

Part 3: Child Care Center Licensing Regulations in 2008

All data in this chapter were compiled from the child care center licensing regulations posted on the National Resource Center for Health and Safety in Child Care and Early Education (NRC) Web site at <http://nrckids.org/STATES/states.htm>.

This study only includes information from state child care licensing regulations. In some cases, additional requirements may be in state statutes, administrative codes, or other state laws. However, it is beyond the scope of this study to review all laws that pertain to child care programs.

The data in this chapter cover the following areas:

- Licensing regulations;
- Licensed and exempt child care centers;
- Staff roles and age requirements;
- Staff qualifications and ongoing training requirements;
- Staff hiring requirements;
- Additional staff training requirements;
- Child-staff ratios and group size;
- Supervision of children;
- Care of children; and
- Facility requirements.

The child care center licensing regulations used for this study are those that were posted on the NRC Web site between January 1, 2008, and December 31, 2008. Any changes to regulations after that time period are not included in this report.

Table 3.1 shows the dates when child care center licensing regulations used in this study were last updated according to the regulation documents on the NRC Web site. These years reflect when either a full overhaul of the regulations was done or when only minor edits were made.

3.1 Licensing Regulations

Table 3.1: Years of Child Care Center Regulation Revisions in States													
1990	1993	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
											AK		CO
											AL		CT
											AR		FL
											CA	CO	KY
											IA	DC	MD
											IL	DE	ME
											MD	FL	MI
											MI	ME	MS
											MS	NC	NC
										CT	NH	NC	NH
										NJ	MT	OH	OH
										NY	NH	OK	PA
										PA	NM	OR	TN
			GA	MN			HI			AZ	SC	TN	TX
			NE	ND			KY			NV	WI	TX	TX
							MO			SD	UT	VA	VA
KS	RI	MA			LA	VT		IN		WY	WA	WV	WA
1	1	1	2	2	1	1	3	1	3	7	15	12	16

N=50 states, excluding ID

Several states have separate regulations for specific types of center-based child care programs. Table 3.2 shows the states with separate regulations. The most common type of care with separate regulations is school-age care.

Facility Type	Number of States	State
School-age care	15	CA, CO, HI, IN, KS, MA, NC, ND, NM, NY, OK, RI, SD, VT, WA
Infant and toddler care	3	CA, HI, MT
Care for mildly ill children	3	CA, DE, FL
Drop-in child care	1	VT

N=50 states, excluding ID

3.2 Licensed and Exempt Child Care Centers

A. Definition of Licensed Centers

All state child care center licensing regulations define the type of center-based facility that is required to be licensed. An analysis was conducted to determine the common elements that are included in each state's definition of a child care center. Table 3.3 includes a list of these common elements and the number of states with those elements in their definitions.

Most states define a center by the minimum number of children in the facility. For example, some states specify that a child care center is a facility that serves a minimum of 13 children. Another common element is the specific requirement that a center operate for less than 24 hours per day. This can often distinguish child care facilities where children are cared for part of the day from residential care facilities where children reside.

Table 3.3: Elements Included in State Child Care Center Licensing Definitions*		
Definition Element	Number of States	State
Minimum number of children in facility	38	AL, AZ, CO, CT, DE, FL, GA, HI, IA, IL, IN, KS, KY, LA, ME, MI, MO, MS, MT, NC, ND, NE, NH, NJ, NV, NY, OH, OR, PA, SC, SD, TN, TX, UT, VA, WI, WV, WY
Services provided for less than 24 hours or any part of a 24-hour day	35	AK, AL, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, IN, KS, ME, MI, MS, MT, NC, NE, NJ, NM, OH, OR, RI, SC, SD, TX, UT, VA, VT, WA, WI, WY
Services provided on an ongoing/regular or scheduled basis	24	AK, AZ, CT, DC, DE, FL, IA, IL, KY, LA, MA, ME, MT, NC, ND, NE, NV, NY, OR, SC, SD, UT, VT, WA
Ages of children in facility (minimum/maximum)	21	AK, CA, CO, GA, KS, MA, ME, MS, MT, NC, NE, NH, NJ, NV, NY, PA, RI, TX, VA, VT, WA
Services provided for payment or compensation	20	AL, AZ, CO, DE, FL, GA, IL, IN, MO, ND, NE, NV, NY, OH, OR, RI, SC, UT, VT, WI
Provider and children are not related by blood, marriage, and/or adoption; children are not from one family (i.e., are not siblings)	17	AL, AZ, FL, IA, IL, IN, MA, MS, MT, NC, NE, NY, OH, OR, PA, SC, WI
Number of hours services are provided (minimum/maximum)	16	AL, AR, CA, CO, GA, IN, KS, LA, MI, MN, NC, NE, NY, OK, SC, WI
Services not provided in child's home	14	AZ, CT, HI, KY, MT, NC, NY, OH, OR, PA, SC, TX, VA, VT
Services provided are either for profit or not for profit	7	AR, FL, MS, NC, PA, SC, WY
Services provided in a nonresidential setting	6	IN, MI, NM, NY, RI, WV
Services provided during before- or after-school hours	5	CO, HI, KS, PA, TX
Services provided in a public facility	4	AR, DE, PA, WV

Definition Element	Number of States	State
Services provided in provider's/licensee's home	4	OH, TX, UT, VA
Services provided in a private facility	3	AR, PA, WV
Services provided at the parent's work site	2	PA, RI

N=50 states, excluding ID

*Some states include multiple elements in their definitions.

B. Exemptions From Licensing

In addition to defining center-based facilities that are required to be licensed, licensing regulations in all states that license centers also define facilities that are not required to be licensed (i.e., those that are exempt from licensing). Table 3.4 provides a list of facility/program types that are identified as exempt from licensing in child care center regulations.

Facility/Program Type	Number of States	State
Facilities that provide services where parents are on the premises and accessible (e.g., shopping malls, resorts, and/or health clubs)	27	AK, AL, CA, CO, CT, DE, FL, GA, IA, IL, KY, MD, MN, NC, ND, NH, NJ, NM, OK, PA, SC, TN, TX, VA, WA, WI, WV
Facilities with small numbers of children in care	26	AK, HI, IA, IL, KS, KY, ME, MO, MS, MT, ND, NE, NJ, NV, NY, OH, PA, SC, SD, TN, TX, UT, VA, WI, WV, WY
Recreation programs, instructional classes for children, and/or club programs (e.g., Boys and Girls Clubs)	26	AK, AL, AZ, CA, CT, GA, IA, IL, KY, MD, MN, MS, NC, NE, NH, NJ, NM, NY, OK, OR, PA, TN, TX, VA, VT, WI

Table 3.4: Types of Center-based Facilities/Programs Exempt From Licensing, con. *

Facility/Program Type	Number of States	State
Facilities operating part-day or for a small number of hours per day/week (including nursery schools, preschool programs, kindergarten programs, and Head Start programs)	24	AK, AL, AR, CA, CO, FL, GA, IL, IN, KS, LA, MI, MN, MO, NC, ND, NE, NY, OK, OR, RI, SC, WA, WI
Day camps (summer, seasonal, etc.)	22	AK, AR, DE, FL, GA, IA, KY, LA, MD, ME, MN, MO, ND, NE, NJ, NM, NY, OH, RI, SC, TN, TX
Preschool programs operated by public schools or systems	19	AL, CT, DE, FL, IA, IL, MA, MN, MO, NC, NE, NH, NJ, NM, NY, OK, OR, WV, WY
Facilities that provide services during religious services	17	AZ, CO, DC, IA, IL, KY, MA, MI, MN, MO, ND, NH, NJ, PA, TN, VT, WV
Programs that offer religious instruction	17	AZ, CO, CT, IA, IL, MA, MD, MI, MN, MO, ND, NE, NJ, NM, NY, TX, VA
Preschool programs approved by state departments of education	17	AK, CT, DE, FL, IA, IL, KY, ME, MS, NE, NJ, RI, TN, TX, VA, VT, WV
Arrangements in which services are provided by relatives or parents/guardians of children in care	15	AK, AZ, CA, CT, MA, MT, NE, NH, NV, OK, OR, PA, VT, WA, WY
Facilities operated by religious organizations	12	AL, AR, FL, IL, IN, LA, MD, MO, SC, TN, UT, VA
Facilities that provide services irregularly/occasionally	11	AK, CO, DC, MA, NE, NJ, NV, OR, UT, VT, WY
Preschool programs operated by private schools or systems	11	AL, CT, DE, FL, IA, IL, NC, NH, NJ, NY, OK
Facilities operated by local, state, or federal government agencies	10	AL, CO, IL, NJ, NM, OK, OR, TX, WA, WY
Facilities that provide services on military installations/bases	4	AK, KY, TX, WA

N=50 states, excluding ID

*Some states define multiple types of facilities that are exempt from licensing.

3.3 Staff Roles and Age Requirements

A. Staff Roles

State child care center licensing regulations include requirements for a variety of staff who have direct contact with children in facilities. For the purpose of this study, common generic names are used for each role. As shown in Chart 3.1, all states that license child care centers include requirements for **teachers** and **directors** in their regulations. For the purposes of this study, a teacher is defined as a staff person who can be solely responsible for a group of children. A director of a center is the administrator who is ultimately responsible for establishing the program, choosing and supervising all other staff, managing both income and expenditures, and maintaining quality.¹

Seventeen states require at least one teacher in a program or classroom to be qualified at a higher level. This position is often called a lead teacher, head teacher, chief caregiver, fully qualified teacher, child care associate, or supervisor. This role has been generically labeled **master teacher** in this study to indicate that she or he is required to have more training, experience, and/or skills than other teachers.

