

**LCB File No. R203-97**  
**Notice of Intent to Act Upon a Regulation**

**NOTICE OF PUBLIC HEARING AND AGENDA**  
**FOR THE AMENDMENT OF REGULATIONS OF THE**  
**BOARD FOR CHILD CARE**

Bureau of Services for Child Care, Division of Child and Family Services  
711 E. Fifth Street, Carson City, NV 89710  
(702) 687-5982 FAX (702) 687-4722

The Bureau of Services for Child Care will hold a public hearing at 1:30 pm, on January 14, 1998, at Washoe County Complex, South Conference Room of the Health Department, 1001 E. Ninth Street, Reno, Nevada 89520. The purpose of the hearing is to receive comments from all interested persons regarding the Amendment of regulations pertaining to Chapter 432A of the Nevada Administrative Code. Workshops to solicit comments will be held at 3:30 pm on December 22, 1997, at Elko County Library, 720 Court Street, Elko, NV 89801 and at 10:00 am on January 14, 1998 at Washoe County Complex, South Conference Room of the Health Department, 1001 E. Ninth Street, Reno, NV 89710.

AGENDA

- 10:00am      WORKSHOP  
12:00pm      Lunch Break  
1:30pm      1. Call to Order; Roll Call of Members; Introductions  
**Action Item** \*2. Approval of 12-12-96 Minutes  
                  3. Elko and Reno Public Workshop Reports  
**Action Items** \*4. Public Hearing  
                  NAC 432A.250 On-site child care facility  
                  NAC 432A.260 Health Standards for diaper change area, handwashing, toilet  
                  training, facility cleanliness  
                  NAC 432A.280 Fire Safety and Disaster Plans  
                  NAC 432A.300 Facility Director Requirements  
                  NAC 432A.310 TB Testing  
                  NAC 432A.323 Initial Course of Training  
                  NAC 432A.326 Continuing Training  
                  NAC 432A.350 Facility Statement  
                  NAC 432A.420 Infant & Toddler Nursery Director Requirements  
                  NAC 432A.425 Infant & Toddler Requirements  
                  NAC 432A.430 Preschool Director Requirements  
                  NAC 432A.485 Special Needs Facility Director Requirements  
                  5. Bureau Reports: Patricia J. Simonsen, Chief  
                  6. Public comment; future agenda items; next meeting date  
**Action item** \*7. Adjournment

**\*The Board may take action on any of these items.**

**The Board wishes to notify the public that it may consider agenda items out of order and may alter lunch schedule.**

## PUBLIC HEARING

The following information is provided pursuant to the requirements of NRS 233B.060:

1. The need and purpose of the proposed regulation amendments: Statute added a definition and requirements for on-site facility
  2. Proposed regulation amendment(s) description: NAC 432A.250 Statute substitute for on-site facility play space added to NAC.
  3. The estimated economic effect of the regulation on the business which it is to regulate:
    - (a) adverse and beneficial: Additional square footage required, beneficial to services located in business areas.
    - (b) immediate and long-term effects: Increased indoor space required. May increase the number of facilities operating in business areas.The estimated economic effect of the regulation on the public:
    - (a) adverse and beneficial: No adverse known as may increase the number of spaces available for child care in places of employment.
    - (b) immediate and long-term effects: May increase the number of facilities available to working parents at their work site.
  4. The estimated cost to the agency for enforcement of the proposed regulation: May increase of child care facilities.
  5. There is no known duplication of any regulations of other state or local governmental agencies or federal regulation.
  6. There is no regulation requirement pursuant to federal law.
  7. There are no federal child care regulations.
- This proposed regulation does not increase a fee or establish a new fee.

1. The need and purpose of the proposed regulation amendments: Infectious disease control in child care settings.
2. Proposed regulation amendment(s) description: NAC 432A.260 Requirements defined for diaper change areas, hand washing, toilet training procedures and facility cleanliness.
3. The estimated economic effect of the regulation on the business which it is to regulate:
  - (a) adverse and beneficial: Facilities are currently required to meet infection control procedures. It is beneficial to have procedures clearly defined.
  - (b) immediate and long-term effects: Clearly defined requirements will immediately facilities to comply. Long-term will lessen the amount of infectious disease in child care settings better able to control infectious disease.The estimated economic effect of the regulation on the public:
  - (a) adverse and beneficial: No adverse known as health and safety precautions in child care settings are increased.
  - (b) immediate and long-term effects: Child care settings better able to control infectious disease.
4. The estimated cost to the agency for enforcement of the proposed regulation: None, as requirements in effect currently.
5. There is duplication of some of these health standards in the Clark County Health District Requirements for Child Care, and Washoe County Social Services Child Care Regulations.
6. There is no regulation requirement pursuant to federal law.

7. There are no federal child care regulations.

This proposed regulation does not increase a fee or establish a new fee.

1. The need and purpose of the proposed regulation amendments: Statute requirement.
2. Proposed regulation amendment(s) description: NAC 432A.280 Requires Fire and Disaster Plans.
3. The estimated economic effect of the regulation on the business which it is to regulate:
  - (a) adverse and beneficial: Will require facilities to plan for emergencies and have monthly fire drills and quarterly disaster drills.
  - (b) immediate and long-term effects: Facilities prepared for emergencies and have monthly fire drills and quarterly disaster drills.The estimated economic effect of the regulation on the public:
  - (a) adverse and beneficial: No adverse known as facilities caring for children will be better prepared for emergencies.
  - (b) immediate and long-term effects: Child care facilities better prepared for most emergencies and prevention of additional emergencies.
4. The estimated cost to the agency for enforcement of the proposed regulation: None known.
5. There may be some duplication in state and local fire codes.
6. There is no regulation requirement pursuant to federal law.
7. There are no federal child care regulations.

This proposed regulation does not increase a fee or establish a new fee.

1. The need and purpose of the proposed regulation amendments: Defined requirements for facility directors for training in child development.
2. Proposed regulation amendment(s) description: NAC 432A.300 Increased training requirements for facility directors.
3. The estimated economic effect of the regulation on the business which it is to regulate:
  - (a) adverse and beneficial: Facilities not using free training may have increases in training costs. Staff will be better trained.
  - (b) immediate and long-term effects. Increase in training hours may require additional training. Director will be better prepared.The estimated economic effect of the regulation on the public:
  - (a) adverse and beneficial: Training costs may be passed to parents. Facilities will employ better trained directors.
  - (b) immediate and long-term effects: Better trained directors resulting in a better program for children.
4. The estimated cost to the agency for enforcement of the proposed regulation: None known.
5. There is duplication in Washoe County Social Services Child Care Regulations.
6. There is no regulation requirement pursuant to federal law.
7. There are no federal child care regulations.

