches, dump trucks, trains, airplanes, wagons, scooters, tricycles, finger paints, picture books, pegboards, kitchen utensils, dolls, doll houses, "grown-up" clothes; musical instruments, phonograph records.

Six to Twelve years: Football, baseball and basketball equipment, hobby materials, outdoor play equipment, books, games.

Adolescents: Hobby materials, phonograph records, books, football, baseball, and basketball equipment, games.

C. HEALTH AND SAFETY

1. The facility shall comply with all applicable building codes fire and safety laws, ordinances and regulations.

COMPLIANCE REQUIREMENTS: a.) It is the responsibility of the facility to request the necessary health and inspections and to comply with any resulting recommendations noted in the inspection reports. b.) Written documentation that all building codes, fire, health and safety laws, ordinances and regulations are met shall be on file at the facility and copies shall be submitted to licensing authority on request.

2. No child shall have access to machinery such as power driven lawn mowers, mangles, commercial type power driven washing machines, etc., unless these are provided with approved safety devices.
3. Secure railings shall be provided for flights of more than four steps and for all galleries more than four feet from the ground.
4. Where children under age 2 are in care, gates shall be provided at the head and foot of each flight of stairs accessible to these children.
5. An outdoor swimming pool shall be enclosed by a six-foot high fence. All entrances and exits to pools shall be closed and locked when not in use. Machinery rooms shall be locked to prevent children from entering.

COMPLIANCE REQUIREMENT: Items 2, 3, 4 and 5 above must be self-evident upon on-site visit.

6. A certified individual, 18 years of age or older, shall be on duty when children are swimming in ponds, lakes or pools where a lifeguard is not on duty.

COMPLIANCE REQUIREMENT: a.) Certification from one of the following shall constitute compliance: [1] Water Safety Instructors Certificate or Senior Lifesaving Certificate from the Red Cross. [2] Water Safety Instructor Certificate from the Young Men's Christian Association or the Young Women's Christian Association. [3] The National Association of Underwater Instructors Certificate.

b.) Certification shall be documented in the personnel records.

7. There shall be written plan and procedures for water safety.

COMPLIANCE REQUIREMENT: The plan shall be shared with appropriate staff and submitted to the licensing authority upon request.

8. Storage closets or chests containing medicine or poisons shall be securely locked.
9. Garden tools, knives and other dangerous instruments shall be inaccessible to small children.
10. Electrical devices shall have appropriate safety controls.

COMPLIANCE REQUIREMENT FOR ITEMS 8 - 10: Must be self-evident upon on-site visit.

D. MAINTENANCE

1. Buildings and grounds shall be kept clean and in good repair.
2. Outdoor areas shall be well drained.
3. Equipment and furniture shall be safely and sturdily constructed and free of hazards to children and staff.
4. The arrangement of furniture in living areas shall not block exit ways.

COMPLIANCE REQUIREMENT FOR ITEMS 1 - 4: Must be self-evident upon on-site visit and observation.

VII. REQUIRED RECORDS AND REPORTS

A. CHILDREN'S RECORDS

1. Accurate and current records shall be maintained for each child in care.

COMPLIANCE REQUIREMENT: The record shall contain, as a minimum the following which shall be provided by the placement party: a.) Identifying information which includes the child's name, date of

birth, place of birth, sex, religion race, names and addresses of parents, brothers, and sister names, addresses and relationships of other responsible persons, date of admission, date of discharge.

b.) Intake information as required by Section III, A, 1, c.)

Placement agreement between the institution and the child's parents, guardian or agency holding custody as required by Section III, A, 2,

d.) If granted, consent of parents, child, guardian or agency holding custody for use of children's pictures, within licensing requirements. e.) Medical records as required by Section IV, D, 2 -

4. f.) Copy of the child's birth certification (or a document that establishes the child's identity and birth date), if such exist g.)

