

PROPOSED REGULATION OF THE

BOARD FOR CHILD CARE

LCB File No. R203-97

January 2, 1998

EXPLANATION – Matter in *italics* is new; matter in brackets [] is material to be omitted.

AUTHORITY: §2-10, 13-21 NRS 432A.077; §11, NRS 432A.077 and 432A.078; §12, NRS 432A.077 and 432A.180.

Section 1. Chapter 432A of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 9, inclusive, of this regulation.

Sec. 2. “*On-site child care facility*” has the meaning ascribed to it in NRS 432A.0275.

Sec. 3. 1. *Each area in a facility that is used for changing diapers must:*

- (a) *Have a smooth, nonabrasive, impervious surface;*
- (b) *Have sides that are raised not less than 3 inches from the surface;*
- (c) *Be located within 3 feet of a sink that is not used for the preparation of food;*
- (d) *Not be located in an area in which food is prepared;*
- (e) *Have a smooth, nonabsorbent floor covering;*
- (f) *Have nearby for wet or soiled diapers a washable receptacle that is lined with plastic and covered with a lid;*
- (g) *Be kept in good repair and in a safe condition; and*
- (h) *Be cleaned and disinfected after each use by removing any visible soil and applying an approved disinfectant with a spray application.*

2. *Each soiled diaper must be stored in an individual plastic bag and must be returned to the parents daily.*
3. *The staff of a facility shall discourage children from coming near an area that is used for changing diapers.*

- Sec. 4.** 1. *Each facility must have written procedures concerning the washing of hands.*
2. *The staff of a facility shall follow the procedures of the facility concerning the washing of hands and shall instruct, monitor and assist the children being cared for at the facility to ensure that the children follow the procedures.*
 3. *The procedures concerning the washing of hands must require, without limitation, that:*
 - (a) *The staff of the facility wash their hands with soap and water:*
 - (1) *Any time that their hands come into contact with blood, mucus, vomit, feces or urine;*
 - (2) *Before preparing or handling food;*
 - (3) *Before engaging in any activity related to serving food, including, without limitation, setting the table;*
 - (4) *Before and after eating a meal or snack;*
 - (5) *After using the toilet, helping a child use the toilet or changing a diaper without gloves;*
 - (6) *After attending to an ill child; and*
 - (7) *After handling an animal.*
 - (b) *The children being cared for in the facility wash their hands with soap and water:*
 - (1) *Any time that their hands come into contact with blood, mucus, vomit, feces or urine;*
 - (2) *Before handling food;*
 - (3) *Before and after eating a meal or snack; and*

(4) After handling an animal.

(c) If a member of the staff of a facility uses disposable gloves while changing a diaper, he shall remove and discard the gloves and wash his hands after removing the soiled diaper before putting a clean diaper on the child.

(d) The staff of the facility shall ensure that:

(1) Each bathroom has running water, soap and single-use or disposable towels; and

(2) Any common basin or sink which is filled with standing water is not used for the washing of hands.

Sec. 5. 1. Each facility must develop written guidelines concerning the methods used by the staff of the facility for toilet-training and the use of appropriate equipment and clothing for such training.

2. The guidelines concerning toilet-training must be distributed to each parent of each child being cared for at the facility who is not yet toilet-trained.

3. The guidelines must require the staff of the facility:

(a) Not to force a child to remain on the toilet for a prolonged period of time or punish a child for wetting or soiling his clothing;

(b) Not to leave a child unattended while the child is sitting on a potty-chair or on the toilet;

(c) To instruct and assist the children in washing their hands after using the toilet; and

(d) If a potty-chair is used to train a child to use the toilet, to:

(1) Place the potty-chair on a washable, impervious floor;

(2) Use the potty-chair in accordance with the instructions from the manufacturer;

(3) Ensure that the potty-chair is stored and used in an area that is not in close proximity to an area used for the preparation of food;

(4) Empty the potty-chair into a toilet immediately after each use; and

(5) Thoroughly clean and disinfect the potty-chair after each use.

Sec. 6. 1. A carpeted floor or rug on a floor that is too large to wash in a washing machine must be vacuumed not less than one time each day or more often if necessary and professionally cleaned not less than one time every 3 months or more often if necessary.

2. Each floor of a facility that is not carpeted must be swept and mopped not less than one time each day or more often if necessary.

3. When cleaning a nonporous surface in a facility, including, without limitation, cleaning toys, cribs, tables, high chairs and surfaces used to change diapers, the staff of the facility shall:

(a) Clean the surface first with soap and water to remove any dirt or debris; and

(b) Disinfect the surface with a disinfecting agent that is prepared fresh daily and is sprayed onto the surface by a bottle.