This proposed regulation does not increase a fee or establish a new fee.

1. The need and purpose of the proposed regulation amendments: TB testing requirements better defined.
2. Proposed regulation amendment(s) description: NAC 432A.310 TB testing requirements.
3. The estimated economic effect of the regulation on the business which it is to regulate:

(a) adverse and beneficial: Existing requirement with allowance of a screening rather than annual E-ray.

(b) immediate and long-term effects: Continues TB training.

The estimated economic effect of the regulation on the public:

(a) adverse and beneficial: No adverse known as existing regulation. Beneficial to employee needing E-ray.

(b) immediate and long-term effects: Existing regulation.

4. The estimated cost to the agency for enforcement of the proposed regulation:
5. There is some duplication in Washoe County Social Services Child Care Regulations and Clark County Health District Regulations for Child Care Facilities.
6. There is no regulation requirement pursuant to federal law.
7. There are no federal child care regulations.
8. This proposed regulation does not increase a fee or establish a new fee.

1. The need and purpose of the proposed regulation amendments: Increase the capability of newly hired staff members with no child care training.

2. Proposed regulation amendment(s) description: NAC 432A.323 Increase in training requirements for initial course of training.

3. The estimated economic effect of the regulation on the business which it is to regulate:

(a) adverse and beneficial: Facilities not using free training may have training cost increases but will have better prepared staff.

(b) immediate and long-term effects: Better trained staff to work with children.

The estimated economic effect of the regulation on the public:

(a) adverse and beneficial: Facilities not providing training opportunities may pass costs on to parents.

(b) immediate and long-term effects: Better trained staff to work with children.

4. The estimated cost to the agency for enforcement of the proposed regulation:
5. There is no known duplication of any regulations of other state or local governmental agencies or federal regulation.
6. There is no regulation requirement pursuant to federal law.
7. There are no federal child care regulations.

This proposed regulation does not increase a fee or establish a new fee.

1. The need and purpose of the proposed regulation amendments: Increase in capability of child care staff in working with children.

2. Proposed regulation amendment(s) description: NAC 432A.326 Increase in continuing training requirements.

3. The estimated economic effect of the regulation on the business which it is to regulate:

(a) adverse and beneficial: Facilities not using free training may result in a training cost increase. Result will be better trained staff working with children enrolled in the facility program.

(b) immediate and long-term effects: If free training not used, there could be a cost increase to the facility to provide. Staff will be better prepared to handle children enrolled.

The estimated economic effect of the regulation on the public:

(a) adverse and beneficial: Facility may pass some cost on to parent. Facility will have better trained staff.

(b) immediate and long-term effects: More qualified staff caring for children.

4. The estimated cost to the agency for enforcement of the proposed regulation: None known.
5. There is some duplication in Washoe County Social Services Child Care Regulations.
6. There is no regulation requirement pursuant to federal law.
7. There are no federal child care regulations.

This proposed regulation does not increase a fee or establish a new fee.

1. The need and purpose of the proposed regulation amendments: Parent notification.
2. Proposed regulation amendment(s) description: NAC 432A.350 Notifies parents of requirements for fire and disaster plans.
3. The estimated economic effect of the regulation on the business which it is to regulate:
  - (a) adverse and beneficial: Increased time spent in plan writing and evacuation procedures but prepared for emergencies.
  - (b) immediate and long-term effects: Prepared for emergencies including fire and disasters.The estimated economic effect of the regulation on the public:
  - (a) adverse and beneficial: No adverse effect known. Facilities enrolling children prepared for emergencies.
  - (b) immediate and long-term effects: Facilities prepared for emergencies.
4. The estimated cost to the agency for enforcement of the proposed regulation: None known.
5. There is no known duplication of any regulations of other state or local governmental agencies or federal regulation.
6. There is no regulation requirement pursuant to federal law.
7. There are no federal child care regulations.

This proposed regulation does not increase a fee or establish a new fee.

1. The need and purpose of the proposed regulation amendments: Nursery director requirements better defined.
2. Proposed regulation amendment(s) description: NAC 432A.420 Defines director requirements for Infant and Toddler Nurseries.
3. The estimated economic effect of the regulation on the business which it is to regulate:
  - (a) adverse and beneficial: Facilities not using free training may have training cost increase. Will result in better prepared staff.
  - (b) immediate and long-term effects: Nursery director better trained in providing services to children under the age of 3 years.

The estimated economic effect of the regulation on the public:

- (a) adverse and beneficial: Nursery directors not trained will need additional training which could be passed on to parent. Director would be better prepared to handle the care of infants and toddlers.
  - (b) immediate and long-term effects: Facilities prepared to provide an infant and toddler program.
4. The estimated cost to the agency for enforcement of the proposed regulation: None known.
  5. There is no known duplication of any regulations of other state or local governmental agencies or federal regulation.
  6. There is no regulation requirement pursuant to federal law.
  7. There are no federal child care regulations.

This proposed regulation does not increase a fee or establish a new fee.

1. The need and purpose of the proposed regulation amendments: Requirements for programs handling infants and toddlers needed.
2. Proposed regulation amendment(s) description: NAC 432A.425 Defines requirements for facilities enrolling infants and toddlers.
3. The estimated economic effect of the regulation on the business which it is to regulate:
  - (a) adverse and beneficial: May result in some programs needing additional materials and equipment. Program will benefit.
  - (b) immediate and long-term effects: Facilities with enrolled infants and toddlers will be better prepared.

The estimated economic effect of the regulation on the public:

- (a) adverse and beneficial: Some programs may pass some costs on to parents. Facilities must be prepared to provide appropriate services to infants and toddlers.
  - (b) immediate and long-term effects: Facilities prepared to provide an infant and toddler program.
4. The estimated cost to the agency for enforcement of the proposed regulation: None known.
  5. There is no known duplication of any regulations of other state or local governmental agencies or federal regulation.
  6. There is no regulation requirement pursuant to federal law.
  7. There are no federal child care regulations.

This proposed regulation does not increase a fee or establish a new fee.

1. The need and purpose of the proposed regulation amendments: Preschool Director requirements better defined.
2. Proposed regulation amendment(s) description: NAC 432A.430 Defines Preschool Director requirements.
3. The estimated economic effect of the regulation on the business which it is to regulate:
  - (a) adverse and beneficial: Regulation in existence.
  - (b) immediate and long-term effects: Preschool Director trained in child development.