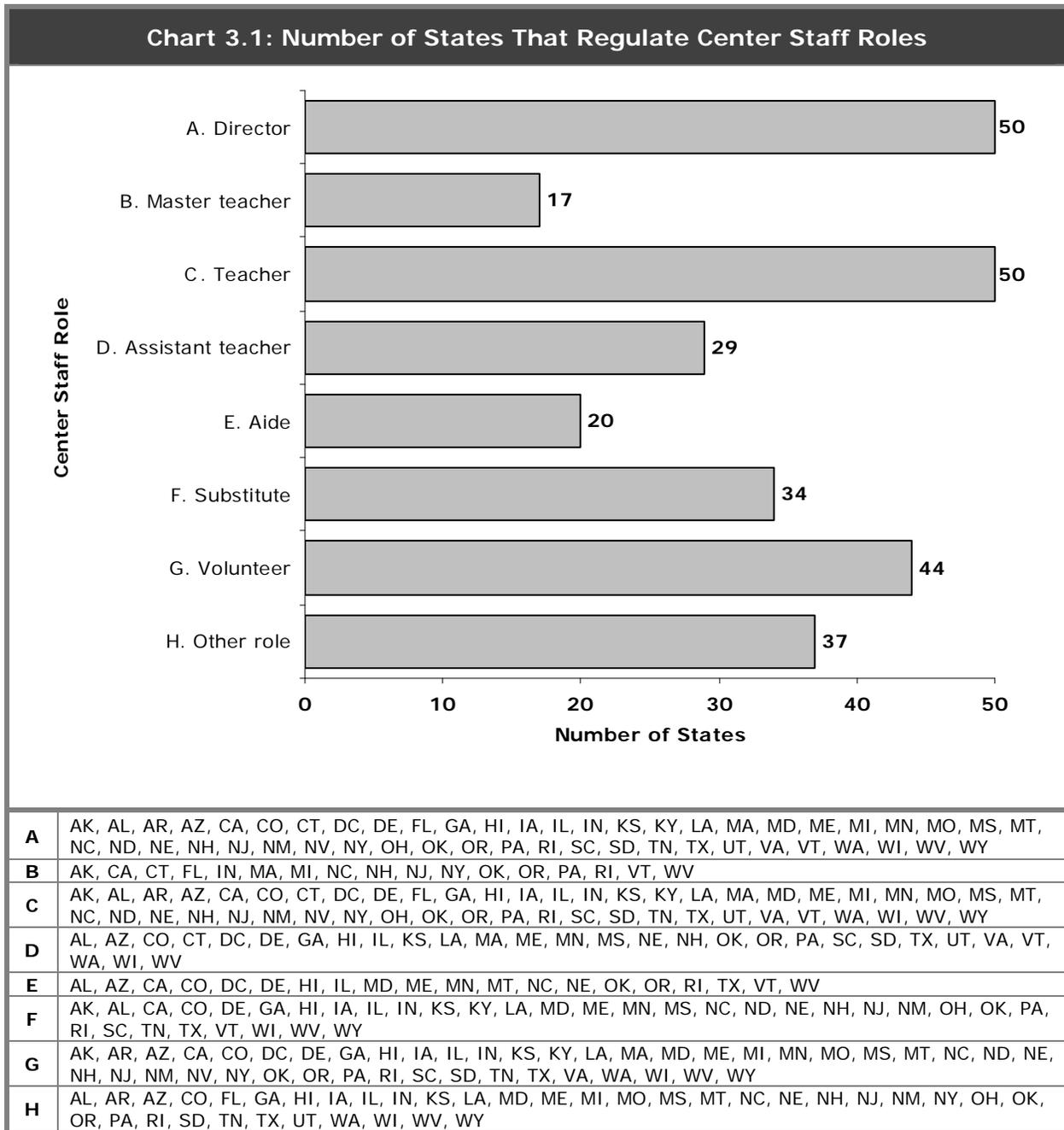
More than half the states have requirements for **assistant teachers**, and more than a third have requirements for center classroom **aides**. Staff in both these positions must be supervised in their work with children.

Many states also have requirements for those who work as **substitutes** and **volunteers** in child care centers. In addition, 37 states include other roles in their requirements. In 32 of these states (AL, AZ, CO, FL, GA, IA, IL, KS, LA, MD, ME, MI, MO, MT, NC, NE, NH, NJ, NY, OH, OK, OR, PA, RI, SD, TN, TX, UT, WA, WI, WV, WY), **driver** (e.g., bus driver or transportation staff) is one of these other roles. Also frequently included in center regulations are maintenance/custodial staff, clerical staff, and food service staff. State-by-state data are available in *Table 17: Center Staff Roles Regulated by States in 2008* in the 50-state Data Tables.

Fast Fact

All states that license child care centers include requirements for teachers and directors in their regulations.

¹ Morgan, G., Azer, S. L., Costley, J. B., Genser, A., Goodman, I. F., Lombardi, J., & McGimsey, B. (1993). *Making a career of it: The state of the states report on career development in early care and education*. Boston, MA: The Center for Career Development in Early Care and Education.



N=50 states, excluding ID

B. Minimum Age Requirements

Table 3.5 summarizes states' minimum age requirements for center directors and teaching staff, including the range of ages that states reported for each staff role and the most common age required for each role. In addition, *Table 18: Minimum Age Requirements for Center Staff Roles in 2008* in the 50-state Data Tables shows the specific age requirements for directors and all teaching roles for all states.

Table 3.5: Minimum Age Requirements for Center Staff Roles

Center Staff Role	Number of States That Regulate Role	Range of Required Age	Most Common Age
Director	50	16–21 years	21 years
Master teacher	17	16–21 years	18 years
Teacher	50	14–21 years	18 years
Assistant teacher	29	14–21 years	16 years
Aide	20	13–18 years	16 years

N=50 states, excluding ID

3.4 Staff Qualifications and Ongoing Training Requirements

This section provides a summary of the state preservice and ongoing training requirements for center staff. Table 3.6 shows the number of states that have requirements for each role in the “Role Regulated” column. It also indicates the number of states that require a high school diploma or General Educational Development Test (GED), preservice qualifications, and/or ongoing training.

Table 3.6: States With Requirements About High School Diploma and/or GED, Preservice Qualifications, and Ongoing Training

Center Staff Role	Number of States			
	Role Regulated	High School Diploma or GED	Preservice Qualifications	Ongoing Training
Director	50	48	49	46
Master teacher	17	15	17	16
Teacher	50	30	39	48
Assistant teacher	29	11	18	23
Aide	20	6	10	13

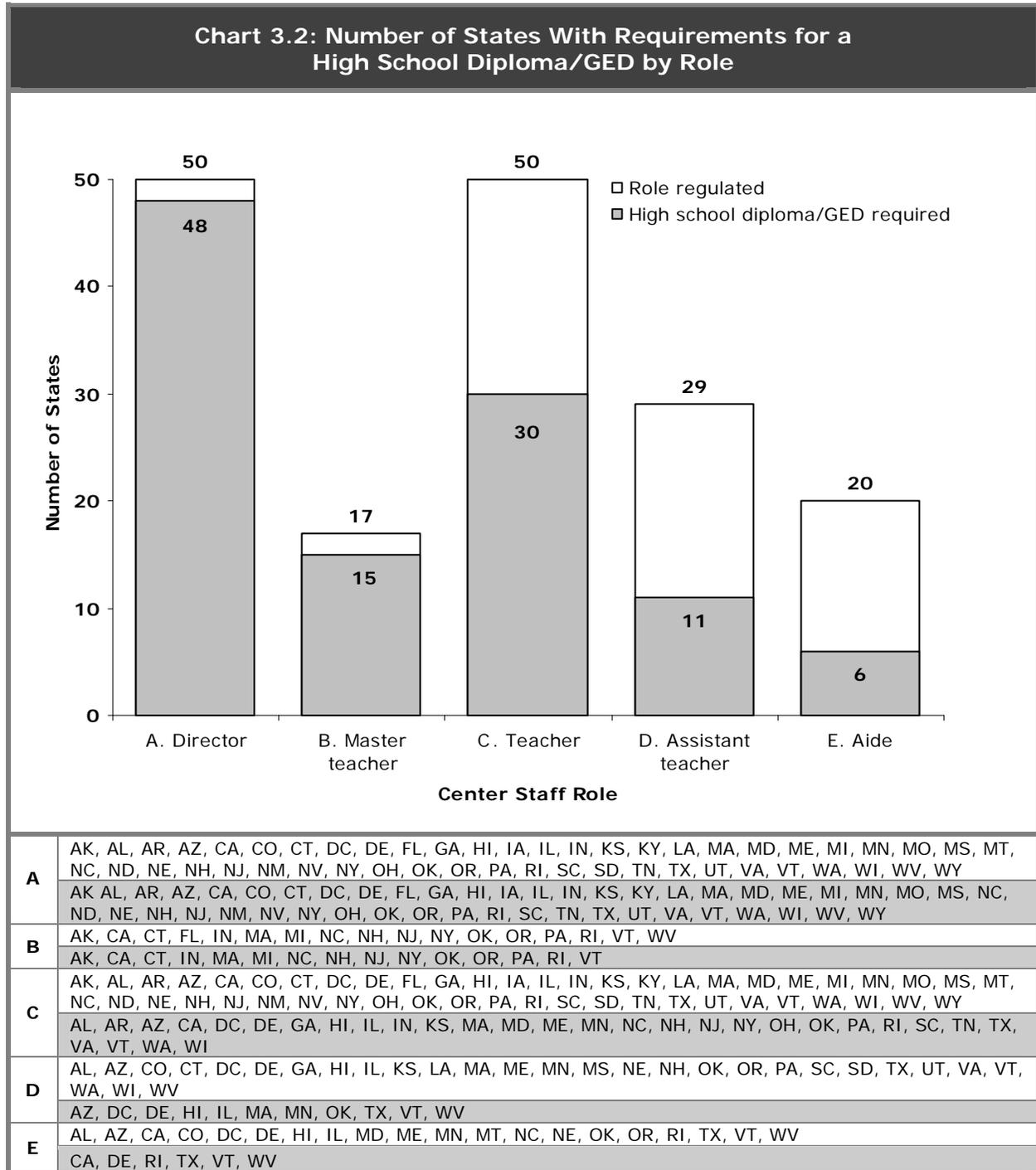
N=50 states, excluding ID

Terminology

Preservice qualifications: Training, education, and/or experience a state requires for staff prior to their assuming roles in child care centers.

A. High School Diploma Requirements

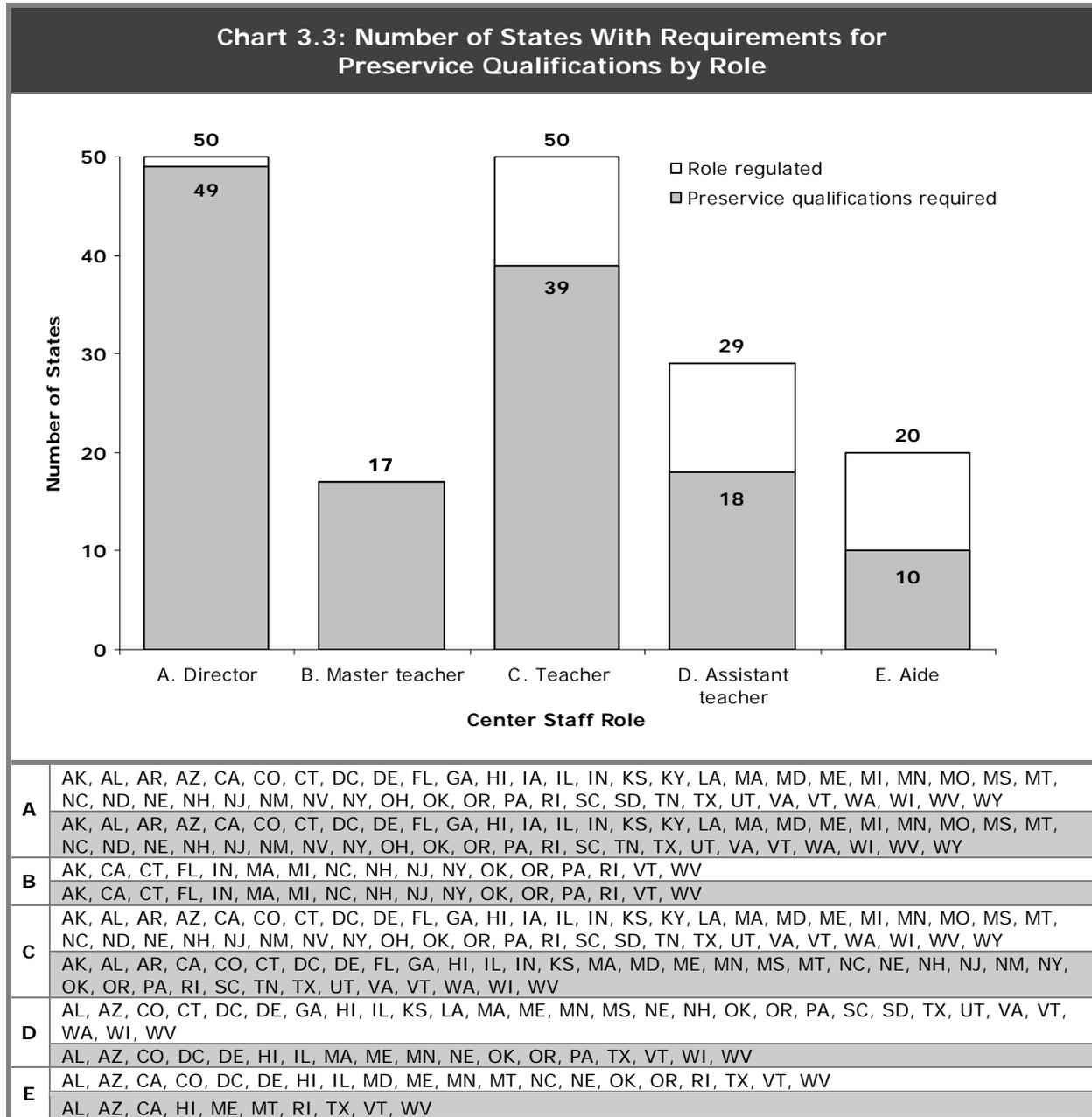
Chart 3.2 shows the states that require child care center staff to have high school diplomas or GEDs prior to working in these roles. State-by-state data about these requirements for directors and all teaching roles are available in *Table 19: High School Diploma Requirements for Center Staff Roles in 2008* in the 50-state Data Tables.



