Codes: C = Compl	liant NC = Non (Compliant NA = Non Applicable				
Date of Inspection		Onlyliant NA - Non Applicable				
Section	Regulation#	Reg Description	С	NC	NA	Description NC
§78-19-4.						
Certificate of Registration						
Information.	4.1	Application for Registration.				
		Initial The department shall issue an initial certificate of registration to				
		a family child care home upon application and self-certification of				
	4.1.a.	compliance with this rule.				
		Renewal The family child care home shall submit an application for				
		renewal of a current certificate of registration at least 30 days before				
	4.1.b.	expiration of the certificate.				
	4.2.	General Requirements.				
	4.2.a.	A family child care home shall:				
	4.2.a.1.	Be registered under the name of only one caregiver per residence;				
	4.2.a.2.	Be located in the residence of the caregiver;				
		Operate no longer than 18 consecutive hours within a 24-hour period. A				
	4.2.a.3.	six- hour break must be taken every 18 hours; and				
	4.2.a.4.	Comply with the provisions of this rule.				
	4.3.	Departmental Action on Applications for Registration.				
		Within 60 days of receipt of an application for certificate of registration,				
		the secretary shall provide a written decision to the family child care				
	4.3.a.	home that does one of the following:				
		g -				
		Issues a regular certificate of registration if the family child care home				
	4.3.a.1.	certifies compliance with all of the requirements of this rule;				
	1.0.4.1.	Issues a provisional certificate of registration if the family child care				
		home is temporarily unable to certify compliance with all of the				
	4.3.a.2.	requirements of this rule; or				
	4.J.a.Z.	requirements of this fale, of				
		Denies a cortification of registration if the family shild care have does				
	4.3.a.3.	Denies a certification of registration if the family child care home does				
	4.3.a.3. 4.4.	not certify substantial compliance with all of the requirements of this rule. Terms and Conditions of Registration.				
	4.4.					
	11-	A certificate of registration is not transferable to another family child care				
	4.4.a.	home.				
	4.45	A certificate of registration applies only to the family child care home at				
	4.4.b.	the location identified in the application.				
	4.4.	A family child care home shall publicly display a valid certificate of				
	4.4.c.	registration.				
		A record of all substantiated non-compliance complaints against				
		registered family child care homes and subsequent corrective action				
		shall be maintained by the department and made available to parents				
	4.4.d.	and the public upon request.				
	4.5	Types of Certificates of Registration.				
		A regular certificate of registration is valid for a period of up to two years				
		from the date of issuance unless revoked or modified to a provisional				
	4.5.a.	status.				
		A provisional certificate of registration is valid for six months from the				
		date of issuance and may not be reissued unless it is the				
	4.5.b.	recommendation of the State Fire Marshal.				
	4.6.	Limitations on a Certificate of Registration.				
		The secretary may place limitations on a certificate of registration based				
	4.6.a.	on findings:				
	4.6.a.1.	Of insufficient space in the home;				
	4.6.a.2	Of inadequate sleeping areas;				
		Of the provision of other home-based services, such as foster care and				-
	4.6.a.3.	adult family care; or	<u> </u>	<u> </u>	<u> </u>	
	4.6.a.4.	That require a corrective action plan approved by the secretary.	<u></u>	<u></u>		
	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.				
		A family child care home may request a waiver or variance of any				
	4.7.a	requirement in this rule if:				
	T.1.C	The health, safety, or well-being of children in the home is not adversely	 			
	4.7.a.1.	affected; and				
	+.1.a.1.	allociou, allu			1	
	4700	The rule does not prohibit a waiver or variance for the receivers of				
	4.7.a.2	The rule does not prohibit a waiver or variance for the requirement.	-	-	-	
		The manufacture of the property of the state				
	476	The request for a waiver or variance shall be in writing, addressed to the				
<u> </u>	4.7.b.	secretary, and shall include the following information:	l	l	l	

	4.7.b.1	The specific requirement to be waived or varied;		
	4.7.0.1	The specific requirement to be warved or variety,		
	4.7.b.2.	The reasons for seeking a waiver and why a specific requirement should not be applied in a particular circumstance; and		
		The reasons for eaching a variance and how compliance with a greatific		
		The reasons for seeking a variance and how compliance with a specific requirement of this rule can be accomplished in a manner different from		
	4.7.b.3.	that set forth in W. Va. Code §49-2-101 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.		
investigation.	5.1.	ucpartment.		
	5.2	The department may conduct inspections with or without advance notice.		
		During inspections, the caregiver shall provide access to the premises		
	5.3.	and to all aspects of the family child care home operation, including the children in care and the household members.		
	5.5.	A family child care home shall ensure that its records are available in		
	5.4	easily accessible files for inspection.		
	5.5	A family child care home shall cooperate in the investigation of complaints against the home.		
	0.0	complainte againet the nome.		