The estimated economic effect of the regulation on the public:

- (a) adverse and beneficial: Regulation in existence.
  - (b) immediate and long-term effects: Preschool Director trained in child development.
4. The estimated cost to the agency for enforcement of the proposed regulation: None known.
  5. There is no known duplication of any regulations of other state or local governmental agencies or federal regulation.
  6. There is no regulation requirement pursuant to federal law.
  7. There are no federal child care regulations.

This proposed regulation does not increase a fee or establish a new fee.

1. The need and purpose of the proposed regulation amendments: Special Needs Director requirements better defined.
2. Proposed regulation amendment(s) description: NAC 432A.485 Defines Special Needs Facility Director requirements.
3. The estimated economic effect of the regulation on the business which it is to regulate:
  - (a) adverse and beneficial: No additional requirements.
  - (b) immediate and long-term effects: No additional requirements. 3 years experience changed to 2 years experience.

The estimated economic effect of the regulation on the public:

- (a) adverse and beneficial: Existing regulation.
- (b) immediate and long-term effects: Existing regulation.
- 4. The estimated cost to the agency for enforcement of the proposed regulation: None known.
- 5. There is no known duplication of any regulations of other state or local governmental agencies or federal regulation.
- 6. There is no regulation requirement pursuant to federal law.
- 7. There are no federal child care regulations.

This proposed regulation does not increase a fee or establish a new fee.

Persons wishing to comment upon the proposed action of the Board for Child Care may appear at the scheduled public hearing or may address their comments, data, views or arguments, in written form, to the Board for Child Care, Bureau of Services for Child Care, 3920 E. Idaho Street, Elko, NV 89801. Written submission must be received by the Bureau of services for Child Care on or before . If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Board for Child Care may proceed immediately to act upon any written submission.

A copy of this notice and the proposed regulation to be amended will be on file at the State Library, 100 Stewart Street, Carson City, Nevada 89710, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended will be available at the Division of Child and Family Services: 711 E. Fifth Street, Carson City NV 89710; 1572 E. College Parkway, Suite 161, Carson City NV 89710; 620 Belrose Street, Suite C, Las Vegas NV 89158; 3920 E. Idaho Street, Elko NV 89801; 560 Mill Street #350, Reno NV 89502; 725 Avenue K, Ely NV 89301; 1735 Kaiser Street, Fallon NV 89406; 1000 C Street, Hawthorne NV 89415; 535 Western Avenue, Lovelock NV 89419; 565 N. Main Street, Tonopah NV 89049; 475 W. Haskell #7, Winnemucca NV 89446; 14 Pacific Street, Yerington NV 89447; and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary. Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption, and incorporate therein the Board for Child Care's reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

Division of Child and Family Services: 711 E. Fifth Street, Carson City NV 89710; 1572 E. College Parkway, Suite 161, Carson City NV 89710; 620 Belrose Street, Suite C, Las Vegas NV 89158; 3920 E. Idaho Street, Elko NV 89801; 560 Mill Street #350, Reno NV 89502; 725 Avenue K, Ely NV 89301; 1735 Kaiser Street, Fallon NV 89406; 1000 C Street, Hawthorne NV 89415; 535 Western Avenue, Lovelock NV 89419; 565 N. Main Street, Tonopah NV 89049; 475 W. Haskell #7, Winnemucca NV 89446; 14 Pacific Street, Yerington NV 89447;

Nevada State Library: 100 Stewart Street, Carson City NV 89710  
Washoe County Social Services: Wells Avenue and Ninth Street, Reno NV 89520  
Clark County Social Services: 1600 Pinto Lane, Las Vegas NV 89106  
City of Las Vegas, Privilege License Division: 400 E. Stewart Avenue, Las Vegas NV 89101  
Carson City Environmental Health: 1711 North Roop Street, Carson City NV 89701  
County Libraries: Douglas County Library, 1625 Library Lane, Minden NV 89423; Esmeralda  
County Library, Fourth and Crook Streets, Goldfield NV 89013; Eureka Branch Library, 10190  
Monroe Street, Eureka NV 89316; Lincoln County Library, 93 Main Street, Pioche NV 89043;  
Storey County Library, 95 South R Street, Virginia City NV 89440.

NOTE: Disabled members of the public who require special accommodations or assistance at the meeting are requested to notify P.J. Simonsen in writing at 3920 E. Idaho Street, Elko NV 89801, or by calling (702) 753-1237 no later than.

## **NOTICE OF WORKSHOP TO SOLICIT COMMENTS ON PROPOSED REGULATION**

The Division of Child and Family Services, Bureau of Services for Child Care, 711 E. Fifth Street, Carson City NV 89710, is proposing the Amendment of regulations pertaining to chapter 432A of the Nevada Administrative Code. Workshops have been set for 3:30 pm, on December 22, 1997, at Elko County Library, 720 Court Street, Elko NV 89801, and at 10:00 am, on January 14, 1998, at Washoe County Complex, South Conference Room of the Health Department, 1001 E. Ninth Street, Reno NV 89710. The purpose of the workshop is to solicit comments from interested persons on the following general topics addressed in the proposed regulations:

On-site child care facility, health standards, director requirements, training requirements, disaster plans and infant & toddler requirements.

A copy of this notice and the proposed regulations will be on file at the State Library, 100 Stewart Street, Carson City, Nevada for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be amended will be available at the Division of Child and Family Services: 711 E. Fifth Street, Carson City NV 89710; 1572 E. College Parkway, Suite 161, Carson City NV 89710; 620 Belrose Street, Suite C, Las Vegas NV 89158; 3920 E. Idaho Street, Elko NV 89801; 560 Mill Street #350, Reno NV 89502; 725 Avenue K, Ely NV 89301; 1735 Kaiser Street, Fallon NV 89406; 1000 C Street, Hawthorne NV 89415; 535 Western Avenue, Lovelock NV 89419; 565 N. Main Street, Tonopah NV 89049; 475 W. Haskell #7, Winnemucca NV 89446; 14 Pacific Street, Yerington NV 89447; and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653 and on the Internet at <http://www.leg.state.nv.us>. Copies will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary.