N=50 states, excluding ID

B. Preservice Qualifications

Nearly all states that regulate the director and teacher role, and all states that regulate the master teacher role, have required preservice qualifications as shown in Chart 3.3. Fewer states have preservice qualifications for assistant teachers and aides.



N=50 states, excluding ID

Fast Facts

- The majority of states with director, master teacher, and teacher roles require these staff to have a high school diploma or GED.
- The most common minimum qualification for both center directors and master teachers is the Child Development Associate (CDA) credential.

Minimum Staff Preservice Qualifications

Table 3.7 compiles the types of training, education, and experience that represent the least amount people must have to qualify for center director and teaching roles.

The CDA credential is the most common minimum qualification for **directors**—with a total of 18 states (AK, CT, DE, HI, IL, KS, MA, MI, MO, MS, ND, NH, NV, NY, OH, RI, VT, WA).

For the 39 states (AK, AL, AR, CA, CO, CT, DC, DE, FL, GA, HI, IL, IN, KS, MA, MD, ME, MN, MS, MT, NC, NE, NH, NJ, NM, NY, OK, OR, PA, RI, SC, TN, TX, UT, VA, VT, WA, WI, WV) that have minimum qualifications for **teachers**, the most common type is experience—either alone or with a high school diploma or GED for a total of 14 states (AZ, GA, ME, MS, MT, NC, NE, NY, OR, PA, RI, TX, WA, WV).

Of the 18 states (AL, AZ, CO, DC, DE, HI, IL, MA, ME, MN, NE, OK, OR, PA, TX, VT, WI, WV) that have qualifications for **assistant teachers**, there are three common types of qualifications—experience only (CO, NE, WV), enrollment in high school or GED program (AZ, ME, OK), and clock hours of training (DE, VT, WI).

Of the 10 states (AL, AZ, CA, HI, ME, MT, RI, TX, VT, WV) that have qualifications for **aides**, the most common minimum qualifications are enrollment in high school or GED program or enrollment in a child care vocational training program for a total of four states (ME, RI, TX, VT).

Table 20: Minimum Preservice Qualifications for Center Staff Roles in 2008 in the 50-state Data Tables shows the types of minimum qualifications required in each state for all roles.

Table 3.7: Types of Minimum Preservice Qualifications Required*					
Qualification Type	Number of States				
	Director	Master Teacher	Teacher	Assistant Teacher	Aide
Role regulated	50	17	50	29	20
Preservice qualifications required	49	17	39	18	10
Experience only	2	2	6	3	1
Experience with high school diploma or GED	4	1	8	1	0
At least an 8th grade education	0	0	0	2	1

Qualification Type	Number of States				
	Director	Master Teacher	Teacher	Assistant Teacher	Aide
Enrollment in high school or GED program	0	0	2	3	2
High school diploma or GED	3	0	5	2	0
Enrollment in a child care vocational training program	0	0	0	1	2
Completion of a child care vocational training program	2	0	4	0	1
Early care and education training clock hours	10	1	8	3	0
CDA credential*	13	6	5	2	0
State early childhood credential	0	2	0	1	0
State director credential	4	0	0	0	0
Early care and education college credit hours	3	0	0	0	1
CDA credential with college credit hours	5	1	0	0	0
Associate's degree	2	1	0	0	0
Bachelor's degree	1	2	0	0	0
Master's degree	0	0	0	0	0
Doctorate degree	0	0	0	0	0
State teacher certification/licensure	0	1	0	0	0
Other minimum qualification**	0	0	1	0	2

N=50, excluding ID

*States vary on whether the CDA credential is awarded for college credit. However, state licensing regulations do not specify that center staff are required to complete CDA credentials for college credit.

**"Other minimum qualification" includes observation of classrooms in licensed preschools and child care centers for teachers, and orientation trainings and enrollment in state credential programs for aides.

Qualification Alternatives

Most states with minimum preservice requirements define multiple alternative routes for qualifying for particular roles. For example, a state may require teachers to have 2 years of supervised teaching experience, but can also accept those who have completed a three-credit college-level course, completed a CDA credential, or obtained an associate’s degree. In short, there are alternative ways an individual can qualify for one role.

Fast Fact

Multiple alternative routes help people with college educations and those working to acquire skills while employed gain access to center roles. As a result, a mix of staffing can occur in centers.

Across all states, there is an average of six alternative routes defined for the director and master teacher roles, which means that there is an average of more than five ways an individual can qualify for those roles. For teachers, the average is five qualification alternatives. The average is three for assistant teachers and two for aides.

Table 21: Number of Alternative Routes for Preservice Qualifications for Center Roles in 2008 in the 50-state Data Tables includes this information for the director role and all center teaching roles for each state.

Types of Training in Qualification Alternatives

The types of training, credentials, and degrees that states include in the various qualification alternatives are compiled in Table 3.8. For example, this table shows that in some states, an individual can qualify to be a center director with a bachelor’s degree in early childhood education. This is not the minimum requirement, but one way of qualifying for that role. The highest number of states includes CDA credentials as qualifications for directors. For teachers, most states include training awarded for college credit or CDA credentials.

Qualification Type	Number of States				
	Director	Master Teacher	Teacher	Assistant Teacher	Aide
Role regulated	50	17	50	29	20
Preservice qualifications required	49	17	39	18	10
Early care and education training clock hours	18	3	14	5	0
CDA credential	38	10	19	3	0

Table 3.8: States That Include Various Types of Training, Credentials, and Degrees in Qualification Alternatives, con.*					
Qualification Type	Number of States				
	Director	Master Teacher	Teacher	Assistant Teacher	Aide
State credential (total):	11	4	5	1	1
• Director credential	6	0	1	0	0
• Early childhood credential	6	4	2	1	1
Early care and education college credit hours	33	12	21	7	1
Associate's degree (general)	10	2	4	1	0
Associate's degree in a field related to early childhood (e.g., education)	7	2	4	1	0
Associate's in early childhood education	24	8	10	1	0
Bachelor's degree (general)	24	6	6	1	0
Bachelor's degree related to early childhood (e.g., education)	10	4	4	1	0
Bachelor's degree in early childhood education	16	7	5	0	0
Bachelor's degree in early childhood or higher	4	1	1	0	0
Master's degree (general)	3	1	2	0	0
Master's degree related to early childhood (e.g., education)	5	3	0	0	0
Master's degree in early childhood education	5	4	1	0	0
Doctorate degree	2	2	2	0	0
State teacher certification/licensure	5	5	4	1	0

N=50 states, excluding ID

*Most states have multiple alternative routes for preservice qualifications and have many types of training, credentials, and/or degrees in their qualification alternatives.

C. Experience Requirements

Many states include requirements about experience within their preservice qualifications, either as the qualification itself or in combination with training and/or education. Table 3.9 illustrates state experience requirements. For center directors, 34 states (AL, AR, AZ, CA, CO, CT, DC, DE, IA, IL, IN, KS, KY, LA, MA, MD, MN, MO, MS, MT, NC, ND, NE, NH, NM, NY, OH, OK, RI, SC, TN, TX, VA, WY) require that experience be in a specific setting, such as a child care center, and 22 states (CO, CT, DE, GA, HI, IL, KS, KY, MA, MD, ME, MN, MO, NE, NH, NV, NY, PA, TN, VT, WA, WI) require that experience be gained specifically from working with children. State-by-state data are available in *Table 22: Experience Requirements for Center Staff Roles in 2008* in the 50-state Data Tables.

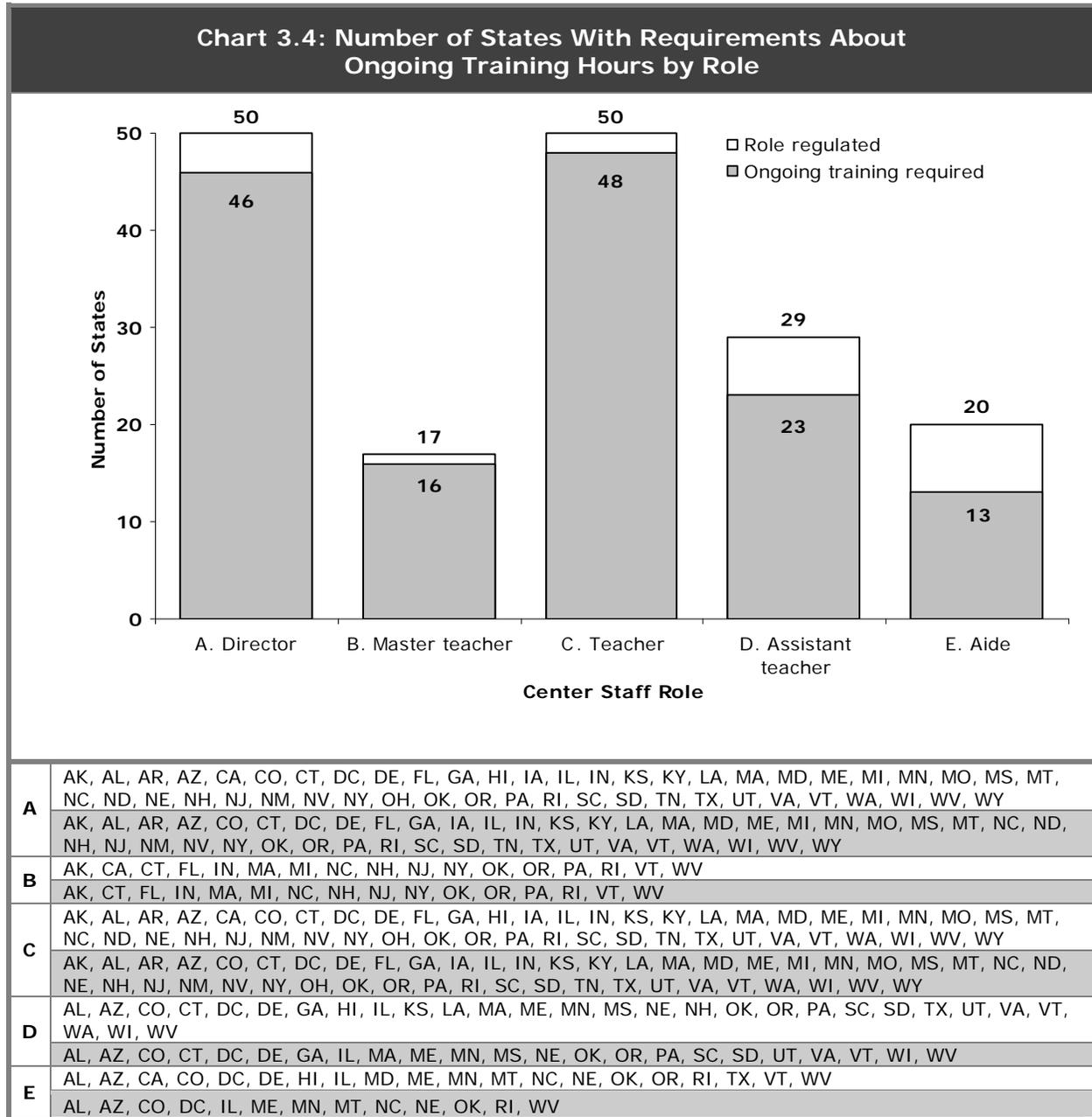
Experience Requirement	Number of States				
	Director	Master Teacher	Teacher	Assistant Teacher	Aide
Role regulated	50	17	50	29	20
Preservice qualifications required	49	17	39	18	10
Requirements about experience	45	12	28	10	2
Experience must be in a specific setting	34	8	15	5	0
Experience must be from working with children	22	8	18	4	1
Experience must be with a specific age group of children	6	5	8	3	0
Experience must be verified by employer/supervisor	7	5	3	2	0
Experience must be supervised	8	4	7	1	1
Experience must be from continuous employment	2	1	0	0	0
Experience must be in an accredited center or family child care home	0	0	0	0	0

N=50 states, excluding ID

*Some states have multiple requirements about experience in preservice qualifications.