§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 18 years of age; and		
	6.1.a.2.	Able to read and write. 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		
	6.1.b.	care. A caregiver or substitute may not be impaired by any substance,		
		medication, or medical cannabis to a level that would impair his or her		
	6.1.c.	ability to care for children.		
		The corogiver substitute and all household members shall keen		
		The caregiver, substitute, and all household members shall keep information about children in care and about the families of the children		
	6.1.d.	confidential, except for required reporting to the department.		
	6.2.	Health Requirements.		
		The caregiver shall obtain a medical examination and either a		
		tuberculosis risk assessment, a TB skin test, or chest x-ray within 30		
	C O =	days of application for a certificate of registration and upon application		
	6.2.a.	for renewal of the certificate of registration. Medical examinations completed up to six months prior to application or		
	6.2.b.	renewal are acceptable.		
		Evamination forms shall indicate that the correspond has no white-ili		
		Examination forms shall indicate that the caregiver has no physical or mental condition that would negatively impact the provision of child care		
	6.2.c.	services. The results of the tuberculosis screening must be negative.		
		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		
	004	determine whether to continue, deny, or place limits on the certificate of		
	6.2.d.	registration. The family child care home shall maintain a record of current medical		
		examinations which includes the tuberculosis risk assessment, TB skin		
	0.0	test, or chest-x-ray results completed within 30 days of the original		
	6.2.e. 6.3.	application. Training Requirements.		
	0.0.	Truning Noquilements.		
	6.3.a.	Within three months of initial registration, a caregiver shall obtain:		
	6.3.a.1.	Approved training in pediatric cardiopulmonary resuscitation (CPR) and pediatric first aid; and		
	J.J.a. 1.	Documentation verifying completion of approved pre-service health and		
	6.3.a.2.	safety training.		

	Within 12 months of initial registration, a caregiver shall obtain four			
	additional hours of training in at least one other Core Knowledge/Core			
6.3.b.	Competency area.			
	Thereafter, the caregiver shall complete eight hours of approved training annually, encompassing a minimum of two Core Knowledge/Core			
6.3.c.	Competency areas.			
	Caregivers completing approved training modules lasting more than			
	eight hours may elect to apply those training module hours over and			
	above eight to the following year's training requirement. Training hours			
	that may be carried over include hours earned through the West Virginia			
	Infant and Toddler Professional Development Program, and the			
0.0.1	Apprentice for Child Development Specialist or other coursework			
6.3.d.	approved by the department.			
	A family child care home shall maintain a training record with certificates			
6.3.e.	of attendance for training completed during the registration period.			
0.0.0.	er atternaument of training compressed authing the region author period.			
	Caregivers completing approved training resulting in certification in basic			
	first aid and rescue breathing shall renew the certification thirty days			
6.3.f.	prior to the date the certification in such training expires.			
6.4.	Background Checks.			
	A complete to the latest the latest to the l			
	A caregiver shall ensure that a state and federal fingerprint-based			
	criminal background investigation is performed on the caregiver and			
	each adult household member pursuant to the provisions of the West Virginia Clearance for Access: Registry and Employment Screen Act			
	(WV CARES), W. Va. Code §16-49-1 et seq., 69CSR10, and shall keep			
6.4.a.	the following information on file:			
	-			
	A completed and signed WV CARES self-disclosure application and			
	consent form. A copy of the form shall be on file and uploaded to the WV			
6.4.a.1.	CARES system no later than the date of approval to operate;			
6.4.a.2.	A variance or waiver if the individual has convictions or pending charges of disqualifying offenses;			
0.4.a.z.	or disqualifying orienses,			
6.4.a.3.	A fitness determination of eligibility from the WV CARES unit; and			
	* *			
	The caregiver shall update the documentation of a completed			
	background check in the caregiver's and each adult household			
6.4.a.4.	member's file at the expiration of rap back enrollment.			
	A state second to a large and a large and a large at the state and a second to a			
	A state criminal background check shall be done in the state where the caregiver and each adult household member has resided in the past five			
6.4.a.5.	years. Fingerprint checks for other states are optional.			
0.1.4.0.	yours. I ingolphin should for stript states are optional.			
	A state check of the sex offender registry or repository shall be done in			
	the state where the caregiver and any adult household member currently			
	resides and shall be done in any other state where the caregiver and			
6.4.b.	each adult household member has resided in the past five years.			
	A search shall be done of the state-based child and adult abuse and			
	neglect registries and protective services databases in each state where the caregiver and each adult household member resided during the			
	preceding five years. The same search shall be done in the state where			
	the caregiver and each adult household member currently resides and			
6.4.c.	shall be repeated every five years.			
	A new household member must have his or her criminal background			
6.4.d.	check completed within 180 days of moving into the household.		 	