This Notice of Workshop to Solicit Comments on Proposed Regulations has been sent to all persons on the agency's mailing list for administrative regulations and posted at the following locations:

Division of Child and Family Services: 711 E. Fifth Street, Carson City NV 89710; 1572 E. College Parkway, Suite 161, Carson City NV 89710; 620 Belrose Street, Suite C, Las Vegas NV 89158; 3920 E. Idaho Street, Elko NV 89801; 560 Mill Street #350, Reno NV 89502; 725 Avenue K, Ely NV 89301; 1735 Kaiser Street, Fallon NV 89406; 1000 C Street, Hawthorne NV 89415; 535 Western Avenue, Lovelock NV 89419; 565 N. Main Street, Tonopah NV 89049; 475 W. Haskell #7, Winnemucca NV 89446; 14 Pacific Street, Yerington NV 89447  
Nevada State Library, 100 Stewart Street, Carson City NV 89710  
Washoe County Social Services, Wells Avenue and Ninth Street, Reno NV 89520  
Clark County Social Services, 1600 Pinto Lane, Las Vegas NV 89106  
City of Las Vegas, Privilege License Division, 400 E. Stewart Avenue, Las Vegas NV 89101  
Carson City Environmental Health, 1711 N. Roop Street, Carson City NV 89701  
County Libraries: Douglas County Library, 1625 Library Lane, Minden NV 89423; Esmeralda County Library, Fourth and Crook Streets, Goldfield NV 89013; Eureka Branch Library, 10190

Monroe Street, Eureka NV 89316; Lincoln County Library, 93 Main Street, Pioche NV 89043; Storey County Library, 95 South R Street, Virginia City NV 89440.

NOTE: Disabled members of the public who require special accommodations or assistance at the meeting are requested to notify P.J. Simonsen in writing at 3920 E. Idaho Street, Elko NV 89801, or by calling (702) 753-1237 no later than.

**R203-97**

AUTHORITY: NRS 432A.077

**Section 1. Chapter 432A.010 of NAC is hereby amended by adding thereto a new definition to read as follows:**

**"On-site child care facility" has the meaning ascribed to it in NRS 432A.\_\_\_\_\_.**

**432A.010** Definitions. As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 432A.012 to 432A.165, inclusive, have the meanings ascribed to them in those sections.

432A.012 "Accommodation facility" defined. "Accommodation facility" means a facility which is operated:

1. By a business that is licensed to conduct a business other than the provision of care to children; and
2. As an auxiliary service provided for the customers of the primary business.

432A.015 "Bureau" defined. "Bureau" has the meaning ascribed to it in NRS 432A.022.

432A.020 "Caretaker" defined. "Caretaker" means any natural person:

1. Who is 16 years of age or older;
2. Who meets the qualifications in this chapter; and
3. Whose duties include the direct care, supervision and guidance of children in a facility.

432A.030 "Central operator" defined. "Central operator" means the person who or public organization which operates a child care system, provides central administrative services for individual facilities and is charged with enforcing standards of maintenance and operation of the facilities.

432A.040 "Child" defined. "Child" means a person who has not reached his 18th birthday.

432A.050 "Child care center" defined. "Child care center" means any facility in which the licensee regularly provides day or night care for more than 12 children.

432A.060 "Child care facility" defined. "Child care facility" has the meaning ascribed to it in NRS 432A.024.

432A.070 "Child care institution" defined. "Child care institution" means a facility in which the licensee provides care during the day and night and provides developmental guidance to 16 or more children who do not routinely return to the homes of their parents or guardians.

432A.075 “Child with special needs” defined. “Child with special needs” means a child who does not function according to expectations appropriate to his age and who regularly requires special assistance or accommodations.

432A.080 “Director” defined. “Director” means the licensee or a person appointed by the licensee who is responsible for managing the operation of the facility.

432A.090 “Facility” defined. “Facility” means a child care facility.

432A.100 “Family home” defined. “Family home” means any facility in which the licensee regularly provides care without the presence of parents, for at least five and not more than six children.

432A.110 “Group home” defined. “Group home” means any facility in which the licensee regularly provides care for no less than seven and no more than twelve children.

432A.130 “Institution” defined. “Institution” means a child care institution.

432A.140 “Licensee” defined. “Licensee” means the person or public organization licensed pursuant to this chapter and who is responsible for the operation of a facility and adherence to the provisions of this chapter.

432A.145 “Nursery for infants and toddlers” defined. “Nursery for infants and toddlers” means a child care facility in which the licensee provides care for five or more children who are under 2 years of age.

432A.147 “Outdoor youth program” defined. “Outdoor youth program” has the meaning ascribed to it in NRS 432A.028.

432A.150 “Parent” defined. “Parent” means the child’s natural parent, guardian or any other person or organization legally responsible for the child.

432A.160 “Preschool” defined. “Preschool” means a facility in which the licensee has established specific goals to enhance each child’s cognitive, social, emotional, physical and creative development.

432A.162 “Provider” defined. “Provider” has the meaning ascribed to it in NRS 432A.360.

432A.165 “Special needs facility” defined. “Special needs facility” means a child care facility providing care to children with special needs in which those children comprise 40 percent or more of the total number of children for whom the facility is licensed to provide care.

**Sec. 2.** NAC 432A.250 is hereby amended to read as follows:

432A.250 Building and grounds.

1. Except as otherwise provided in this subsection and subsection 2, in each facility there must be:

(a) At least 35 square feet of indoor space for each child exclusive of bathrooms, halls, kitchen, stairs and storage spaces.

(b) **Except as otherwise provided in NRS 432A. for an on-site child care facility, [At]** **at** least 37 1/2 square feet of outdoor play space for each child, as determined by the maximum number of children stated on the license for the facility. An accommodation facility need not provide outdoor play space.

2. A facility that provides care for ill children must have:

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(a) At least 50 square feet of indoor space for each child, as determined by the maximum number of children stated on the license for the facility, exclusive of bathrooms, halls, kitchen, stairs and storage spaces.

(b) A separate ventilation system if the facility is attached to another building.

3. The play area of each facility must:

(a) Be fenced or enclosed in a manner that prevents the unsupervised departure of children from the area;

(b) Have an adequate drainage system;

(c) Be free of hazards, debris and trash;

(d) If it is an outdoor play area, have trees or a structure which can provide adequate shade for the children using the area;

(e) Have resilient surfaces underneath any elevated play equipment;

(f) Have adequate safety barriers around any elevated platforms;

(g) Not have any dangerous or poisonous plants or other vegetative matter located within the boundaries of the play area or in an area that is accessible to children from the play area;

(h) Not be in a location where any bodies of water are accessible to children; and

(i) If it has playground equipment, have only equipment that is:

(1) In good repair;

(2) Designed and constructed to minimize injury;

(3) Compatible with the age of the children in the care of the facility;

(4) Spaced to reduce accidents; and

(5) Securely anchored.

4. If a facility that provides care for ill children is a component of a child care center and provides outdoor play space, the play space must:

(a) Be separate from the play space for well children;

(b) Meet the requirements of paragraph (b) of subsection 1; and

(c) Meet the requirements of subsection 3.

**Sec. 3.** Chapter 432A.260 of NAC is hereby amended to read as follows:

432A.260 Health standards; inspection reports.