D. Ongoing Training

Chart 3.4 shows the number of states that require ongoing training hours after hire for each center staff role. State-by-state data about the requirements about ongoing training are available in *Table 23: Number of Ongoing Training Hours Required for Center Staff Roles in 2008* in the 50-state Data Tables.



N=50 states, excluding ID

Tables 3.10 and 3.11 summarize information about the number of required ongoing training hours for each center staff role.

Number of Hours	Number of States				
	Director	Master Teacher	Teacher	Assistant Teacher	Aide
Role regulated	50	17	50	29	20
Ongoing hours required	46	16	48	23	13
Unspecified number of hours	2	1	2	2	2
1–12 hours	19	8	24	9	6
13–19 hours	13	3	13	7	2
20 or more hours	12	4	9	5	3

N=50, excluding ID

*Some states require an amount of training over a 2-year period. NCCIC and NARA calculated the required hours of training for these states by dividing the number of hours by two.

Center Staff Role	Number of States That Require Ongoing Hours	Most Common Number of Required Hours	Median Number of Required Hours*	Lowest Number of Required Hours	Highest Number of Required Hours
Director	46	15 (8 states)	15	3	30
Master teacher	16	12 (5 states)	12	6	45 hours every 2 years
Teacher	48	12, 15 (10 states each)	12	3	30

Table 3.11: Most Common Number, Median, and Range of Ongoing Training Hour Requirements, con.					
Center Staff Role	Number of States That Require Ongoing Hours	Most Common Number of Required Hours	Median Number of Required Hours*	Lowest Number of Required Hours	Highest Number of Required Hours
Assistant teacher	23	12, 15 (5 states each)	15	6	30
Aide	13	12 (4 states)	12	8	30

N=50, excluding ID

*The median is the middle value in a list of numbers. This figure includes the middle value compiled from state regulations for the number of training hours required for each role.

Table 3.12 summarizes additional regulations for ongoing training requirements for child care center staff. Many states have requirements regarding the content and approved delivery methods for ongoing training. Delivery methods include adult education courses, institutions of higher education, vocational programs, audio-visual materials, reading materials, conference workshops, distance learning, and/or inservice training provided by the center director. State-by-state data are available in *Table 24: State Requirements About the Content of Ongoing Training Hours for Child Care Center Teachers in 2008* in the 50-state Data Tables.

Fast Fact

Many states require specific content for ongoing training hours.

Center Staff Role	Number of States		
	Require Ongoing Hours	Specify Content	Specify Approved Delivery Methods
Director	46	37	22
Master teacher	16	12	9
Teacher	48	37	22
Assistant teacher	23	19	9
Aide	13	9	6

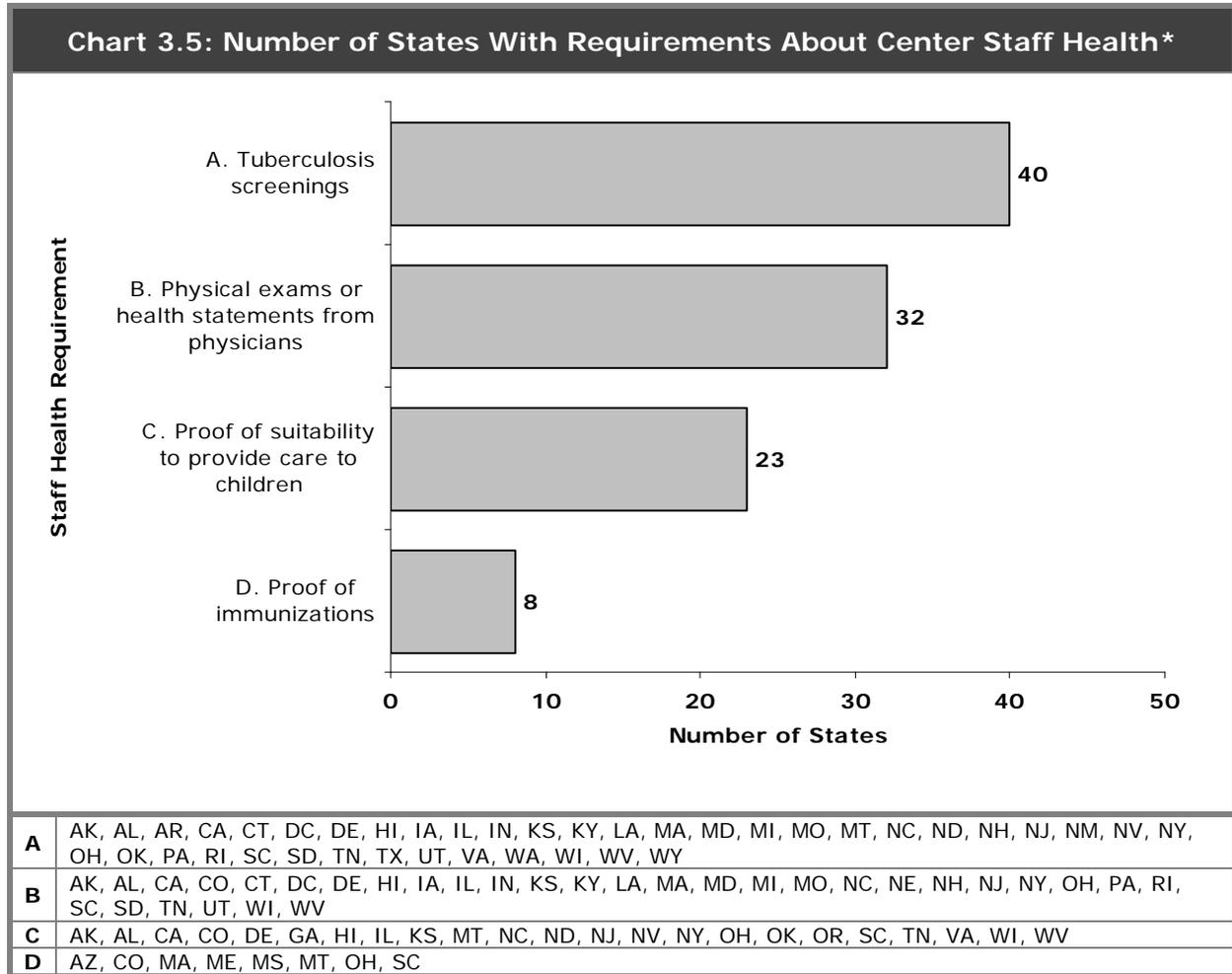
N=50, excluding ID

3.5 Staff Hiring Requirements

A. Staff Health Requirements

As shown in Chart 3.5, all but four states (FL, ID, MN, VT) have requirements about staff health, such as requiring a physical exam, a tuberculosis screening, immunizations, or proof of physical or mental suitability to care for children. In addition, 35 states (AL, AR, CA, CO, CT, DC, DE, HI, IA, IN, KS, KY, LA, MI, MO, MT, NC, NE, NH, NJ, NM, NY, OH, PA, RI, SC, SD, TN, TX, UT, VA, WA, WI, WV, WY) require child care centers to include staff health reports in facility records.

Of the 32 states that require staff to have physical exams or provide health statements, 26 (AL, CA, CT, DE, IA, IL, IN, KS, KY, LA, MA, MD, MI, MO, NC, NE, NH, NJ, NY, OH, PA, RI, SC, TN, WI, WV) specify that proof must be submitted to centers at the time of hire. Fifteen states (AL, CT, IL, LA, MA, MI, NC, NE, NH, NY, OH, PA, SC, TN, WV) require physical exams either annually or at some other time interval. Only one state (AR) requires staff to have screenings for drugs, alcohol, and other substances.



N=47 states, excluding FL, ID, MN, VT

*Some states have multiple requirements about staff health.

B. Background Checks

The data about background checks were compiled from state child care licensing agency responses to *The 2008 NARA Child Care Licensing Programs and Policies Survey*.

Types of Required Background Checks

Of the 50 states that license child care centers, all require center staff to undergo at least one type of criminal background check, either a check of criminal history records, child abuse and neglect registries, fingerprints, and/or sex offender registries. Thirty-five states (AK, AL, AR, AZ, CA, CT, DE, FL, GA, HI, IA, IL, IN, KS, MA, NE, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, WA, WI, WV, WY) require center staff to sign statements about criminal status.

Fast Fact

All states require center staff to undergo at least one type of background check **prior to working with children.**

Table 3.13 provides additional details about criminal background check requirements for center staff. The requirements for each state are available in *Table 25: Criminal Background Check Requirements for Center Staff in 2008* in the 50-state Data Tables.