	The secretary shall not grant a certificate of registration to a family child			
6.4.e.	care home if the caregiver or a household member:			
1				
	Is currently under indictment or charged with any disqualifying offense as			
6.4.e.1.	defined in W. Va. Code §16-49-1(8) and 69CSR10-2.10;		1	
6.4.e.2.	Is on parole or probation for a felony; or			
6402	Other crimes that the secretary determines may seek a still to abilities			
6.4.e.3.	Other crimes that the secretary determines may pose a risk to children.		1	
	If the caregiver or a household member has convictions of those listed in			
	subdivision 6.4.e., a family child care provider shall not operate or			
	continue operations unless the caregiver requests a waiver or variance,			
6.4.f.	and it is approved by the secretary.		<u> </u>	

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		If the caregiver or a staff member or household member failed to report				
		convictions to the department, a family child care home shall not operate				
	6.4.g.	or continue operations unless the caregiver requests a waiver or variance, and it is approved by the secretary.				
	0.4.g.	variance, and it is approved by the secretary.				
		The family child care home shall report pending charges, indictments,				
		and convictions of caregivers and household members to the				
	6.4.h.	department within 24 hours of their occurrence.				
		The secretary shall not grant a certificate of registration to a family child				
		care home if the caregiver or a household member is an active recipient				
		of child or adult protective services or has a history of substantiated child				
		or adult abuse or neglect as determined by a court of law or an				
	6.4.i.	investigation by the department's protective services staff.				
	6.5.	Supervision of Children.				
	6.5.a.	A caregiver shall be physically present at the family child care home and within sight or hearing of all children in care.				
	0.5.a.	A caregiver shall frequently observe children in cribs and portable packs				
	6.5.b.	and play yards.				
	0.5.5.	When supervising outdoor play, a caregiver shall remain outdoors with				
	6.5.c.	the children at all times when:				
	6.5.c.1.	There is a pool, pond, hot tub, pail, or other body of water; or			<u> </u>	
	6.5.c.2.	There are children six years of age or younger present.				
	6.6.	Family Child Care Home Capacity.		-		
	[I	_		_
		A family child care home shall have no more than six children in care				
		under 13 years of age at any one time. No more than two of the children				
	6.6.a.	may be under 24 months of age.				
	0.01	The country of this base in the families 199				
-	6.6.b.	The number of children in the family child care home includes:			-	
-	6.6.b.1.	Children under six years old who live in the home; and Children under six years old who are visiting and not accompanied by a				
	6.6.b.2.	parent or a responsible adult.				
	6.7.	Substitutes.				
	6.7.a.	Substitutes shall be reliable and at least 18 years of age.				
	0.7.u.	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				
	6.7.b.	appointments.				
		The caregiver shall notify parents in advance when he or she plans to				
	6.7.c.	use a substitute for non-emergency situations.				
		The caregiver shall require the substitute to notify parents in emergency				
	6.7.d.	situations.				
		The caregiver shall use a substitute for no more than two consecutive				
	6.7.e.	full weeks annually or more than an average of eight hours weekly.				
		The caregiver shall not knowingly use an individual as a substitute when				
		The caregiver shall not knowingly use an individual as a substitute who has a felony conviction or who has been convicted of one of the crimes				
I	6.7.f.	listed in subdivision 6.4.d. of this rule.				
	J.7.1.	notes in subdivision of the rails.				
§78-19-7.						
Home Safety Requirements.	7 1	Home Requirements.				
- oqui omonio.		A family child care home shall have heat, electricity, indoor plumbing,				
	7.1.a.	and a working telephone.				
		<u> </u>				
	7.1.b.	A family child care home shall meet the following requirements:				
		Bathrooms shall be equipped with a sink that has hot and cold running				
	7.1.b.1.	water and an operating toilet;				
		Kitchens shall have a sink that has hot and cold running water, a working				
ļ	7.1.b.2.	stove for cooking, and a working refrigerator;			1	
I	7460	Interior doors shall lock from the inside and also shall be able to be				
	7.1.b.3.	unlocked from the outside;				
		Floors wells sollings stops railings doors windows and furnishings in				
	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.D.4.	Windows or artificial lighting shall supply sufficient illumination for				
	7.1.b.5.	children's activities;				
		A working flashlight shall be available in the home for emergency				
I	7.1.b.6.	lighting; and				
_					 	

	1					
		The house shall be used in the Control of the Contr				
		The home shall have a minimum of 35 square feet of indoor space per child. This space does not include hallways, bathrooms, or rooms not				
	7.1.b.7.	intended for or approved for children's use.				
	7.1.5.7.	Safety Barriers.				
		All indoor or outdoor stairways, hallways, and exits shall be unobstructed				
	7.2.a.	except for safety barriers.				
		Stairs of four or more steps shall have hand railings when children under				
	7.2.b.	age five years are in care.				
	7.0	Safety gates shall be provided at the top and bottom of stairs to which				
	7.2.c.	infants and toddlers have access.				
	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.				
		Balconies, decks, porches, ramps, and play or living areas that are				
		elevated more than 36 inches shall be equipped with secure, child-proof				
	7.2.d.	railings and barriers.				