A copy of court order if appropriate. h.) Results of neurological, psychological or psychiatric evaluations if the intake study or

medical examination indicates a need for such an evaluation. i.) A copy of the initial service plan and the child's progress in relation to the service plan. j.) Record of any specialized testing

or treatment obtained. k.) A copy of any financial agreement with parents and/or placement agency. l.) Discharge plan including the

circumstances surrounding the discharge, the name, address and relationship of the person to whom the child is released.

2. Case records shall be held confidential and secure.

COMPLIANCE REQUIREMENT: a.) Information in case records shall not be disclosed for any purpose other than direct and authorized services to the child or the administration of the facility. b.) These records shall be on the premises of the facility and shall be available for review by the licensing authority.

3. A monthly statistical record shall be kept by the facility showing the number of children in care, placement and discharge, the children's age, sex, and race.

COMPLIANCE REQUIREMENT: This information shall be available for review to the licensing authority upon request.

B. PERSONNEL RECORDS

Personnel records shall be maintained on each employee of the facility.

COMPLIANCE REQUIREMENT: The records shall contain all pertinent information relative to: a.) Qualifications for the position. b.) Initial health card or physician's statement and annually thereafter that employee is free of communicable diseases, including a TB test report. c.) Pre-employment references. d.) evaluations of

performance. e.) Date of employment. f.) Date and reason for separation. g.) Forwarding address of separated employees.

C. EMERGENCY REPORTS AND RECORDS

1. Any serious occurrence such as accidents, injury, or arrests, involving a child shall be reported immediately to the parents and/or placement agency and to any other appropriate agencies or individuals.
2. All runaways shall be reported to the parents, guardian or placement agency, and the appropriate local law enforcement agency within 24 hours from the time it has been determined that the child has left the facility without permission.

COMPLIANCE REQUIREMENT: The time the incident occurred, the person reporting the incident and the person or agency to which the report was made shall be noted in the child's case record.

3. Any disaster or emergency situation which makes the facility unable to comply with any of the licensing standards shall be reported within 24 hours to the licensing authority.

COMPLIANCE REQUIREMENT: Self-evident.

D. GENERAL REPORTS

1. The following reports shall be obtained at the time of the initial licensing and annually thereafter:
 - a. Inspection report from the State Fire Marshall.
 - b. Inspection report from the State Office of Health.

COMPLIANCE REQUIREMENT: Current reports shall be submitted with each application for a license and shall be on file at the facility.

2. The administration of the child caring facility shall submit the following reports to the licensing authority:
 - a. Any change in administrator.

- b. Any change in purpose of or additions or deletions of services.
 - c. Any change in accreditation by a school program offered by the facility.
 - d. Any impending change of residence or location.
 - e. Any change in name of the facility.
3. The licensing authority shall have the authority to visit and inspect the facility at all reasonable times.
 4. The license shall be on display in a conspicuous place at the facility.

COMPLIANCE REQUIREMENT: *Items 2, 3, and 4 above are self-evident.*

DAILY FOOD GUIDE

This information provides a detailed interpretation of the nutrition standard of the Minimum Standards for Child-Caring Agencies.

It is based on Food For Fitness-A Daily Food Guide prepared by the Agricultural Research Service and published as Leaflet No. 424, U. S. Department of Agriculture, Superintendent of Documents, Washington, D. C.

In the Daily Food Guide which follows, foods within each group have similar but not identical food value. Each day choose at least the minimum number of servings from each of the broad Food Groups: Meat Group, Bread-Cereal Group, Vegetable-Fruit Group, Milk Group and Other Foods. Servings may differ-small for young children, large (or seconds) for very active adults or teenagers.

MEAT GROUP

Each day serve four ounces of cooked, lean meat, or a combination of meats and meat alternates having a protein value equal to four ounces of cooked lean meat.