Table 3.13: States With Requirements About Criminal Background Checks*		
Background Check Requirement	Number of States	State
State requires check of criminal history records	49	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY
<ul style="list-style-type: none"> State criminal history record check required 	46	AK, AL, AR, AZ, CA, CO, CT, DE, FL, GA, HI, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NH, NJ, NM, NV, NY, OH, OK, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV
<ul style="list-style-type: none"> Federal criminal history record check required 	30	AK, AL, AR, AZ, CA, CT, DE, FL, GA, HI, IL, IN, MD, MI, MS, NC, NH, NJ, NM, NV, OR, PA, RI, SC, SD, TN, TX, UT, WA, WV
<ul style="list-style-type: none"> Required for all center staff 	38	AK, AL, AR, AZ, CO, CT, DC, FL, GA, HI, IA, IL, IN, KS, LA, MA, MD, ME, MO, MS, MT, NC, ND, NJ, NV, NY, OH, OK, RI, SC, SD, TN, TX, UT, VT, WA, WI, WV
<ul style="list-style-type: none"> Required for center staff having contact with children 	10	CA, HI, KY, MN, ND, NH, NM, NV, PA, VA
<ul style="list-style-type: none"> Required for volunteers 	31	AL, AR, AZ, CA, CO, CT, DE, FL, GA, HI, IA, IN, KS, KY, MA, MO, MS, MT, NJ, NM, NV, NY, OH, OK, OR, RI, TN, TX, UT, WA, WV
<ul style="list-style-type: none"> Required for center staff under certain conditions (e.g., for those who have lived in state a certain period of time) 	6	CO, IL, NC, NV, OH, WY
State requires check of child abuse and neglect registries	43	AK, AL, AR, CA, CO, CT, DE, FL, HI, IA, IL, IN, KS, KY, MA, MD, ME, MI, MN, MO, MS, MT, ND, NE, NH, NJ, NM, NV, NY, OK, OR, PA, RI, SC, SD, TX, UT, VA, VT, WA, WI, WV, WY
<ul style="list-style-type: none"> Required for all center staff 	31	AK, AL, AR, CO, CT, DE, HI, IA, IL, IN, KS, MA, MD, ME, MO, MS, MT, ND, NE, NJ, NV, OR, RI, SC, SD, TX, VT, WA, WI, WV, WY
<ul style="list-style-type: none"> Required for center staff having contact with children 	9	CA, HI, KY, MI, NH, NV, PA, SC, VA
<ul style="list-style-type: none"> Required for volunteers 	29	AL, AR, CA, CO, CT, DE, HI, IA, IL, IN, KS, KY, MI, MO, MS, MT, ND, NE, NH, NJ, NV, NY, OR, RI, SC, SD, TX, WA, WV
<ul style="list-style-type: none"> Required for center staff under certain conditions (e.g., for those who have lived in state a certain period of time) 	1	NV

Table 3.13: States With Requirements About Criminal Background Checks, con. *		
Background Check Requirement	Number of States	State
State requires checks of fingerprint records	39	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, IN, MD, MI, MN, MS, MT, NC, ND, NH, NJ, NM, NV, NY, OH, OR, PA, RI, SC, SD, TN, TX, UT, WA, WV, WY
• State fingerprint record check required	24	AK, AL, AZ, CA, CO, CT, DE, GA, HI, IL, MD, MS, NC, NJ, NM, NV, NY, OR, SC, SD, TN, TX, WA, WV
• Federal fingerprint record check required	29	AK, AL, AR, AZ, CA, CO, CT, DE, FL, GA, HI, IA, IL, IN, MD, MS, NC, NH, NJ, NM, NV, PA, RI, SC, SD, TN, TX, WA, WV
• Required for all center staff	23	AK, AL, AZ, CT, DC, DE, FL, HI, IA, IL, MD, MS, NC, NJ, NV, NY, OH, SC, SD, TN, TX, WA, WV
• Required for center staff having contact with children	7	CA, HI, NH, NM, NV, PA, RI
• Required for volunteers	20	AL, AZ, CA, CO, CT, DE, FL, HI, IA, MS, NH, NJ, NM, NV, NY, OH, SD, TN, TX, WA
• Required for center staff under certain conditions (e.g., for those who have lived in state a certain period of time)	12	AR, CO, IL, MN, MT, NC, ND, NV, OH, UT, WA, WY
State requires checks of sex offender registries	16	AK, CA, DE, IA, IL, IN, KY, MA, MI, MO, MS, ND, OK, SC, WA, WY
• Required for all center staff	13	AK, CA, DE, IA, IL, IN, MA, MO, MS, ND, OK, SC, WA
• Required for center staff having contact with children	3	IL, KY, OK
• Required for volunteers	11	DE, IA, IL, IN, KY, MO, MS, ND, OK, SC, WA
• Required for center staff under certain conditions (e.g., for those who have lived in state a certain period of time)	1	WY

N=50 states, excluding ID

*Some states have multiple requirements about background checks.

Frequency of Background Checks

Table 3.14 shows how often center staff must undergo criminal background checks. Most states require staff to have background checks prior to working in centers. Many states require additional checks on a regular basis. State-by-state data are available in *Table 26: Frequency of Criminal Background Checks for Center Staff in 2008* in the 50-state Data Tables.

Table 3.14: Frequency of Criminal Background Checks for Center Staff*		
Frequency	Number of States	State
Prior to working in a child care center	45	AK, AL, AR, AZ, CA, CT, DC, DE, FL, GA, HI, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MT, NC, ND, NE, NH, NJ, NM, NY, OH, OK, PA, RI, SC, SD, TN, TX, UT, VA, VT, WI, WV, WY
Annually	5	HI, MT, OK, UT, VT
Every 2 years	6	AR, IA, MA, MI, MO, TX
Every 3 years	4	KS, NH, VA, WA
Every 4 years	2	OH, WI
Every 5 years	4	AR, FL, MS, WV
Less than every 5 years	1	NV
Other frequency	7	CA, CO, NE, NJ, NV, OR, WV

N=50 states, excluding ID

*Some states have multiple requirements about the frequency of background checks.

Portability of Background Checks

Table 3.15 shows state policies about whether background checks can be transferred or new checks are conducted when center staff change jobs, move to other facilities, or have breaks in employment. In most states, checks are not portable, and new background checks are conducted.

Table 3.15: State Policies About the Portability of Criminal Background Checks*		
Policy	Number of States	State
State has policies about the portability of background checks	49	AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY
New background check is conducted	28	CT, DC, DE, GA, IA, IN, KY, LA, MA, MD, ME, MI, MN, MS, MT, NE, NH, NJ, OH, PA, RI, SD, TN, TX, UT, VT, WA, WY
Current background check is portable and moves with the individual	16	AL, AR, AZ, CA, HI, IL, KS, MI, MS, ND, NV, NY, OR, SC, SD, WI
Other policy	11	CO, FL, MD, MO, NC, NM, OK, PA, SC, VA, WV

N=49 states, excluding AK and ID

*Some states have multiple requirements about the portability of background checks.

Notification of Changes in Background Checks

Eighteen states (AK, AL, AZ, CA, CO, DE, IL, MD, MI, MN, MS, NJ, NM, NY, OR, TX, UT, WV) indicated that their background check systems will notify the licensing agencies if someone's criminal record has changed.

Funding for Background Checks

As shown in Table 3.16, almost half of the states that license child care centers reported that people pay for their own background checks. In some of the states that indicated another source of payment, the child care facility pays for staff members' background checks.

Policy	Number of States	State
Individual pays for background checks	24	AL, AZ, CA, CO, CT, DC, FL, GA, HI, KY, MD, MI, MO, NE, NH, NM, NV, OH, PA, SC, TX, VA, WA, WI
State pays for background checks	13	AK, AR, DE, IA, IL, MA, ND, NY, RI, SD, TN, WV, WY
Other source of payment	9	IN, KS, LA, MS, MT, NJ, OK, OR, UT
No response	4	ME, MN, NC, VT

N=50 states, excluding ID

*Some states have multiple requirements about the funding of background checks.

C. References

A total of 26 states (AK, AL, AZ, DE, IL, KS, LA, MA, ME, MS, MT, NE, NH, NJ, NY, OH, OK, PA, SC, SD, TN, VA, VT, WA, WV, WY) require references when hiring center directors and/or other center staff, as shown in Table 3.17. In addition, regulations specify that references must be obtained in written and/or verbal form for center directors in 17 states (AZ, DE, IL, LA, ME, NE, NH, NJ, OH, PA, SC, SD, TN, VA, VT, WA, WV) and for other center staff in 18 states (AK, AL, AZ, DE, IL, LA, ME, MT, NE, NH, NJ, OH, PA, SD, TN, VA, VT, WV).

Reference Requirement	Number of States	
	Center Directors	Other Center Staff
References are required	25	24
References must be from certain people (total)*:	15	15
• Nonrelatives	13	13
• Professional acquaintances	3	2
• Previous employers	4	6

N=26 states, excluding AR, CA, CO, CT, DC, FL, GA, HI, IA, ID, IN, KY, MD, MI, MN, MO, NC, ND, NM, NV, OR, RI, TX, UT, WI

*Some states require references to be from more than one type of person.

3.6 Additional Staff Training Requirements

A. Orientation Training

As shown in Table 3.18, more than three-quarters of states that license child care centers require staff to complete some type of orientation training to work in centers. States' requirements often specify that the training must be about facility policies and procedures and/or state licensing regulations. In addition, 27 states (AK, AZ, CO, CT, DE, IA, IL, IN, LA, MA, ME, MN, MS, NC, NJ, NM, NV, OR, RI, SC, SD, TX, VA, WA, WI, WV, WY) require centers to provide orientation training to new employees and volunteers. This is usually a facility director's responsibility.

Fast Fact

Forty-seven states require center staff to complete first aid training; 46 require staff to complete CPR training.

Orientation Training Requirement	Number of States	State
Center staff required to complete orientation training	41	AK, AR, AZ, CA, CO, CT, DC, DE, GA, IA, IL, IN, KY, LA, MA, MD, ME, MN, MO, MS, MT, NC, ND, NE, NJ, NM, NV, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, WA, WI, WV, WY
Required training is about facility's policies and procedures	32	AK, AR, AZ, CO, CT, DC, DE, GA, IA, IN, LA, MA, MD, ME, MN, MS, NC, ND, NJ, NM, NV, OK, OR, RI, SD, TN, TX, UT, VA, WA, WI, WV
Required training is about state licensing regulations	26	AK, CO, DE, GA, IA, IL, IN, MA, ME, MN, MO, MS, NC, NJ, NM, OK, OR, RI, SD, TX, UT, VA, WA, WI, WV, WY

N=41 states, excluding AL, FL, HI, ID, KS, MI, NH, NY, OH, VT
 *Some states have multiple types of orientation training.

B. Health and Safety Training

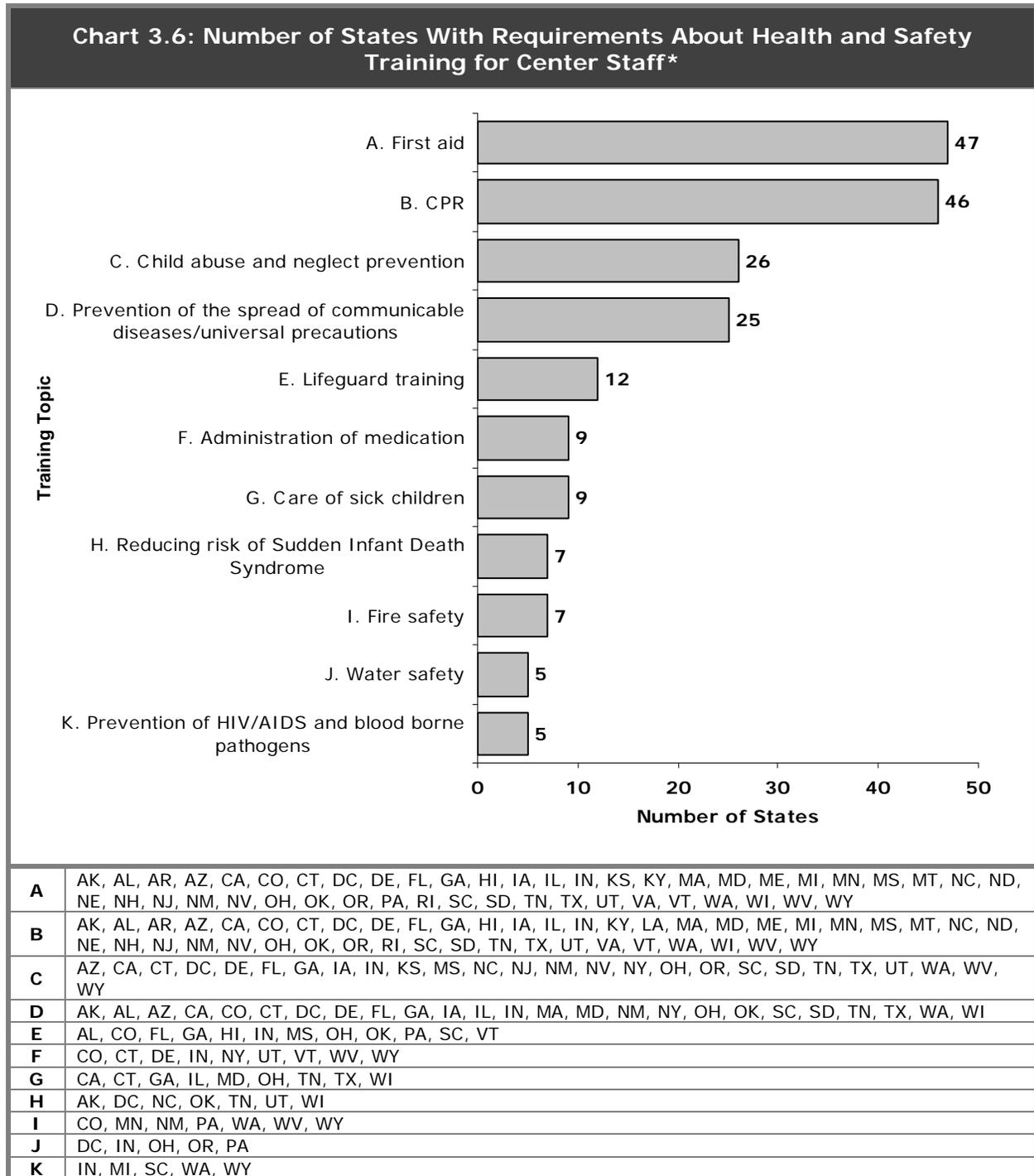
All states, except two (ID, MO) require center staff to complete health and safety training, with most requiring first aid and CPR training.