4. The disinfecting agent used pursuant to subsection 3 must consist of:

(a) One-fourth of a cup of liquid chlorine bleach added to 1 gallon of water;

(b) One tablespoon of liquid chlorine bleach added to 1 quart of water; or

(c) A solution that is approved by the appropriate state or local agency and is at least as effective as the solutions described in paragraphs (a) and (b).

Sec. 7. 1. Equipment and any material other than a toy that is used for play in a facility must be durable and free from characteristics that may be hazardous or injurious to a child who is less than 2 years of age, including, without limitation, such characteristics as sharp or rough edges, toxic paint or objects that are small enough for a child of that age to swallow and choke on.

2. Any object, toy or component of a toy that is accessible by an child who is less than 3 years of age at a facility must meet the federal size requirements set forth in 16 C.F.R. § 1501.4.

3. Toys with sharp points or edges, plastic bags and objects made from styrofoam must not be accessible to a child who is less than 3 years of age.

4. A toy or any other piece of equipment that is used for play must be made of a material that is capable of being disinfected and must be cleaned and disinfected promptly after the toy or other piece of equipment has been soiled or put into the mouth of a child or not less than one time each day.

5. The staff of a facility shall not provide a stuffed animal to any child unless the stuffed animal is laundered or disinfected not less than one time each day or more often if necessary.

6. Toys placed in a crib at a facility must be appropriate for the age of the child using the crib. The staff of a facility shall adhere to any requirement set forth on the label of a toy regarding the safe use of the toy.

7. Each room at a facility that is used for play and other activities for children must have:

(a) Low, open shelves to store toys;

(b) An adequate supply of toys that are appropriate for the age of the children;

(c) Tables and chairs that are the appropriate size for the children; and

(d) Any other equipment that is necessary to meet the needs of the children.

Sec. 8. 1. The staff of each facility shall:

(a) Provide appropriate and adequate seating for the children at the facility during snacks and meals;

(b) If a high chair is used, ensure that the chair:

(1) Is in good condition;

- (2) Has a wide base; and
 - (3) Has a safety belt for the child;
- (c) Wash with a detergent and disinfect after each use any chair or table that is used during a snack or meal;
- (d) Allow, encourage and assist each child to feed himself, including, without limitation, encouraging a child to hold and drink from a cup, use a spoon and use his fingers to feed himself;
- (e) Offer each child drinking water at times other than during his regular feedings;
- (f) Transfer commercially prepared baby food from a jar to a dish before feeding it to a child;
- (g) Discard any food that is left in a dish after a meal;
- (h) Store each bottle of formula and container of food in accordance with the instructions from the manufacturer of the formula or food;
- (i) Label each bottle of formula and container of food with the name of the child to whom it belongs and the date the formula or food was prepared by the facility or was prepared or purchased by the parent;
- (j) Immediately refrigerate and label each container of breast milk provided by a parent;
- (k) Return each bottle and container of food to the appropriate parent each day; and
- (l) Develop with the parents of a child a plan for feeding the child, which must include, without limitation:
- (1) Instructions for feeding;
 - (2) Any special dietary restrictions, including, without limitation, any allergies to food;
 - (3) A schedule of times for feeding;

- (4) Whether the child will be fed breast milk, formula or solid food;
- (5) If the child will be fed breast milk or formula, when to begin feeding solid food; and
- (6) Likes and dislikes of certain foods.

2. A child who is fed with a bottle and does not hold his own bottle must be held by a caretaker while being fed with a bottle. The bottle must not be propped for feeding. A child who demonstrates a preference for holding a bottle during feeding may hold his own bottle and need not be held by a caretaker if the caretaker is directly observing the child.

Sec. 9. 1. The staff of each facility shall:

- (a) Use a safe, sturdy, well-constructed, single-level, free-standing crib, portable crib or playpen for children to sleep in;
- (b) Equip any such sleeping device with a waterproof, firm-fitting mattress;
- (c) Ensure that each crib to be used by a child who is 6 months of age or younger is constructed with vertical slats that are not more than 2 3/8 inches apart;
- (d) Ensure that a child who 18 months of age or younger sleeps in a crib which is appropriate for his age or in another sleeping device which has been approved by the bureau;
- (e) Ensure that a child who is older than 18 months of age sleeps in an appropriate crib or on a cot or mat;
- (f) Ensure that each sleeping device has appropriate bedding and a waterproof and washable covering;
- (g) Wipe clean each sleeping device with a disinfectant not less than one time each week or more often if necessary;
- (h) Ensure that the bedding that each child uses is used only for that particular child;

- (j) Replace the bedding each time it is wet or soiled by a child or when the sleeping device is to be used by another child;
 - (k) Promptly take any child who is awake in a crib out of the crib and engage the child in an appropriate activity;
 - (l) Ensure that each child takes a nap as needed;
 - (m) Directly supervise any child who is napping; and
2. The staff of a facility shall not change the diaper of a child in a crib or other sleeping device.