1. To maintain his license, the licensee must ensure that his facility meets all standards for environmental health which are established by the bureau of consumer health protection of the health division of the department of human resources.

2. Reports of inspections concerning the sanitation of a facility must be maintained in a physical file at the facility and available for review at the facility by a parent of a child who attends the facility or a parent who is considering enrolling his child at the facility for at least 2 years after the date of the inspection.

### **DIAPER CHANGE AREA**

**Each licensed facility providing services to children who are not toilet trained shall meet the following requirements:**

**Every diaper changing area shall:**

**Have a smooth, non-abrasive, impervious surface.**

**Have raised sides at least 3 inches high.**

**Be maintained in good repair and safe condition.**

**Be placed within 3 feet of a hand wash sink which may never be used for food separation.**

**Not be located in the kitchen/food preparation area.**

**Have a smooth, non-absorbent floor covering.**

**Have a conveniently located, washable, plastic-lined receptacle with a lid for wet or soiled diapers. Soiled diapers must be stored separately in individual plastic bags and returned to parents daily.**

**Changing tables shall be kept in good repair and shall be cleaned and disinfected after each use by cleaning to remove visible soil, followed by applying an approved disinfectant solution with a spray application.**

**Disposable gloves are recommended. If disposable gloves are used they must be discarded immediately and hands washed.**

### **HAND WASHING**

**All licensed facilities shall have written hand washing procedures. Procedures shall be followed at all times by all staff. Staff shall ensure that children are instructed in and monitored on the use of proper hand washing procedures. Staff and children shall wash their hands with soap and water at least at the following times:**

**Whenever hands are contaminated with body fluids: blood, mucus, vomit, feces, urine.**

**Before food preparation, handling or serving.**

**After toileting or changing diapers.**

**After assisting a child with toilet use.**

**After attending to an ill child.**

**Before any food service activity including setting the table.**

**Before and after eating meals or snacks.**

**After handling animals.**

**After removing a soiled diaper and before putting a fresh diaper on a child, staff members shall remove gloves, if used, and wash their own hands.**

**Children shall be discouraged from remaining in or entering diaper changing area.**

**Staff must monitor hand washing and assist a child who needs help washing their hands.**

**The facility shall ensure that the use of running water, soap, and single-use or disposal towels in hand washing.**

**The use of a common basin or a hand sink filled with standing water is prohibited.**

## **TOILET TRAINING**

**For children being toilet trained there shall be a written guideline or philosophy for toilet training plan that will be distributed to parents.**

**The plan shall include the following:**

**Methods of toilet training.**

**Introduction and use of appropriate training equipment.**

**Introduction and use of appropriate clothing.**

**A child shall never be forced to remain on the toilet for a prolonged period of time.**

**There shall never be punishment given if a child has wet or soiled clothing.**

**Toilet training shall include instructions and assistance in hand washing for each child after use of the toilet.**

**Whenever a potty chair is used, the following requirements shall be met:**

**The potty chair shall be placed on a washable impervious floor and used in accordance with manufacturer's instructions. Potty chairs shall be kept, stored and used away from food preparation areas.**

**The potty chairs shall be emptied into a flushing toilet promptly, all surfaces thoroughly cleaned and disinfected after each use.**

**No child shall be left unattended while on a potty chair or seat, or toilet.**

## **FACILITY CLEANLINESS**

**Washing, cleaning and disinfecting requirements are as follows:**

**Floors shall be vacuumed or swept and mopped with a disinfecting solution at least daily or more often if necessary;**

**Carpeted floors and large throw rugs which cannot be washed shall be vacuumed at least daily and cleaned at least every 3 months or more often if necessary:**

**The following procedures shall be used to clean and disinfect all nonporous surfaces, i.e., toys, cribs, tables, high chairs, diapering surfaces:**

**The surfaces must first be cleaned with soap and water to remove dirt and debris.**

**The surface must then be disinfected through the use of a disinfecting agent. A solution of 1/4 cup household liquid chlorine bleach added to 1 gallon of tap water, or 1 Tablespoon of liquid chlorine bleach to 1 quart of water and prepared fresh daily may be used. To achieve the maximum disinfection with the bleach solution the pre-cleaned surface should be left moderately wet and allowed to air dry. The disinfectant must reach the surface through a sprayed application. A disinfection agent that is at least as effective as the bleach solution and is approved by the state or local health department may also be used.**

Sec. 4. Chapter 432A.280 of NAC is hereby amended to read as follows:

432A.280 Fire safety procedures and standards.

**1. For the purpose of NRS 432A.077, the licensee of a facility shall provide an appropriate plan and include requirements for:**

- (a) Response to fire emergencies; and**
- (b) Response to natural disasters and other emergencies.**

**2. Plans must include but are not limited to the following requirements:**

- (a) Director and facility staff assignments;**
- (b) Shelter in place procedures;**
- (c) Evacuation procedures;**
- (d) Transportation arrangements;**
- (e) Relocation sites;**
- (f) Supervision of children during shelter in place, evacuation or relocation;**
- (g) Accountability of all children and staff during and after shelter in place, evacuation or relocation;**
- (h) Means of contacting emergency respondents, including but not limited to fire departments, law enforcement agencies, civil defense and other disaster authorities; and**
- (i) Portable communication devices available.**

**[1.] 3. The licensee of a facility shall hold a documented**

- (a) [f] Fire drill at least once every month; and**
- (b) Disaster drill at least once every quarter.**

[2.] **4.** [An appropriate] **Appropriate** plans for the evacuation **and shelter in place** of the facility in case of emergency must be conspicuously posted in a public place in the facility.

[3.] **5.** The director of the facility shall maintain a daily sign-in sheet that includes:

- (a) The first and last names of staff and children; and
- (b) The times of arrival and departure for staff and children.

[4.] **6.** To maintain his license, the licensee must ensure that his facility meets all standards for fire safety which are established by the state fire marshal.

**7. For the purpose of NRS 432A.180.2, the state fire marshal or his designate shall at least annually:**

- (a) Enter and inspect a child care facility; and**
- (b) Observe and make recommendations regarding fire and disaster drills.**

[5.] **8.** Reports of inspections concerning the fire safety, **monthly fire drills and quarterly disaster drills** of a facility must be maintained in a physical file at the facility and available for review at the facility by a parent of a child who attends the facility or a parent who is considering enrolling his child at the facility for at least 2 years after the date of inspection.

**Sec. 5.** Chapter 432A.300 of NAC is hereby amended to read as follows:

432A.300 Director: Requirement; qualifications; application for approval.