All states except five (ID, KS, MO, NY, PA) require CPR training. Thirty-three of these states (AK, AL, AR, AZ, CA, DE, FL, HI, IA, IN, KY, LA, MA, MD, ME, MN, MT, NC, NH, NV, OH, OK, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY) specify that it must focus on the care of infants and/or children. Thirty-seven states (AK, AL, AR, AZ, CA, CT, DC, DE, FL, GA, HI, IA, IL, IN, KY, MA, MD, ME, MN, MS, MT, NC, ND, NH, NJ, NV, OH, OK, OR, TN, TX, UT, VA, WA, WI, WV, WY) specify staff must have current CPR certifications.

All but four states (ID, LA, MO, NY) require first aid training. However, only 11 states (AK, AZ, CA, IA, KY, OK, TN, UT, VA, VT, WV) specify that it must focus on the care of infants and/or children. In addition, state regulations specify that staff must have current certifications in first aid in 33 states (AK, AL, AZ, CA, DC, DE, FL, GA, HI, IA, IL, IN, KY, MA, MD, ME, MN, MS, MT, ND, NH, NJ, OH, OK, OR, PA, TN, TX, UT, VA, WA, WV, WY).

States often do not require all center staff to complete first aid or CPR training. Twenty-nine states (AK, AL, AZ, CA, CT, DC, DE, FL, GA, HI, IL, KY, ME, MS, ND, NE, NH, NJ, NM, OH, OK, PA, RI, SC, SD, TN, UT, VA, WY) require first aid training only for one person on duty at the center, not all staff; this is the case with CPR training in 33 states (AK, AL, AR, AZ, CA, CT, DC, DE, FL, GA, HI, IL, IN, KY, MA, ME, MN, MS, NC, ND, NE, NH, NJ, NM, OH, OK, RI, SC, SD, TN, UT, VA, WY).

Chart 3.6 shows the states that require first aid and CPR training and information about required training regarding other health and safety topics, including prevention of the spread of communicable diseases, administration of medication, water safety, handwashing, and others.



N=49 states, excluding ID, MO

*Some states require multiple types of health and safety training.

3.7 Child-staff Ratios and Group Size

A. Child-staff Ratios

All states that license child care centers have requirements about child-staff ratios. Child-staff ratio requirements are based on ages of children in care. Table 3.19 presents a summary of the range of child-staff ratio requirements for infants, toddlers, and preschool- and school-age children. Included in this summary are the lowest and highest required ratios across the states and the most common required ratio for each age group of children.

Also included in Table 3.19 are the recommended child-staff ratios for children's ages from *Caring for Our Children: National Health and Safety Performance Standards: Guidelines for Out-of-home Child Care Programs, 2nd Edition* (CFOC).² These guidelines include more than 600 performance standards or best practices for child care facilities and are often used by state licensing agencies when they are revising regulations. Each standard in CFOC includes a rationale supported by research. As Table 3.19 shows, the states with the lowest child-staff ratios come close to meeting CFOC standards. The states' most common ratios are higher than the CFOC standards, especially for older children. State-by-state data about child-staff ratios are available in *Table 27: Center Child-staff Ratio Requirements in 2008* in the 50-state Data Tables.

Terminology

Child-staff ratio: The number of children one staff member is allowed to supervise.

Group size: The maximum number of children that is assigned to specific staff and can occupy one physical space.

² American Public Health Association, American Academy of Pediatrics, & Health Resources and Services Administration. (2002). *Caring for our children: National health and safety performance standards: Guidelines for out-of-home child care programs, 2nd edition*. Retrieved March 24, 2010, from <http://nrckids.org/CFOC/index.html>

Table 3.19: Range of Child-staff Ratio Requirements in States							
Age of Children	Lowest Required Ratio	Number of States	Highest Required Ratio	Number of States	Most Common Required Ratio	Number of States	CFOC Guidelines*
Infants							
6 weeks	3:1	3	6:1	4	4:1	33	3:1
9 months	3:1	3	6:1	5	4:1	32	3:1
Toddlers							
18 months	3:1	1	9:1	3	6:1	14	4:1
27 months	4:1	5	12:1	2	8:1	10	4:1
Preschool-age children							
3 years	7:1	2	15:1	4	10:1	23	7:1
4 years	8:1	1	20:1	1	10:1	17	8:1
School-age children							
5 years	9:1	1	25:1	2	15:1	14	8:1
10 years	10:1	1	26:1	1	15:1	16	12:1

N=50 states, excluding ID

*Recommended child-staff ratios for centers are from *Caring for Our Children: National Health and Safety Performance Standards: Guidelines for Out-of-home Child Care Programs, 2nd Edition*, which is available at <http://nrckids.org/CFOC/index.html>.

B. Group Size

Not all states regulate group size as they do with child-staff ratios. Table 3.20 shows the states that do not regulate group size for child care centers. Twenty-one states (AL, AR, AZ, CA, FL, HI, IA, ID, LA, ME, MI, MO, MT, NE, NM, NV, RI, SC, TN, VA, VT) do not regulate group size for at least one age group of children. Eleven states (AL, AZ, FL, IA, ID, LA, MT, NM, NV, SC, VA) do not regulate group size at all. However, 40 states (AK, AR, CA, CO, CT, DC, DE, GA, HI, IL, IN, KS, KY, MA, MD, ME, MI, MN, MO, MS, NC, ND, NE, NH, NJ, NY, OH, OK, OR, PA, RI, SD, TN, TX, UT, VT, WA, WI, WV, WY) regulate group size for one or more age groups.

Table 3.20: States That Do Not Regulate Group Size		
Age of Children	Number of States	State
Infants		
6 weeks	12	AL, AZ, CA, FL, IA, ID, LA, MT, NM, NV, SC, VA
9 months	12	AL, AZ, CA, FL, IA, ID, LA, MT, NM, NV, SC, VA
Toddlers		
18 months	12	AL, AZ, FL, IA, ID, LA, MT, NE, NM, NV, SC, VA
27 months	13	AL, AZ, FL, HI, IA, ID, LA, MT, NE, NM, NV, SC, VA
Preschool-age children		
3 years	16	AL, AZ, CA, FL, HI, IA, ID, LA, MI, MO, MT, NE, NM, NV, SC, VA
4 years	16	AL, AZ, CA, FL, HI, IA, ID, LA, MI, MO, MT, NE, NM, NV, SC, VA
School-age children		
5 years	17	AL, AZ, CA, FL, HI, IA, ID, LA, ME, MI, MO, MT, NE, NM, NV, SC, VA
10 years	21	AL, AR, AZ, CA, FL, HI, IA, ID, LA, ME, MI, MO, MT, NE, NM, NV, RI, SC, TN, VA, VT

N=21 states, excluding AK, CO, CT, DC, DE, GA, IL, IN, KS, KY, MA, MD, MN, MS, NC, ND, NH, NJ, NY, OH, OK, OR, PA, SD, TX, UT, WA, WI, WV, WY)

Table 3.21 presents a summary of the range of group size requirements for infants, toddlers, and preschool- and school-age children. Included in this summary are the lowest and highest group size requirements across the states that regulate group size and the most common group size for each age group of children.

Also included in Table 3.21 are the recommended group sizes from the CFOC standards. As with ratios, the states with the lowest group size requirements are similar to the CFOC standards, and the states' most common group sizes are higher than the CFOC standards, especially for older children. State-by-state data about group size requirements are available in *Table 28: Center Group Size Requirements in 2008* in the 50-state Data Tables.

Table 3.21: Range of Group Size Requirements							
Age of Children	Lowest Required Group Size	Number of States	Highest Required Group Size	Number of States	Most Common Required Group Size	Number of States	CFOC Guidelines*
Infants							
6 weeks	6	1	20	1	8	20	6
9 months	6	1	20	1	8	20	6
Toddlers							
18 months	8	8	20	2	12	12	8
27 months	8	2	22	1	12, 14	8 states each	8
Preschool-age children							
3 years	14	2	30	2	20	18	14
4 years	20	18	36	1	20	18	16
School-age children							
5 years	20	9	40	2	30	11	16
10 years	20	2	50	1	30	15	24

N=40 states, excluding AL, AZ, FL, IA, ID, LA, MT, NM, NV, SC, VA

*Recommended group sizes for centers are from *Caring for Our Children: National Health and Safety Performance Standards: Guidelines for Out-of-home Child Care Programs, 2nd Edition*, which is available at <http://nrckids.org/CFOC/index.html>.

C. Mixed-age Groups

All but four states (ID, MT, NE, NV) allow child care centers to have mixed-age groups of children. All of these states have requirements about child-staff ratios for mixed-age groups, and 25 states (AK, CO, CT, DE, IL, IN, KS, KY, MA, MD, ME, MN, ND, NY, OK, PA, RI, TN, TX, UT, VT, WA, WI, WV, WY) have requirements about group size for mixed-age groups. State-by-state data about these requirements are available in *Table 29: Center Child-staff Ratio and Group Size Requirements for Mixed-age Groups in 2008* in the 50-state Data Tables.

Terminology

Mixed-age groups: Groups of children who are different ages (e.g., toddlers and preschool-age children) together in the same classroom for at least part of the day.

D. Additional Requirements About Grouping Children

Twenty states (DE, GA, IL, IN, MA, MD, ME, MS, NC, OH, OK, OR, PA, TN, TX, UT, VT, WI, WV, WY) have definitions for “group” in their child care center regulations. Fourteen states (AK, CT, KY, ME, NJ, OH, OK, PA, TN, TX, UT, WA, WI, WV) require that each group of children has a designated space within the center—either a separate room or delineated space in a large room.