Sec. 10. NAC 432A.010 is hereby amended to read as follows:

432A.010 As used in this chapter, unless the context otherwise requires, the words and terms defined in NAC 432A.012 to 432A.165, inclusive, *and section 2 of this regulation* have the meanings ascribed to them in those sections.

Sec. 11. NAC 432A.250 is hereby amended to read as follows:

432A.250 1. Except as otherwise provided in this subsection , [and] subsection 2 *and NRS 432A.078*, 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) 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:

(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. 12. NAC 432A.280 is hereby amended to read as follows:

432A.280 1. *Each licensee shall develop an appropriate plan to ensure that the staff of his facility is prepared to respond an emergency, including, without limitation, a fire or natural disaster.*

2. *Each plan developed pursuant to subsection 1 must include, without limitation:*

- (a) *The duties of the director and staff;*
- (b) *A procedure for removing staff and children to a shelter within a building of the facility if the staff and children are instructed to do so by emergency personnel;*
- (c) *A procedure for evacuating the facility;*
- (d) *A plan for transportation;*
- (e) *A list of sites that may be used for relocation;*
- (f) *A plan for the supervision of the children of the facility during the emergency;*
- (g) *The manner in which children and staff from the facility will be accounted for during the emergency; and*
- (h) *The method for contacting emergency personnel, including, without limitation, the fire department, a law enforcement agency or any other appropriate authority.*

3. The licensee of a facility shall hold [a] :

- (a) *A fire drill at least once every month [.*

2. An appropriate plan] ; and

(b) A drill for natural disasters at least once every 3 months.

4. Appropriate plans for removing the staff and children of a facility to a shelter within a building of the facility and for the evacuation 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.

[5.] 7. The state fire marshal or his designee shall, at least annually:

(a) Enter and inspect every building or premises of each facility; and

(b) Observe and make recommendations regarding the drills conducted pursuant to subsection 3.

8. Reports of the drills conducted pursuant to subsection 3 and the inspections concerning the fire safety of a facility conducted pursuant to subsection 7 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. 13. NAC 432A.300 is hereby amended to read as follows:

432A.300 1. The licensee of a child care facility other than a facility that provides care for ill children, an accommodation facility , a 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 [,] *and* have completed at least 12 semester hours *of education, of which:*
 - (1) *At least six semester hours are* in child development [,] ; *and*
 - (2) *At least 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 not more than 3 semester hours may be in courses concerning the business of child care,* 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) *At least six semester hours are* in child development [,] ; *and*
 - (2) *At least 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 not more than 3 semester hours may be in courses concerning the business of child care,* 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. 14. NAC 432A.310 is hereby amended to read as follows:

432A.310 1. Every member of the staff of a facility, including , *without limitation*, a volunteer, [shall] *must, upon obtaining employment and every 2 years thereafter*, 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 *initial* evidence must be in the form of a negative report of a tuberculosis test or an X-ray film of the chest taken within the 2 years before or 1 week after the employment. [The] *Subsequent evidence must be in the form of a negative report of a tuberculosis test , a screening for the symptoms of tuberculosis* or X-ray film [must be repeated every 2 years after the issuance of the negative report.] *of the chest.*

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. 15. NAC 432A.323 is hereby amended to read as follows:

432A.323 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] *at least 6 hours* of training in child care , *of which not more than 3 hours may be in training concerning how to perform cardiopulmonary resuscitation*, within 6 months after commencing his employment unless he has completed such [a course] *training* within the previous 12 months.

2. The [course must consist of at least 3 hours of training and] *training required pursuant to subsection 1 must* 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] *training* must also be designed to provide information on the characteristics of handicapping conditions and appropriate programs for children with special needs. The [course] *training* must be established or approved by the chief of the bureau.