	7.3.	Hazards Family child care homes shall:				
	7.0 -					
	7.3.a.	Keep children from areas undergoing remodeling or construction;				
		Store cleaning supplies, detergents, aerosol cans, pesticides, poisons,				
		flammable materials, poisonous or unknown plants, medicines, medical				
		cannabis, and alcoholic beverages or toxic materials out of the reach of				
	7.3.b.	children under six years of age;		 		
	7.3.c.	Store hazardous materials separately from food items;				
		Store guns, ammunition, hunting knives, bows and arrows, and other				
		weapons in a locked cabinet or closet, and store keys out of children's				
	7.3.d.	reach; and				
	7.0	Keep strings and cords long enough to encircle a child's neck (six inches				
	7.3.e.	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 exits.				
	7. 4 .a.	All levels of the home used by children shall have two unobstructed				
		outside exits. The second exit from a room and from a level may be a				
	7.4.b.	window.				
		Windows used as exits shall be located no more than 44 inches from the				
	7.4.c.	floor.				
		A basement used by children shall have a door that exits directly to the				
	7.4.d.	outside.				
		In apartment buildings, where two exits are not available from the				
		apartment, safe and continuous passageways, aisles, or corridors that				
	7.4.e.	provide two exits shall serve to meet the requirements of subdivision 7.4.b.				
	7.4.e. 7.5.	Electrical Safety.				
	7.5.a.	Electrical cords shall be maintained in good condition.				
	7.0.0.	Extension cords shall be heavy duty UL approved and not run under				
		carpets or rugs, nor through common walkways, unless stabilized to				
	7.5.b.	prevent tripping.				
			I			
	7.5	Protective covers shall be installed on all unused electrical outlets				
870 10 0 Fina	7.5.c.	accessible to children who are under five years of age.				
§78-19-8. Fire Safety and						
Evacuation	0.4	F				
Plan.	8.1.	Evacuation Plan.				
		A family child care home shall develop and post a written plan for an				
		emergency evacuation in the event of fire, natural disaster or other				
		threatening situation that may pose a health or safety hazard to the children in the family child care home. The plan shall include, but not be				
	8.1.a.	limited to:				
	8.1.a.1.	A designated relocation site and evacuation;				
		Procedures for notifying parents of the relocation and ensuring family				
	8.1.a.2.	reunification;				
		Procedures to address the needs of individual children including children	T			
	8.1.a.3.	with special needs; and				
	8.1.a.4.	Coordination with local emergency management officials.				
	8.1.a.5.	The family child care home shall:				
		Undete the evecuation plan by Describer 24 of societies and and				
		Update the evacuation plan by December 31 of each year and provide a				
		copy to the child care regulatory specialist. If the provider fails to update the plan, the child care regulatory specialist shall take no action against				
		the provider's certificate of registration until notice is provided and the				
		provider is given 30 days after the receipt of notice to provide an				
	1	updated plan.			1	
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		Retain an updated copy of the plan for evacuation and shall provide				
		notice of the plan and notification that a copy of the plan will be provided				
		upon request to any parent, custodian, or guardian of each child at the				
		time of the child's enrollment in the child care service and when the plan				
	8.1.a.5.B.	is updated.				
		The fire evacuation plan shall include a drawing of the primary and				
	0.41	secondary exits from all areas of the house and meeting places for the				
	8.1.b.	children once they have exited the home.				
		A family shild care home shall conduct monthly fire avecyation drills and				
	8.1.c.	A family child care home shall conduct monthly fire evacuation drills and maintain a written record of when they are conducted.				
	0.1.6.	maintain a written record of when they are conducted.				
		A family child care home shall develop, implement, and maintain a				
		written procedure to practice with staff and volunteers moving to a safe				
		location within the home at least two times a year and record the dates				
	8.1.d.	and times when the practice sessions are conducted;				
		A family child care home shall develop, implement, and maintain a				
		written procedure for practicing relocation with the operator and				
		volunteers two times per year and record the dates and times when the				
	8.1.e.	practice sessions are conducted;				
	8.2.	Heating and Cooling.				
	8.2.a.	Heating devices that require ventilation shall be vented to the outside.				
	0.01	Unvented gas heaters may be used as a supplemental source of heat				
	8.2.b.	when both of the following requirements are met:				
	0264	A properly functioning digital carbon monoxide detector has been				
	8.2.b.1.	installed in a central location in the home; and				
		The heater is equipped with an oxygen depletion sensor that				
	8.2.b.2.	automatically shuts the heater off if a hazardous level of carbon monoxide accumulates.				
	0.2.0.2.	monoxide accumulates.				
		Non-flammable protective barriers, guards, or screens shall be installed				
		around wood burning stoves, open fireplaces, and unvented heaters to				
	8.2.c.	protect children from burns and flames and to prevent access.				
		Electric space heaters are allowed if they are UL approved, stable, and				
	8.2.d.	inaccessible to children.				
	8.2.e.	Kerosene heating stoves shall not be used while children are in care.				
		Heating equipment and hot water tanks shall be kept clear of				
	8.2.f.	combustible materials.				