1. The licensee of a child care facility other than a facility that provides care for ill children, an accommodation facility, **special needs facility** or a family or group home shall:

- (a) Serve as the director of the facility, if he has the qualifications of a director; or
- (b) Appoint a suitably qualified person to serve as the director.

2. The director of such a facility must be at least 21 years of age and, except as otherwise provided in NAC 432A.485:

(a) Have earned a bachelor's or associate's degree, have completed at least 12 semester hours **of education, of which:**

**(1) Six semester hours are in child development; and**

**(2) Six semester hours are** in child development, child psychology or education related to the health of children, or in courses directly related to these fields **of which no more than 3 hours may be in a child care business course,** and have at least 6 months of verifiable experience which is satisfactory to the bureau in a program related to child education, early childhood development or child care;

(b) Have earned a high school diploma or, if approved by the chief of the bureau, a certificate based on general educational development, and have completed at least [6] **12** semester hours **of education, of which:**

**(1) Six semester hours are in child development; and**

**(2) Six semester hours are** in child development, child psychology, education related to the health of children or in courses directly related to these fields **of which no more than 3 hours may be in a child care business course,** and have at least 2 years of

verifiable, satisfactory experience in a program related to child education, early childhood development or child care;

(c) Have **[earned]** a **current** credential as a Child Development Associate, which has been issued by the Council for Early Childhood Professional Recognition of the National Association for the Education of Young Children, Washington, D.C. 20005; or

(d) Have a combination of education and experience which, in the judgment of the chief of the bureau, is equivalent to that required by paragraph (a), (b) or (c).

3. Before a license is issued to a person to operate any child care facility for which a director is required, the person must submit a completed application for approval of the director. The application must be made on a form supplied by the bureau. The applicant must sign an authorization which gives the bureau permission to verify any information given in the application.

**Sec. 6.** Chapter 432A.310 of NAC is hereby amended to read as follows:

432A.310 Staff: Personal health.

1. Every member of the staff of a facility, including a volunteer, shall present to the director of the facility, to be placed in the employee's file, written evidence that the employee is free from communicable tuberculosis. The evidence must be in the form of a negative report of a tuberculosis test or an **initial** X-ray film of the chest taken within the 2 years before or 1 week after the employment. The test or X-ray film must be repeated every 2 years after the issuance of the negative report. **A screening for symptoms of TB disease may replace the continual X-ray requirement.**

2. Each caretaker or member of the staff of a facility who has an identified health problem that may affect his ability to provide adequate care to children in a facility shall:

(a) Report the problem to the director of the facility or, if self-employed, to his licensing agency; and

(b) Submit to the director or, if self-employed, to his licensing agency, a written statement from a licensed physician attesting to the fact that the health of the caretaker does not endanger the children who are under his care in the facility.

3. Each director shall report to his licensing agency any health problem reported to him pursuant to subsection 2.

4. Each director or caretaker, if self-employed, shall immediately report to his licensing agency any person residing at his facility who contracts a serious communicable disease.

**Sec. 7.** Chapter 432A.323 of NAC is hereby amended to read as follows:

432A.323 Initial course of training in child care.

1. Each person who is employed in a child care facility, other than in an accommodation facility or a facility that provides care for ill children, shall complete an initial course of training in child care within 6 months after commencing his employment unless he has completed such a course within the previous 12 months.

2. The **[course]** **training** must consist of at least **[3] 6** hours of training **,of which no more than 3 hours may be in cardiopulmonary resuscitation** and be designed to:

(a) Ensure the protection of the health and safety; and

(b) Promote the physical, moral and mental well-being, of each child accommodated in the facility. If the facility is a special needs facility, the course must also be designed to provide information on the characteristics of handicapping conditions and appropriate programs for children with special needs. The course must be established or approved by the chief of the bureau.

3. Evidence that an employee has completed the course must be included in his personnel file kept at the facility.

**Sec. 8** Chapter 432A.326 of NAC is hereby amended to read as follows:

432A.326 Continuing training.

1. After completion of the initial course of training required by NAC 432A.323, each director and licensee of a child care facility and each caretaker who is employed at the facility shall participate in a program of training in child care for at least [3] **12** hours in each year of which no more than 3 hours may be in cardiopulmonary resuscitation. The program may be in the form of:

- (a) Workshops or conferences;
  - (b) Formal training; or
  - (c) Training at a child care facility during the period of employment.
2. The program must be provided or approved by the chief of the bureau.

**Sec. 9.** Chapter 432A.350 of NAC is hereby amended to read as follows:

432A.350 Information to be provided by facility; criteria for admission into facility that provides care for ill children.

1. Every licensee of a facility shall adopt a written statement which:
  - (a) Sets forth the general services to be offered to the children;
  - (b) Provides for the special needs of each child;
  - (c) States the requirements for admission and procedures for enrollment;
  - (d) Sets forth fees and any plan for payment of fees;
  - (e) Provides rules relating to personal belongings brought to the facility;
  - (f) Covers arrangements for transportation;
  - (g) Requires written parental permission for trips and activities outside the facility;
  - (h) Provides for parental involvement in the general functions of the facility;
  - (i) Gives either or both parents the right to observe the program of the licensee before enrollment and at any time after enrollment of the child;
  - (j) Notifies either or both parents if smoking of tobacco is permitted on the premises of the facility in a designated area approved by the fire authority; and
  - (k) Notifies either or both parents if and when a member of the staff who is trained and certified in cardiopulmonary resuscitation (CPR) is on duty at the facility.

**(l) Notifies either or both parents of the requirements for a fire and disaster plan.**

2. In addition to the information required by subsection 1, a licensee for a facility that provides care for ill children shall adopt criteria for admission that set forth:

- (a) The illnesses and disabilities that are accepted;
- (b) The illnesses and disabilities that are not accepted;
- (c) The ages of children served by the facility;

- (d) The information required from a parent before a child may be admitted to the facility; and
- (e) The procedures to be followed by the staff of the facility in the event of an emergency.
- 3. Every licensee shall provide a copy of the statement described in subsection 1 to each paid or volunteer member of its staff, to each parent of a child enrolled in the facility and to the bureau.
- 4. The name, business address and business telephone number of any person who has legal or administrative responsibility for the facility must be provided to each parent of a child enrolled in the facility and to the bureau.
- 5. The licensee of a facility shall notify each parent of a child enrolled in the facility and the bureau of significant changes in the services offered by the facility.

**Sec. 10.** Chapter 432A.420 of NAC is hereby amended to read as follows:

432A.420 Nurseries for infants and toddlers: Part of larger facility; director.