Some states, under certain conditions, allow child care centers to exceed grouping requirements:

- One state (NH) allows centers to exceed their licensed capacity;
- Thirteen states (AK, CA, IA, IL, KY, MA, MS, OH, RI, TX, UT, VA, WY) allow centers to exceed required child-staff ratios; and
- Nineteen states (AK, AR, DE, GA, IL, KY, MD, MN, MS, OH, OR, RI, TN, TX, UT, WA, WI, WV, WY) allow centers to exceed group size requirements.

The conditions in which states allow centers to exceed grouping limitations legally vary widely. For example, in IA, for a period of 2 hours or less at the beginning or end of the day, one staff person may care for six or fewer children (i.e., exceed the child-staff ratio) provided no more than two of the children are younger than 2 years of age. Also, in AK, maximum group size limitations do not apply during naptimes, lunch times, outdoor play periods, field trips, or during special occasions, including holiday parties and visits from special guests.

3.8 Supervision of Children

A. General Supervision Requirements

As shown in Table 3.22, all but five states (HI, ID, LA, NV, SD) have requirements in their child care center regulations for staff while they are supervising children. Among those states, some specify that staff must be able to see and/or hear children at all times or must be free of other duties while supervising children. A few states require that staff are alert and awake at all times.

Supervision Requirement	Number of States	State
State has requirements for staff supervising children	46	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, IA, IL, IN, KS, KY, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NY, OH, OK, OR, PA, RI, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY
Staff must be able to see children at all times	16	AK, AL, AZ, KY, MT, NH, OH, OK, OR, TX, UT, VA, VT, WA, WV, WY
Staff must be able to hear children at all times	13	AK, AZ, KY, MT, NH, OH, OK, OR, TX, UT, VA, WA, WY
Staff must be free of other duties	12	AL, AZ, CA, IN, KY, NC, ND, NM, OH, TX, WA, WI
Staff must be alert/awake	7	AL, DE, GA, ME, NC, OH, WV

N=46 states, excluding HI, ID, LA, NV, SD

*Some states have multiple types of requirements regarding supervision, some of which are not included in this table.

In addition to the requirements summarized in Table 3.22, states have the following requirements related to the supervision of children:

- Seventeen states (CA, DC, DE, LA, MD, ME, NC, NV, OH, OR, SC, SD, TN, TX, VT, WA, WV) have requirements related to the supervision of children during emergencies;
- Six states (AL, CA, NY, OK, RI, VA) have requirements related to supervision and the use of staff substitutes; and
- Four states (CO, IA, NH, NJ) allow centers to use video surveillance cameras or electronic monitors in lieu of direct supervision.

B. Supervision During Specific Times/Activities

All 50 states with child care center licensing regulations have requirements about the supervision of children during specific times, such as naptime or care during evening/overnight hours, or during certain activities, such as outdoor play, when children are in vehicles, and field trips. Table 3.23 presents an overview of the number of states that have requirements about the supervision of children during these various time periods and activities.

Table 30: *Supervision Requirements for Times/Activities for Centers in 2008* in the 50-state Data Tables provides state-by-state information about the data presented in Table 3.23. The next sections provide further details about states' supervision requirements.

Table 3.23: States With Supervision Requirements for Specific Times/Activities*		
Time/Activity	Number of States	State
State has supervision requirements for specific time/activity	50	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY
Transportation in vehicles	48	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY
Field trips	44	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IN, KS, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, NH, NJ, NM, NY, OH, OK, OR, PA, RI, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY
Naptime	40	AK, AL, AR, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, IN, LA, ME, MI, MN, MO, NC, NE, NH, NJ, NM, NV, OH, OK, OR, PA, RI, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY
Swimming/water activities	40	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, IL, IN, KS, MD, ME, MI, MO, MS, MT, NC, NE, NH, NJ, NM, NY, OH, OK, OR, PA, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY
Evening/overnight care	34	AK, AL, AR, AZ, CO, CT, DC, DE, FL, GA, HI, IA, IL, IN, KY, LA, MN, MO, MT, ND, NM, NV, OH, OK, OR, PA, SC, SD, TN, TX, WA, WI, WV, WY
Outdoor play	30	AK, AR, CT, FL, GA, IA, IN, KS, KY, LA, MD, ME, MI, MN, MT, NC, NJ, NY, OH, OK, OR, PA, RI, SC, TN, TX, VA, VT, WA, WI
Large group activities	17	AK, AR, GA, MD, MN, MS, NJ, OH, OK, OR, RI, TN, TX, UT, WA, WV, WY

N=50 states, excluding ID

*Some states have supervision requirements for multiple times/activities.

Naptime

Of the states that license centers, 40 have requirements in their center regulations for the supervision of children during naptimes. Table 3.24 provides an overview of the states that have specific types of requirements for staff supervising napping children.

Table 3.24: States With Requirements About Supervision During Naptime*		
Supervision Requirement	Number of States	State
State has requirements about the supervision of children during naptime	40	AK, AL, AR, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, IN, LA, ME, MI, MN, MO, NC, NE, NH, NJ, NM, NV, OH, OK, OR, PA, RI, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY
Specific child-staff ratio requirements	29	AL, AR, CA, CT, DC, DE, GA, HI, IA, IL, IN, LA, NC, NE, NJ, OH, OK, OR, PA, RI, SC, TN, TX, UT, VA, WA, WI, WV, WY
Staff must be present in room where children are napping	18	AK, AL, AR, DE, GA, IA, IN, MO, NC, NE, NJ, OH, OK, OR, TN, TX, VT, WV
Staff must be able to see children	15	AK, AL, AR, FL, LA, MO, NC, NV, OK, VA, VT, WA, WI, WV, WY
Requirements delineated by the age of the child (total):	18	AK, AR, CO, FL, IA, IN, MI, MO, NC, OK, PA, TN, TX, UT, VA, VT, WI, WV
<ul style="list-style-type: none"> State has requirements about the supervision of infants and toddlers during naptime 	14	AK, AR, CO, FL, IA, IN, MI, MO, OK, PA, TN, VA, VT, WV
<ul style="list-style-type: none"> State has requirements about the supervision of preschool-age children during naptime 	8	IN, MO, NC, OK, PA, UT, WI, WV
<ul style="list-style-type: none"> State has requirements about the supervision of school-age children during naptime 	4	MO, TX, UT, WI
Staff must be able to hear children	11	AK, CO, FL, MO, NH, NV, OK, VA, WA, WI, WV
Specific group size requirements	10	AK, MN, NJ, OH, OR, TN, TX, WI, WV, WY
Centers must have written supervision plans	2	CT, UT
Staff supervising during naptime must be free of other duties	1	LA

N=40 states, excluding AZ, ID, KS, KY, MA, MD, MS, MT, ND, NY, SD

*Some states have multiple types of requirements about supervision during naptime.

Evening/Overnight Care

Thirty-five states have requirements in their center regulations for the supervision of children during evening/overnight care. Table 3.25 provides an overview of the number of states that have specific types of requirements for staff supervising children during evening hours. See “3.9 Care of Children” for additional requirements about evening/overnight care.

Table 3.25: States With Requirements About Supervision During Evening/Overnight Care*		
Supervision Requirement	Number of States	State
State has requirements about the supervision of children during evening/overnight care	35	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, IN, KY, LA, MN, MO, MT, ND, NM, NV, OH, OK, OR, PA, SC, SD, TN, TX, WA, WI, WV, WY
Specific child-staff ratio requirements	16	AL, CO, GA, IL, IN, MN, OK, OR, PA, SC, SD, TN, TX, WA, WV, WY
Specific group size requirements	9	IL, IN, OH, OK, SD, TN, WI, WV, WY
Staff must be able to see sleeping children	7	AL, AR, FL, OR, WA, WV, WY
Staff must be able to hear sleeping children	7	CA, FL, MO, ND, OR, WA, WV
Staff must be present in room where children are sleeping	5	AL, IA, IL, SC, TN
Staff supervising sleeping children must be free of other duties	1	DE
Centers must have written supervision plans	1	CT

N=35 states, excluding ID, KS, MA, MD, ME, MI, MS, NC, NE, NH, NJ, NY, RI, UT, VA, VT

*Some states have multiple types of requirements about supervision during evening/overnight care.

Outdoor Play

Thirty states have requirements in their center regulations for the supervision of children during outdoor play. Table 3.26 provides an overview of the number of states that have specific types of requirements for staff supervising children playing outdoors.

Supervision Requirement	Number of States	State
State has requirements about the supervision of children during outdoor play	30	AK, AR, CT, FL, GA, IA, IN, KS, KY, LA, MD, ME, MI, MN, MT, NC, NJ, NY, OH, OK, OR, PA, RI, SC, TN, TX, VA, VT, WA, WI
Specific group size requirements	11	AK, GA, MD, MN, NJ, OH, OK, OR, TX, WA, WI
Specific child-staff ratio requirements	9	AR, GA, IA, MI, OR, TN, VA, WA, WI
Staff must be able to see children	8	IN, KY, ME, MT, NC, TN, VT, WA
Staff must be present with children	4	FL, LA, PA, WA
Centers must have written supervision plans	3	AK, CT, TN
Staff must be able to hear children	2	NC, WA

N=30 states, excluding AL, AZ, CA, CO, DC, DE, HI, ID, IL, MA, MO, MS, ND, NE, NH, NM, NV, SD, UT, WV, WY

*Some states have multiple types of requirements about supervision during outdoor play.

Large Group Activities

As shown in Table 3.27, 17 states have requirements about the supervision of children during large group activities. The only types of requirements these states have are specified child-staff ratios and group sizes.

Supervision Requirement	Number of States	State
State has requirements about the supervision of children during large group activities	17	AK, AR, GA, MD, MN, MS, NJ, OH, OK, OR, RI, TN, TX, UT, WA, WV, WY
Specific group size requirements	15	AK, AR, GA, MD, MN, MS, NJ, OH, OK, OR, RI, TX, WA, WV, WY
Specific child-staff ratio requirements	8	GA, MS, OR, RI, TN, TX, WA, WV

N=17 states, excluding AL, AZ, CA, CO, CT, DC, DE, FL, HI, IA, ID, IL, IN, KS, KY, LA, MA, ME, MI, MO, MT, NC, ND, NE, NH, NM, NV, NY, PA, SC, SD, VA, VT, WI

*Some states have multiple types of requirements about supervision during large group activities.

Swimming/Water Activities

As shown in Table 3.28, 40 states have requirements about the supervision of children during swimming or water activities. More than half of those states require centers to obtain written permission from parents to take children swimming.

Table 3.28: States With Requirements About Supervision During Swimming/Water Activities*		
Supervision Requirement	Number of States	State
State has requirements about the supervision of children when swimming or participating in water activities	40	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, IL, IN, KS, MD, ME, MI, MO, MS, MT, NC, NE, NH, NJ, NM, NY, OH, OK, OR, PA, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY
Specific child-staff ratio requirements	33	AL, AR, AZ, CA, CO, DC, FL, GA, IL, IN, KS, MD, ME, MI, MS, MT, NC, NE, NH, NM, OH, OK, OR, PA, SC, TN, TX, UT, VA, VT, WI, WV, WY
Written permission from parents required	21	AK, AL, AR, AZ, DC, GA, IL, IN, MD, MI, NH, NM, OH, OK, OR, PA, SC, VA, VT, WV, WY
Staff must be present with children	13	AL, CO, CT, IN, MD, ME, MO, NC, NM, OK, UT, WV, WY
Specific group size requirements	3	KS, NH, WI
Staff must be able to see children	3	ME, OH, TX
Centers must have written supervision plans	2	GA, VT
Staff must be able to hear children	1	ME

N=40 states, excluding HI, IA, ID, KY, LA, MA, MN, ND, NV, RI, SD

*Some states have multiple types of requirements about supervision during swimming/water activities.