		Hot water tanks shall be equipped with a pressure relief valve and in an				
	8.2.g.	area inaccessible to children.				
		Family child care homes shall use air conditioning or fans that are either				
		adequately shielded or out of children's reach when temperatures				
	8.2.h.	exceed 80 degrees Fahrenheit.				
<u> </u>	8.3.	General Fire Safety.				
	830	One working smoke detector shall be installed on every level of the				
	8.3.a.	home.				
		Digital carbon monoxide detectors shall be installed in all residences that				
		use gas appliances, fireplaces, pellet or wood-burning stoves, natural				
	8.3.b.	gas, oil, or propane heating systems.				
		Smoke detectors and carbon monoxide detectors shall have working				
	8.3.c.	batteries installed at all times.				
		Detectors shall be checked frequently, and batteries replaced semi-				
	8.3.d.	annually to insure proper functioning.				
		An ABC-rated multi-purpose fire extinguisher shall be available in the				
	8.3.e.	home at all times.				
§78-19-9. Environmental						
	9.1.	Tobacco Use.		 		
		A caregiver shall notify parents in advance if anyone in the home				
	9.1.a.	smokes or uses smokeless tobacco.				
		A caregiver shall provide a smoke-free environment while children are	l T			
	9.1.b.	present.				
		Smoking is prohibited when the children are in vehicles with the				
	9.1.c.	caregiver.				
		All tables as a second				
	014	All tobacco products, ashtrays, butts, ashes, spittoons, lighters, and				
 	9.1.d. 9.2.	matches shall be kept out of the children's reach. Pets and Animals.			 	
	9.2. 9.2.a.	A family child care home shall:				
	U.L.U.	production of the control of the con			ı	

whose jets are living in the forms, an acknowledgement must be signed ward shaded stay appeared of a cladibus in clause welling that the following information was made available, the date the pet is prought into the norms, the type of pet, bread of pet, bread of pet, bread of pet, a paymented staking, and vaccination is stated to the pet of the pet o								
and dated by a parent of all children in care verifying that the following information was made availables the date the pet is toroget into the home. The pet of pot broad of pet, spayineuri relates, and vaccination behavior. The caregiver mader of by present how eveles prior to a new pet status. The secretary of the period of pet, spayineuri relates, and vaccination for all cats and dogs kept on the periodics. 9.2.a.S. 9.2.a.S. 9.2.a.S. 9.2.a.S. Noop filter boxes out of sares used by children and away from food preparation areas. And the children. Noop filter boxes out of sares used by children and away from food preparation areas. And the children. Noop filter boxes out of sares used by children and away from food preparation areas. And the children. 1. A second to the periodics of the children. 1. A second to the periodics of the children. 1. A second to the periodics of the children. 2. D. S.								
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10.2.f.2. listed in Appendix 78-19B of this rule; 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; Maintain the family child care home and furnishings in a safe and sanitary condition to prevent accidents and illnesses; Ensure that the family child care home is free of rodent or insect infestation; and 10.2.f.6. Ensure doors and windows that are left open have screens. 10.3. Nutrition. Children shall receive nutritious meals and snacks, served in a sanitary manner and in amounts adequate to meet their nutritional needs, as detailed in the USDA Dietary Guidelines for Americans. 10.3.a. Children shall be encouraged, but not forced to eat. 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. For all water play or swimming activities, or both, the caregiver shall: 11.1.a. Obtain prior written permission from parents for children to participate; Be physically present at the site of any water play and provide constant, direct supervision of children;		10.21	Clean bathroom facilities used by the children daily and when soiled, as			
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11.1.b. direct supervision of children;		1				
Enouge that an adult autimmer is present when shildren are involved in		11.1.b.				
			Engure that an adult autimmer is property their shills are as investigation			
Ensure that an adult swimmer is present when children are involved in		11 1 c	Ensure that an adult swimmer is present when children are involved in swimming activities in pools deeper than 24 inches:			
Ensure that life guards are present when taking children to a swimming		7111.0.				
11.1.d. area outside of the family child care home;		11.1.d.	area outside of the family child care home;			
Provide simple water safety rules to children based on their ages and						 _
11.1.e. developmental levels;						
11.1.f.1. Ensure that a second adult is available to supervise when: 11.1.f.1. Some children are not swimming; and						
() () () () () () () () () ()						
More than three children under six years of age are participating in						
11.1.f.2. swimming activities in pools deeper than 24 inches; and		11.1.f.2.	swimming activities in pools deeper than 24 inches; and			

		Ensure that children who are not toilet trained wear swim diapers during			
	11.1.g.	water play of any kind.			
	11.2	Water Play.			
	44.0 -	Wading pools of less than 24 inches in depth may be used when the			
	11.2.a.	following requirements are met:			
	11.2.a.1.	The pool is clean and free of debris;			
		The pool is emptied and disinfected before and after each play period or			
	11.2.a.2.	immediately when they become dirty or contaminated; and			
	11.2.a.3.	The pool remains empty when not in use and does not collect water.			