- 1. A nursery for infants and toddlers may be a part of another type of facility if each part of the facility meets the requirements of this chapter. If such a nursery is a part of a larger facility, the director or one caretaker who meets the qualifications of a director for the nursery must spend at least half of his time in the nursery.
- 2. The director of a nursery for infants and toddlers in any facility must:
  - (a) Have completed the training required to become a professional nurse;
  - (b) Have completed the training required to become a licensed practical nurse, and have at least 6 months of verifiable experience which is satisfactory to the bureau in a program related to the care of children under 3 years of age;
  - (c) Hold a **current** credential as a “Child Development Associate for Infants and Toddlers” issued by the Council for Early Childhood Professional Recognition of the National Association for the Education of Young Children, Washington, D.C. 20005;
  - (d) Be at least 21 years of age and hold a high school diploma or, if approved by the chief of the bureau, its equivalent, and have completed at least **[6] 12** semester hours **of which:**
    - (1) Six semester hours are in infant and toddler development; and**
    - (2) Six semester hours are** in child development, education related to the health of children or courses directly related to these fields, and at least 2 years of verifiable experience which is satisfactory to the bureau in a program related to the care of children under 3 years of age; or
  - (e) Have a combination of education and experience which, in the judgment of the chief, is equivalent to one of the requirements described in paragraphs (a) to (d), inclusive.
- 3. In a facility where a director is not required, the director of the nursery for infants and toddlers shall ensure that the required number of persons on the staff is maintained.

**Sec. 11.** Chapter 432A.425 of NAC is hereby amended to read as follows:

432A.425 Nurseries for infants and toddlers: General requirements.

- 1. A **designated** member of the staff of a child care facility **or the director** shall discuss policies concerning the health of an infant or toddler with the parents before enrollment of the child. **Every facility enrolling infants or toddlers must adhere to the requirements of this section.** Every parent must be given a description of and agree in writing to the following **[matters] policies** concerning the child:

- (a) [The type of feeding] **Feeding plan;**
- (b) [The care of and kind of diapers to be used] **Diapering;**
- (c) [An adequate c] **C**hange of clothing which is to be provided by the parents;
- (d) [The b] **B**athing to be provided and the kind of soap to be used;
- (e) [The clean area to be provided for changing diapers] **Infectious disease precautions;**
- (f) [The type of bed to be used and the care of linens for the bed] **Sleeping arrangements;**
- (g) [The care and sanitizing of seats to be used for toilet training and the chairs to be used for the feeding of the child] **Potty training;** [and]
- (h) **Daily reports provided; and**
- [h] (i) Any special precautions regarding **health or** safety and any other information deemed necessary by the facility or the bureau.

2. A caretaker must be assigned to a specific group of infants on a continuing basis **to promote consistency in care giving and consistent response to individual needs. Each infant and toddler shall be supervised at all times and under direct visual observation by a qualified caregiver.**

3. Each infant and toddler must be given **periods of** undivided attention by the same caretaker for at least half an hour in the morning and half an hour in the afternoon, including periods of feeding and bathing. The caretaker shall, during this time:

- (a) Hold and talk to the child;
- (b) Encourage the development of the child's coordination by allowing him to reach for, grasp, creep, crawl or pull up;
- (c) Give toddlers the opportunity to develop the large muscles of the body by activities such as climbing and walking; and
- (d) Encourage the child to interact socially through playing, using language and solving problems **using materials and equipment appropriate for the age level of the child.** Infants under 6 months of age must be provided an additional period of **at least** 2 hours of activity each day out of the crib, for example, in a playpen or other suitable area.

4. Each licensee of a facility must provide [an] **soft or non-abrasive carpeted** indoor area which is protected from traveled walkways and where crawling children can be on the floor for at least a part of the day.

5. [Infants may be taken] **Infants and toddlers caretakers may take their designated infants or toddlers** outside or to areas of the facility other than their usual room for a part of each day to provide a change in their physical surrounding and to increase opportunities for social interaction.

6. An infant who is awake must not be left in a crib for long periods without direct adult care and never for more than 30 minutes at a time.

[7. Highchairs, if used, must have a wide base and a safety belt to secure the child.

8. Infants must be fed and supervised individually, and their diet and pattern of feeding must be appropriate to their special needs for development. An infant who is unable to hold his own bottle must be held by a member of the staff during feeding. An infant over 6 months of age who shows a preference for holding the bottle may be allowed to do so if a caretaker remains in the room and can observe the infant.

9. Each bottle of formula must be stored according to the manufacturer's specifications and labeled with:

- (a) The name of the infant; and

(b) The date when the formula was prepared.

10. Naps must be provided according to the needs of the infants and toddlers. There must be direct supervision of the children while they nap.[]

Toddlers over 12 months shall be taken outdoors for a portion of every day, weather permitting. Toddlers must be kept in a shaded area, if outdoors, during extreme hot weather conditions.

Physical activities shall be physically separate for infants and toddlers.

Equipment must be age appropriate with resilient surfaces under play and climbing equipment.

Staff shall support toddlers development by expressing feelings with words, giving positively worded directions and modeling and redirecting behavior.

Infant and toddler confinement to cribs, highchairs, playpens or other similar furniture or equipment shall not be for discipline, punishment or time out purposes.

Each nursery shall provide a daily report for each infant under 12 months to be posted in a conspicuous place in each infant and toddler room. This report shall provide a space to record daily information about each child, to include feeding, diapering, and sleeping.

## TOYS AND EQUIPMENT

Equipment and play materials shall be durable and free from characteristics that may be hazardous or injurious to infants and toddlers, this includes sharp, rough edges, toxic paint, and objects small enough to pose a choking hazard. Small objects, toys and toy parts available to infants and toddlers shall meet the federal small parts standards for toys. Toys or objects that have diameters of less than 1-1/4 inch, objects with removable parts that have diameters of less than 1-1/4 inch, toys with sharp points and edges, plastic bags, and styrofoam objects shall not be accessible to children under 3 years of age.

Each toddler activity room shall be equipped with stable, low open shelves for toys, an adequate supply of age appropriate toys, child-size tables and chairs and other play equipment to meet the activity needs of each toddler.

Toys and equipment must be made of a material that can be disinfected. These must be cleaned and disinfected when mouthed or soiled, or at least daily.

No stuffed animals are to be provided by the center unless they can be laundered or disinfected daily or as needed.

Crib toys shall be developmentally age appropriate, adhering to the labeled safety and use requirements.

All equipment must meet current consumer product safety commission standards including but not limited to cribs, portable gates, high chairs, and swings.

## FEEDING

Appropriate and adequate seating must be provided at snack or meal times. High chairs, if used, must be able to be cleaned and in good condition, have a wide base and safety belt. All feeding chairs and tables shall be washed with a detergent followed by a disinfectant after each use.