Amounts	Meats
Four ounces of raw lean meat are to be counted as three ounces of cooked meat	Lean beef Veal Lamb Pork Variety meats: heart, liver, kidney
Either of these is equal in protein value to one ounce cooked lean meat*	Poultry, example: 1 small drumstick Processed meats, example: 1 all-meat frankfurter

Meat Alternates

Any one of these	1 egg
Is equal in protein	2 tablespoons peanut butter
value to one ounce	½ cup (when cooked) of dried peas, lentils, beans, textured vegetable protein
	1 thin slice cheddar cheese**

*The Department considers that one ounce of cooked fish is equal in protein value to one ounce of cooked lean meat.

**If cheese is counted as meat, it should not be counted as milk.

BREAD CEREAL GROUP

Each day provide four or more servings of breads and cereals which are whole grain, enriched or restored.

Amounts

Meats

Count any one	1 slice bread
of these as	1 roll, muffin or biscuit
one serving	5 saltine crackers
	2 graham crackers
	1 tortilla
	1 ounce ready to eat cereal
	1/2 to 2/4 cup cooked oatmeal, cornmeal, grits, rice, macaroni, noodles or spaghetti
	2-3 enriched cookies

VEGETABLE-FRUIT GROUP

Each day provide four or more servings of vegetables and fruits including one good source or two fair sources of Vitamin C.

At least one serving every other day should be a good source of Vitamin C.

The remaining servings each day may be any vegetable or fruit including those valuable for Vitamins C and A.

Amounts

Count any one of these as one serving of Vitamin C

Good Sources of Vitamin C:

- 1 medium orange
- ½ grapefruit
- 1/2 cup orange juice, grapefruit or blended citrus juices**
- 1/2 cantaloupe*
- 3/4 cup strawberries
- 1/2 cup cooked broccoli* or brussel sprouts *

Count any two of these as one serving of Vitamin C

Fair Sources of Vitamin C:

- 1 medium tomato raw* or 1/2 cup cooked*, or 1/2 cup juice*
- 1 tangerine or 1/2 cup tangerine juice, ½ cup cauliflower, raw cabbage, cooked rutabaga, turnip greens*, collards* or other leafy greens
- 1 medium potato, sweet* or white
- 1/2 medium green pepper

Count any one of these as one serving of Vitamin A

Good Sources of Vitamin A:

- ½ cup sweet potatoes, carrots, pumpkin or winter squash
- 1/2 cup collards, broccoli, turnip greens or other dark leafy greens
- 5 apricot halves
- 1/4 medium cantaloupe

Count any one of these as one serving

Other Vegetables and Fruits:

- Other vegetables not listed above
- 1 medium apple
- 1 banana
- 1 peach, etc.
- 1/2 cup other fruit or vegetable

*If the food chosen for Vitamin C is also a good source of Vitamin A, the additional serving of Vitamin A food may be omitted.

**Fruit juice fortified with Vitamin C may be substituted for fruit juice naturally high in Vitamin C. Fruit flavored drinks shall not be substituted for fruit juice fruit

MILK GROUP

Each day serve the specified amounts of fresh milk or combinations of fresh milk products having a total calcium value equal to the specified amounts of fresh milk.

Specified Amounts

2 to 3 cups of fresh milk for children under 9 years of age
3 or more cups of fresh milk for children 9-12 years of age
4 or more cups of fresh milk for teenagers
2 or more cups of fresh milk for adults

Amounts

Milk Products

Any one of these
is equal to the
calcium value of
1/2 cup fresh milk

1/4 cup undiluted evaporate milk
2 tablespoons of nonfat dry milk
1/2 cup custard or milk pudding
1/2 cup cream soup made with milk
1/2 cup milk used on cereal

Any one of these
is equal to the
calcium value of
1/4 cup fresh milk

1/2 cup ice cream
1 thin slice cheddar cheese * (1 oz.)
1/2 cup cottage cheese*

*If cheese is counted as milk, it should not be counted as milk.

OTHER FOODS

Serve butter, margarine, fats, oils, sugar, or un-enriched refined grain products as needed to complete meals and to provide additional food energy and other food values.

Bacon and cream cheese are counted as fats because they contain very little protein. One tablespoon of cream cheese or one slice of crisp bacon is equivalent to one teaspoon of margarine or butter.