	11.2.b.	The caregiver shall store empty pools out of children's reach.			
	11.3.	Pools and Hot Tubs.			
	11.3.a.	A caregiver shall:			
	11.3.a.1.	Enclose all swimming pools deeper than 24 inches with a fence at least four feet high;			
	11.3.a.2	Ensure that entry gates remain locked when the pool is not in use;			
		Ensure that pools deeper than 24 inches used by children in care have			
	11.3.a.3.	working filtration systems and are maintained to prevent development of bacteria and algae;			
	11.0.0.0.	Ensure that, if using a fence manufactured strictly for above ground			
	11.3.a.4.	pools, it extends at least two feet above the pool and has a locking ladder attached; and			
	11.0.4.4.	Ensure that pools used by children in care are set up, maintained, and		1	
	11 2 0 5	operated according to manufacturer guidelines and age			
	11.3.a.5. 11.3.b.	recommendations. A caregiver shall:		1	
		Equip hot tubs with a hard cover; and		1	
	11.3.b.1.	Prohibit the children's use of hot tubs.			
§78-19-12.	11.0.0.2.	Totalist the oringren e dee of not tupe.			
Emergency					
Practices.	12.1.	Emergency Information.			
		A family child care home shall ensure that written emergency information			
		is available near the telephone within easy access of the caregiver,			
		children, and substitutes that contains telephone numbers for the			
	12.1.a.	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;			
	40.4	A poison control center or the universal poison control center telephone			
		number, 1-800-222-1222;			
		Parents' work and home;			
		Numbers for each child's health care provider; 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.			
		Emergency information for each child includes emergency contacts,			
		family information, permission to seek medical treatment, and		1	
	12.1.c.	permission to transport the child.			
	12.1.d.	Emergency consent forms shall be notarized.			
		First Aid Supplies. A family child care home shall keep the following first			
	12.2.	aid supplies available in a portable container and ensure they are out of children's reach:		1	
	12.2. 12.2.a.	A digital thermometer;	-	1	
	12.2.a. 12.2.b.	Disposable gloves;		 	
	12.2.c.	Blunt tipped scissors;			1
	12.2.d.	Tweezers;		 	
	12.2.e.	Bandage tape;		1	
	12.2.f.	Sterile gauze;		<u> </u>	
	12.2.g.	Non-medicated adhesive strips;		1	
	12.2.h.	Sealed packages of alcohol wipes or antiseptic;			
	12.2.i.	CPR mouthpiece;			
	12.2.j.	Soap; and			
	12.2.k.	A first aid guide.			
§78-19-13.					
Transportation	13 1	When transporting children, the caregiver shall:			
-	13.1.	When transporting children, the caregiver shall: Notify parents in advance when activities are planned that require			
	13.1.a.	transportation;			
	13.1.b.	Make sure the children's emergency consent forms are carried in the vehicle in case of accident or illness;			
	10.1.0.	Translating and add of addition infloor,	<u> </u>	1	1

	1.0.1	Ta			1	
	13.1.c.	Accompany children on activities that require transportation;				
l		Ensure the driver transporting the children has a valid driver's license;				
	13.1.d	and				
		Ensure the vehicle used to transport the children is maintained in safe				
	13.1.e.	running condition, with insurance and a current inspection sticker.				
	10.1.0.	Tarining condition, was incuration and a content inepocation cancer.				
		A familia abilid and beautiful and the state of the bilid is a committee of				
		A family child care home shall ensure that each child is secured in an				
		approved child safety seat or seat belt at a ratio of one child per seat belt				
	13.2.	as required by W. Va. Code §17C-15-56.				
§78-19-14.						
Program and						
Equipment.	14.1.	Daily Routine.				
	14.1.a.	A family child care home shall post the daily routine.				
		The daily routine shall be appropriate to the ages of the children in care				
	14.1.b.	and include:				
	14.1.b.1.	Specific meal times;				
	14.1.b.2.	Nap times for children who need them;				
		,				
	14.1.b.3.	Indoor play time;				
1		Outdoor play time on days when temperatures are 40 degrees and				
	14.1.b.4.	above, weather and circumstances permitting;	<u> </u>	<u> </u>	<u> </u>	
	14.1.b.5.	A balance of active and quiet play; and				
		Time to learn self-help skills, such as hand washing, brushing teeth,				
	14.1.b.6.	dressing, and toileting.	1		1	I
	14.1.0.0.	<u> </u>	1	1	1	+
 		Program.	-	1	1	-
	14.2.a.	A family child care home shall implement a program that:		1	1	1
i		Is appropriate to the ages and stages of development of children in care;			1	
<u> </u>	14.2.a.1.	and	<u> </u>	<u></u>	<u> </u>	
	14.2.a.2.	Enhances the healthy growth and development of children.				