Children shall be allowed and encouraged to feed themselves with support from the staff. This includes encouraging toddlers to hold and drink from a cup, to use a spoon, and to use their fingers for self-feeding.

During bottle feedings, infants shall be held by a caretaker. Baby bottles may not be propped. An infant who shows a preference for holding the bottle may be allowed to do so with a caretaker directly observing the infants.

Drinking water shall be offered to infants and toddlers in addition to their regular feeding.

Commercially prepared baby food in jars shall be transferred to a dish before being fed to the infant. Any food left over in the dish at the end of the meal shall be discarded.

Each bottle of formula and food must be stored according to the manufacturer's specifications and labeled with:

The name of the infant; and  
The date prepared by facility or date brought by parent.  
Breast milk/mother's milk provided by a mother for her child  
must be immediately refrigerated.

All bottles and food items are to be returned to parents daily.

A feeding plan shall be developed by the facility and the parent for each infant. The plan will include feeding instructions, special diets, feeding schedule, formula or breast milk, food allergies, introduction of solid foods and food likes and dislikes.

## SLEEPING

Safe, sturdy, well-constructed, single level, free standing cribs, port(s)-a-cribs, or playpens used for sleeping shall be equipped with waterproof, firm fitting mattresses. Cribs must be constructed with two and three-eighths inches or less space between vertical slats when the crib is used for a child six months of age or younger.

**Children less than 18 months of age shall sleep in age and developmentally appropriate cribs or other Bureau approved sleeping arrangements. Children over 18 months of age may sleep in cribs, cots or mats.**

**Each sleeping device shall have a washable, waterproof covering and appropriate bedding.**

**All sleeping devices shall be wiped clean as often as necessary and cleaned once a week with a disinfectant solution.**

**Each child's bedding shall be used specifically for that child only and shall be replaced when wet or soiled or when the crib, mat, or cot is occupied by another child.**

**When awake, infants shall be out of their cribs and engaged in an appropriate activity.**

**Naps must be provided according to the individual needs of the infants and toddlers. There must be direct supervision of the children while they nap.**

**Children must not be diapered in the areas where they sleep (i.e., cots, mats, cribs, or playpens).**

**Sec. 12.** Chapter 432A.430 of NAC is hereby amended to read as follows:

432A.430 Preschools.

1. The licensee of a preschool shall have a program that includes:

(a) An assessment of each child's individual needs and of activities which are suitable to his needs; and

(b) A comparison of each child's actual growth, status and progress with his potential growth, status and progress.

2. A licensee of a preschool must develop a specific plan for child care and instruction which is designed to achieve the following objectives:

(a) Successful adjustment of the child to an environment away from home;

(b) Familiarity of the child with a group setting;

(c) Development in the child of an interest and joy in learning;

(d) Development in the child of a feeling of security and individual success;

(e) Development of a child's self-expression and self-control;

(f) Development of creativity in the child; and

(g) Development of a child's sense of responsibility.

3. A plan of the curriculum and a description of the methods of delivering instruction must be prepared by a licensee of a preschool. The plan must:

(a) Be made available for parental review;

(b) Be prepared before the program becomes effective;

(c) Be kept on file for at least 1 year;

(d) Include a program of speaking and listening to English;

(e) Include a program to develop a child's awareness of basic mathematical concepts;

(f) Provide for the involvement of parents in learning activities at the preschool and at home;

- (g) Provide for the development of a child’s skill in music, arts and crafts and pleasure received from these activities;
  - (h) Provide for the development of a child’s awareness of his natural surroundings and stimulate his curiosity about his environment; and
  - (i) Provide for increasing a child’s awareness of the need for good physical health, personal hygiene, exercise and nutrition.
4. A licensee of a preschool must recognize each child’s individual level of development and provide an assortment of materials, equipment and activities broad enough to meet the social, emotional, physical and cognitive development of each child.
  5. A licensee of a preschool may allow the number of children stated on its license to participate in the program for 4 or fewer hours per day.
  6. Every licensee of a preschool must have a person designated as its program director who develops and supervises the preschool’s curriculum. The person must be at least 21 years of age and:
    - (a) Have a bachelor’s degree in teaching or child development from an accredited college or university, have completed 12 semester hours of education, of which:
      - (1) Six semester hours are in child development; and
      - (2) Six semester hours are in child development, child psychology or education related to the health of children, or in courses directly related to these fields.
    - (b) Be a graduate of a 2-year educational course in child development, have completed 12 semester hours of education, of which:
      - (1) Six semester hours are in child development; and
      - (2) Six semester hours are in child development, child psychology or education related to the health of children, or in courses directly related to these fields and have [3] 2 years of experience in a full-time, verifiable position;
    - (c) Be a graduate of a 1-year certified program of child development, have completed 12 semester hours of education, of which:
      - (1) Six semester hours are in child development; and
      - (2) Six semester hours are in child development, child psychology or education related to the health of children, or in courses directly related to these fields and have [3] 2 years of experience in a full-time, verifiable position;
    - (d) Hold a **current** credential as a “Child Development Associate” issued by the Council for Early Childhood Professional Recognition of the National Association for the Education of Young Children, Washington, D.C. 20005; or
    - (e) Have a combination of education and experience which, in the judgment of the chief, is equivalent to one of the requirements described in paragraphs (a) to (d), inclusive.

**Sec. 13.** Chapter 432A.485 of NAC is hereby amended to read as follows:

432A.485 Special needs facilities: Qualifications of director. The director of a special needs facility must:

1. Have earned a bachelor’s or associate’s degree, and have completed at least:
  - (a) Twelve semester hours of education, of which:
    - (1) Three semester hours are in child development;
    - (2) Six semester hours are in the education of children with special needs; and

(3) Three semester hours are in child psychology, education related to the health of children, the education of children with special needs, or courses directly related to those subjects; and

(b) Six months of verifiable experience, satisfactory to the bureau, in a program related to the education of children, early childhood development, child care or the education of children with special needs;

2. Have earned a high school diploma or a certificate based on general educational development approved by the chief of the bureau, and have completed at least:

(a) Twelve semester hours of education, of which:

(1) Three semester hours are in child development;

(2) Six semester hours are in the education of children with special needs; and

(3) Three semester hours are in child development, child psychology, education related to the health of children, the education of children with special needs or courses directly related to those subjects; and

(b) [~~Three~~] Two years of verifiable experience satisfactory to the bureau, in a program related to child education, early childhood development, child care or the education of children with special needs; or

3. Have a combination of education and experience which, in the judgment of the chief of the bureau, is equivalent to the requirements of subsection 1 or 2.