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

Sec. 16. NAC 432A.326 is hereby amended to read as follows:

432A.326 1. After completion of the initial [course of] training required [by] *pursuant to* 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 not more than 3 hours may be training in how to perform 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. 17. NAC 432A.350 is hereby amended to read as follows:

432A.350 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 [.] ; *and*
- (l) *Notifies either or both parents of the contents of any plan created pursuant to NAC 432A.280 to ensure that the staff of the facility is prepared to respond to an emergency.*

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. 18. NAC 432A.420 is hereby amended to read as follows:

432A.420 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] *one-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 education, of which:*

(1) *At least six semester hours are in infant and toddler development; and*

(2) *At least 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. 19. NAC 432A.425 is hereby amended to read as follows:

432A.425 1. [A] *The director or a designated* member of the staff [of a child care facility shall] *of a nursery for infants and toddlers shall* discuss policies concerning the health of an infant or toddler with the parents before enrollment of the child. Every parent must be given a description of and agree in writing to the following matters concerning the child:

- (a) [The type of feeding;
- (b) The care of and kind of diapers to be used;
- (c) An adequate change] *Feeding;*
 - (b) *Diapering;*
 - (c) *Changes* of clothing , which [is] *are* to be provided by the parents;
- (d) [The bathing to be provided and] *Bathing, including, without limitation,* the kind of soap to be used;
- (e) [The clean area to be provided for changing diapers;
- (f) The type of bed to be used and the care of linens for the bed;
- (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; and] *Precautions against infectious disease;*
 - (f) *Sleeping;*
 - (g) *Toilet-training;*
- (h) *Daily reports to the parents;*
 - (i) Any special precautions regarding *the health and* safety *of the child;* and [any]
 - (j) *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.
3. *Each infant and toddler must be under direct visual observation by a qualified caretaker at all times.*
4. Each infant and toddler must be given undivided attention by the same caretaker for at least [half an] *a half* hour in the morning and [half an] *a half* 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 that are appropriate for the age of the child.* Infants under 6 months of age must be provided an additional period of *not less than* 2 hours of activity each day out of the crib, for example, in a playpen or other suitable area.

[4.] 5. Each licensee of a facility must provide an indoor area which is *covered by a soft or nonabrasive carpet and 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]

6. A caretaker may take the infant or toddler assigned to him 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]* *environment* and to increase opportunities for social interaction.

[6.] 7. When weather permits, each toddler over 12 months of age must be taken outside for a portion of each day. If the weather is extremely hot, the toddler must be kept in a shaded area while outdoors.

8. 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.]

9. The staff of a nursery for infants and toddlers shall separate the infants from the toddlers while the toddlers are engaging in physical activities.

10. There must be a resilient surface under equipment that is used for playing and climbing at a nursery for infants and toddlers. Such equipment must be appropriate for the age of the children using the equipment.

11. The staff of a nursery for infants and toddlers shall promote the healthy development of toddlers by:

- (a) Expressing feelings with words;*
- (b) Giving directions that are worded in a positive manner;*
- (c) Modeling desirable behavior; and*
- (d) Redirecting behavior.*

12. The staff of a nursery for infants and toddlers shall not discipline or punish an infant or toddler by confining him to a crib, high chair, playpen or other such piece of furniture or equipment.

13. The staff of a nursery for infants and toddlers shall prepare a daily report for each infant less than 12 months of age for whom it provides care. The report must be posted in a conspicuous place in each room used to care for the infants and must include, without limitation, information concerning the feeding, diapering and sleeping of each infant.

Sec. 20. NAC 432A.430 is hereby amended to read as follows:

432A.430 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 [;
 - (b) Be a graduate of a 2-year educational course in child development and have 3] or university and have completed at least 12 semester hours of education, of which:
 - (1) At least six semester hours are in child development or in courses directly related to child development; and
 - (2) At least six semester hours are in child development, child psychology or education related to the health of children or in courses directly related to child psychology or education related to the health of children;
 - (c) Have at least 2 years of experience in a full-time, verifiable position [;
 - (d) Be a graduate of a 1-year certified program of child development and have 3] , be a graduate of a 2-year educational course in child development and have completed at least 12 semester hours of education, of which:
 - (1) At least six semester hours are in child development or in courses directly related to child development; and
 - (2) At least six semester hours are in child development, child psychology or education related to the health of children or in courses directly related to child psychology or education related to the health of children;

(c) *Have at least 2 years of experience in a full-time, verifiable position [;], be a graduate of a 1-year certified program of child development and have completed at least 12 semester hours of education, of which:*

(1) *At least six semester hours are in child development or in courses directly related to child development; and*

(2) *At least six semester hours are in child development, child psychology or education related to the health of children or in courses directly related to child psychology or education related to the health of children;*

(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. 21. NAC 432A.485 is hereby amended to read as follows:

432A.485 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.