		A family child care home shall select toys, equipment, and activities				
i		referenced in the resource tables in Appendix 78-19-C of this rule.			1	
i	1126	Examples include:			1	
 	14.2.b.	<u> </u>	 		1	
	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.			1	
	14.2.0.7.					
l		A family child care home shall ensure that age-appropriate books are				
		read on a daily basis to children between the ages of six months and five				
	14.2.c.	years of age.				
	14.3.	Equipment.				
		A family child care home shall ensure each child has an appropriately-				
	44.0	sized place to rest, such as a crib, portable packs and play yard, bed,				
	14.3.a.	cot, sofa, or mat with clean individual bedding.				
		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-	ł		1	
	14.3.b.	C of this rule.	<u></u>	<u> </u>	<u> </u>	<u> </u>
§78-19-15.						
Guidance and	1					
Discipline.	15.1.	Guidance.				
		The caregiver and parents shall discuss and agree upon positive			1	
	15.1.a.	methods of guidance that encourage a child's acceptable behavior.				
		J				
i		The caregiver shall use guidance that helps the children understand				
4	1	appropriate behavior and is appropriate to their ages.			1	
1	145 4 6		<u> </u>	<u> </u>	1	<u> </u>
	15.1.b.					
		A family child care home shall have rules that are fair, consistent, and				
	15.1.b. 15.1.c.	A family child care home shall have rules that are fair, consistent, and relevant to the children's ages.				
		A family child care home shall have rules that are fair, consistent, and relevant to the children's ages. A family child care home may use a time-out that lasts no more than one				
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	15.1.c.	A family child care home shall have rules that are fair, consistent, and relevant to the children's ages. A family child care home may use a time-out that lasts no more than one minute for each year of a child's age only for the purpose of helping a				
	15.1.c. 15.1.d.	A family child care home shall have rules that are fair, consistent, and relevant to the children's ages. A family child care home may use a time-out that lasts no more than one minute for each year of a child's age only for the purpose of helping a child regain control.				
	15.1.c.	A family child care home shall have rules that are fair, consistent, and relevant to the children's ages. A family child care home may use a time-out that lasts no more than one minute for each year of a child's age only for the purpose of helping a child regain control. Discipline.				
	15.1.c. 15.1.d. 15.2.	A family child care home shall have rules that are fair, consistent, and relevant to the children's ages. A family child care home may use a time-out that lasts no more than one minute for each year of a child's age only for the purpose of helping a child regain control. Discipline. A caregiver, household member, or substitute shall not use any of the				
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	15.1.c. 15.1.d. 15.2. 15.2.a. 15.2.a.1.	A family child care home shall have rules that are fair, consistent, and relevant to the children's ages. A family child care home may use a time-out that lasts no more than one minute for each year of a child's age only for the purpose of helping a child regain control. Discipline. A caregiver, household member, or substitute shall not use any of the following harmful forms of discipline: Punishing a child physically including spanking, hitting, kicking, biting, shaking, swatting, thumping, pinching, popping, shoving, spitting, or other cruel treatment; Punishing or threatening a child in association with food, sleep, rest, or toilet training;				

	45.0 - 5	Using loud, profane, or abusive language or threats of physical				
	15.2.a.5.	punishment;				
		Punishing a child psychologically including public or private humiliation,				
	15.2.a.6.	shaming, and negative remarks about the child or child's family;				
	45.0 - 7	Punishing a child emotionally including rejecting, terrorizing, ignoring, or				
	15.2.a.7. 15.2.a.8.	isolating; and Allowing a child to discipline other children.				
	10.2.4.0.	A caregiver shall not seek or accept parental permission to use any				
	15.2.b.	punishments or acts prohibited in this rule.				
§78-19-16. Infants and						
Toddlers.	16.1.	Equipment A family child care home:				
		Is prohibited, effective December 28, 2012, from using traditional drop				
	16.1.a.	side cribs, or any crib manufactured prior to June 28, 2011. A family child care home shall:				
	10.1.a.	Ciliu Care nome Shaii.				
		Only use cribs and portable pack and play yards that comply with the				
		Consumer Product Safety Commission standards, Cribs manufactured				
	40.4 - 4	after June 28, 2011, and any portable pack and play yards manufactured				
	16.1.a.1.	after February 19, 2014; and Supply separate cribs or portable packs and play yards for infants.				
		Family child care providers shall not use portable packs and play yards				
	16.1.a.2.	for infants able to climb;				
	40.4:	Shall not allow infants under 35 inches tall to sleep on any type of adult	Ţ			
	16.1.b.	bed or sofa; Shall not place soft pillows or stuffed animals in infant beds during sleep		-		
	16.1.c.	or nap times;				
	16.1.d.	Shall not allow the use of mobile walkers;				
	40.4	Shall ensure that high chairs, infant swings, portable packs and play				
	16.1.e.	yards, and cribs are safe and in good working condition; and Shall disinfect toys and play equipment used by infants and toddlers				
		after each use. Resource tables are contained in Appendices 78-19-C of				
	16.1.f.	this rule.				
		Feeding and Care A family child care home caring for infants and				
	16.2. 16.2.a.	toddlers shall: Keep milk and formula under refrigeration at all times;		-		
	16.2.b.	Discard any unused breast milk within two hours of feeding:				
	16.2.c.	Offer water to infants and toddlers several times daily;				
		Hold infants six months of age and younger while bottle-feeding. Bottle				
	16.2.d.	propping is prohibited;				
		Hold infants and toddlers with special needs over six months of age				
	16.2.e.	while bottle-fed until they are able to hold their own bottles securely;				
		Ensure that infants and toddlers participate in activities outside of cribs				
	16.2.f.	or portable packs and play yards;				
	16.2.g.	Hold, cuddle, talk to, sing to, and respond to the particular needs of infants and toddlers; and				
	10.2.g.	Place an infant who is unable to turn over independently on his or her				
		back to sleep unless medical documentation prohibits sleep in that				
	16.2.h.	position.			-	
	16.3. 16.3.a.	Diapering and Toilet Training. A caregiver caring for children in diapers shall:			1	
	10.0.a.	Use a clean non-porous surface or pad for diaper changing and shall				
	16.3.a.1.	clean it after each use;				
	16.3.a.2.	Have sufficient quantities of clean diapers available; and	Ţ			
	16.3.a.3.	Change diapers when soiled and dispose of them in a closed container that is emptied daily.				
	10.0.a.s.	anacio ompriou dally.			1	
	16.3.b.	A family child care home caring for a child who is toilet training shall:				
	40.51	Discuss and agree with the child's parent on a schedule for toilet				
	16.3.b.1. 16.3.b.2.	training; and Empty and disinfect potty chairs after each use.				
§78-19-17.	10.3.0.2.	Empty and distinct polity chairs after each use.				
Night Time Care.	17 1	Sleeping A family child care home providing night time care:				
oare.	17.1.	Sleeping A family child care home providing night time care: Shall not place mats or sleeping bags directly on the floor for overnight				
	17.1.a.	sleeping;				
		Shall provide the children with clean linen, pillows, and additional				
	17.1.b	coverings as needed for comfort;				
	17.1.c.	Shall be awake while the children are awake and sleep only when all the children are asleep; and				
	17.1.0.	Shall ensure that only children of the same family and sex sleep together				
	17.1.d.	in the same bed.				
	17.2.	Bathing When bathing a child, the caregiver shall:				

	17.2.a.	Discuss bathing arrangements with the child's parents;				
		,				
	17.2.b.	Provide age-appropriate bathing facilities for children for overnight care;				
	17.2.c.	Supervise a child under six years of age while bathing;				
		Equip bathtubs and showers with safety devices to prevent slipping or				
	17.2.d.	falling;				
		Provide soap, clean water, clean individual wash cloths, and towels for				
	17.2.e.	each child: and				
	17.2.f.	Thoroughly clean the tub between baths.				
§78-19-18. Parent						
Involvement.	18.1	Responsibilities.				
		A family child care home shall maintain all completed parental forms				
		required by the department, including emergency information and				
	18.1.a.	medical forms, on file.				
		·				
		The caregiver shall require parents to review and sign daily sign in and				
	18.1.b.	out sheets to document the time all children are in care.				
	18.1.c.	A family child care home shall keep records on file for two years.				
1		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				
	18.1.d.	other programs.				
	18.2.	Rights.				
		The caregiver shall give parents an opportunity for pre-enrollment visits				
		to discuss services and requirements of the family child care home as				
	18.2.a.	well as the needs of the family and children.				
		The committee of all aircreases distances to be all all and all all and an aircreases and an aircreases at				
	40.0 %	The caregiver shall give custodial parents immediate and unlimited				
	18.2.b.	access to their children in care and follow these guidelines:				
		The corporiver shall release the shildren only to the individuals listed on				
	18.2.b.1.	The caregiver shall release the children only to the individuals listed on the parent's emergency consent form; and				
	10.2.0.1.	The caregiver shall require identification before releasing a child to				
	18.2.b.2.	someone unknown to the caregiver.				
§78-19-19.	10.2.0.2.	Johnsons anthown to the caregiver.	-			
Required		A family shild care home shall immediately report supported shill above				
Reporting to		A family child care home shall immediately report suspected child abuse or neglect to the department in accordance with W. Va. Code §49-2-801				
the Department.	19.1.	let seg.				
Department.	13.1.	et sey.				
		A family child care home shall immediately report to the department any				
		accidents or illnesses resulting in emergency treatment, hospitalization,				
1		or the death of a child and follow up with a written report within 72 hours				
	19.2.	on a form designated by the department.				
1	19.3.	A family child care home shall report the following within 72 hours:				
		An adult added to the household so a criminal history background check		i		
	19.3.a.	can be completed;		 1	 	
	19.3.b.	Major damage to the home caused by fire, flood, or storms; and				
	19.3.c.	A change in address.			 	