Transporting Children in Vehicles

All but three states (ID, RI, SD) have requirements about the supervision of children while traveling in vehicles. As shown in Table 3.29, most states have child-staff ratio requirements about transportation and specify that children must not be left unattended in vehicles. Approximately half of the states require that children are supervised when boarding and exiting vehicles, centers obtain written permission from parents, and staff or drivers ensure that children are received by parents or designated people. See “3.10 Facility Requirements” for additional transportation requirements.

Table 3.29: States With Requirements About Supervision of Children Traveling in Vehicles*		
Supervision Requirement	Number of States	State
State has requirements about the supervision of children when transported in vehicles	48	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY
Specific child-staff ratio requirements about transporting children in vehicles	38	AL, AR, AZ, FL, GA, HI, IA, IL, IN, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NJ, NM, NV, NY, OH, OK, OR, PA, SC, TN, TX, VA, VT, WA, WI, WV, WY
<ul style="list-style-type: none"> • Driver is counted in child-staff ratio 	21	AR, AZ, FL, GA, IA, IL, KY, LA, MD, MI, MN, MT, ND, NM, OH, OK, OR, TN, TX, VT, WI
Children must not be left unattended in vehicles	35	AL, CA, CO, DC, DE, GA, IL, IN, KS, KY, LA, ME, MI, MO, MT, NC, ND, NH, NJ, NV, NY, OH, OK, OR, PA, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY
Written permission from parents required for transporting children	25	AK, AL, CO, CT, DC, DE, IL, IN, MI, MO, MT, NE, NY, OH, OK, OR, PA, SC, TX, UT, VA, VT, WA, WI, WY
Staff must supervise children when they board and exit vehicles	23	AL, AR, AZ, CO, DE, FL, GA, IL, IN, LA, MI, MO, MS, MT, NC, NM, NV, OH, OK, PA, SC, TN, TX
Staff or drivers must ensure that children are received by parents or other designated people	20	AK, AL, GA, IL, KS, KY, LA, MA, MI, MO, MT, NC, NJ, NV, OK, OR, SC, TN, TX, WI
Emergency contact information for children must be taken on vehicles	17	AZ, DC, DE, GA, IA, IN, KS, LA, MA, MO, NC, OK, TX, UT, VA, WA, WI
Attendance records of children being transported must be kept	15	AL, AR, FL, GA, KY, LA, MI, NJ, OH, OK, SC, TN, TX, VA, WV
Additional checks for children remaining on board must be conducted once vehicles are unloaded	4	AL, AR, FL, TN

Supervision Requirement	Number of States	State
Specific group size requirements about transporting children in vehicles	1	PA
Centers must have written supervision plans	1	OH

N=48 states, excluding ID, RI, SD

*Some states have multiple types of requirements about supervision of children traveling in vehicles.

Field Trips

Forty-four states have requirements in their center regulations for the supervision of children during field trips. Table 3.30 provides an overview of the number of states that have specific types of requirements for staff supervising children during field trips. Most states require centers to obtain written permission from parents.

Supervision Requirement	Number of States	State
State has requirements about the supervision of children during field trips	44	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IN, KS, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, NH, NJ, NM, NY, OH, OK, OR, PA, RI, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY
Written permission from parents required	36	AR, AZ, CO, DC, FL, GA, IA, IN, KS, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, NH, NJ, NM, NY, OH, OR, RI, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY
Specific child-staff ratio requirements	23	AZ, CO, DE, FL, GA, HI, IA, MD, MI, MN, MS, NH, NJ, OH, OR, PA, TN, TX, UT, VA, WA, WI, WV
Emergency contact information for children must be taken on field trips	13	AZ, CO, DC, DE, GA, IA, IN, MA, MN, NH, TX, UT, WV
Attendance records of children on field trips must be kept	12	AL, AR, AZ, CO, DE, GA, IN, NH, OH, TX, VA, WV
Specific group size requirements	12	AK, CA, CT, MD, MN, NH, OH, OK, OR, TX, WI, WV

Supervision Requirement	Number of States	State
Children are required to wear name tags or other identification	7	AZ, DC, DE, GA, OH, TX, UT
Additional staff/adults (e.g., volunteers, parents, and/or drivers) must attend field trips under certain conditions	5	FL, GA, IA, OH, TX
Centers must have written supervision plans	4	AK, CO, OH, OR

N=44 states, excluding ID, IL, KY, ND, NE, NV, SD

*Some states have multiple types of requirements about supervision during field trips.

3.9 Care of Children

A. Health Requirements

Physical Exams

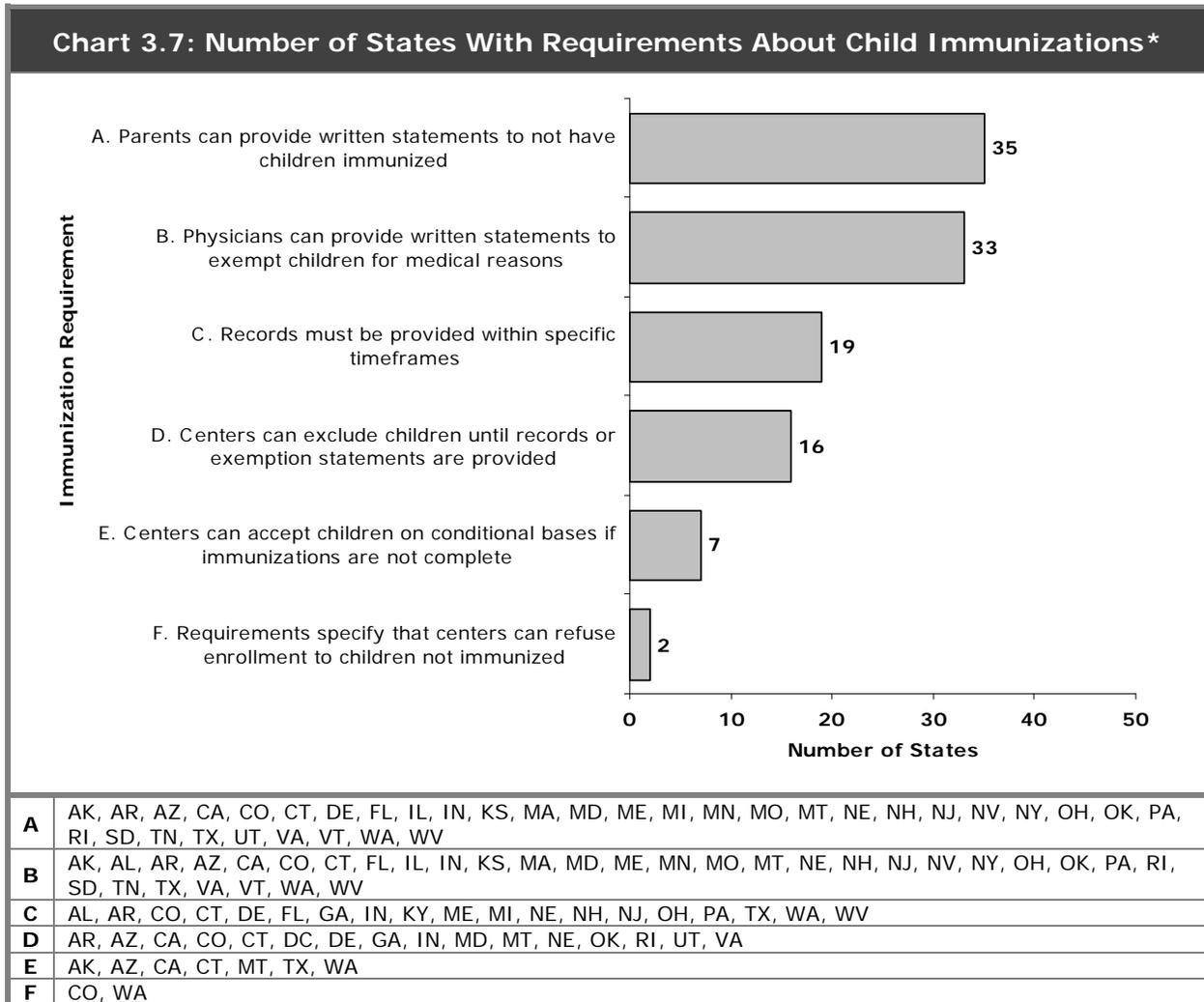
More than half the states require that children have physical exams prior to enrolling in child care centers, as shown in Table 3.31. Also, half of states require centers to keep records of children's physicals.

Requirement	Number of States	State
Children required to have physical exams to enroll in centers	30	CA, CO, CT, DC, DE, FL, HI, IA, IL, IN, KS, MA, MD, MI, MN, MO, ND, NH, NJ, NV, NY, OH, PA, RI, SC, TX, UT, VA, WI, WV
Centers required to keep records of children's physical exams	26	CA, CO, CT, DC, DE, FL, HI, IA, IL, IN, KS, MA, MD, MI, MN, ND, NH, NJ, OH, PA, SC, TX, UT, VA, WI, WV
Health records must be provided to centers within specific timeframes	19	CA, CO, CT, DE, FL, IA, IN, MA, MI, MN, MO, NH, NJ, OH, PA, TX, VA, WI, WV

N=30 states, excluding AK, AL, AR, AZ, GA, ID, KY, LA, ME, MS, MT, NC, NE, NM, OK, OR, SD, TN, VT, WA, WY

Immunization Requirements

All states, except ID, require children to be immunized prior to enrollment in centers. As shown in Chart 3.7, most states allow exemptions from immunization requirements if written statements are provided from either physicians stating that children are exempt from immunizations for medical reasons or parents stating that they do not wish their children to be immunized.



N=50 states, excluding ID

*Some states have multiple requirements about immunizations.

Additional Health Requirements

Six states (DC, IL, MA, MD, NY, RI) require children to have lead-level blood screenings prior to enrolling in child care centers. Also, 42 states (AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, IN, KS, KY, MA, MD, ME, MN, MO, MS, MT, NC, ND, NH, NM, NY, OK, OR, PA, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY) require centers to keep emergency contact information in children's records.

B. Nutrition

All states that license child care centers have requirements about nutrition for children. As shown in Table 3.32, nearly all states also have requirements about feeding infants, most specify a number of or time interval between meals/snacks served to children, and most require centers to post a menu. Only a few states require that centers provide all food served to children. Most states allow parents to provide food for meals or snacks.

Requirement	Number of States	State
State has requirements about nutrition and meals/snacks for children	50	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY
Requirements about the nutritional content of meals/snacks served to children	50	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY
Requirements about feeding infants	48	AK, AL, AR, AZ, CA, CO, CT, DC, DE, GA, HI, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY
Requirements include a number of or time interval between meals/snacks served to children	46	AL, AR, AZ, CA, CO, CT, DC, DE, GA, HI, IA, IL, IN, KS, KY, LA, MA, MD, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY
Centers required to post menus of meals/snacks served to children	40	AK, AL, AZ, CA, CO, CT, DC, DE, FL, GA, IL, IN, KS, KY, LA, MA, MD, MI, MS, MT, NC, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY
Parents/guardians allowed to provide food for their own children	35	AK, AL, AZ, CO, CT, DE, HI, IA, KY, LA, MA, MD, ME, MN, MS, MT, NC, ND, NH, NJ, NV, OH, OK, OR, PA, RI, SC, SD, TX, UT, VA, VT, WA, WI, WY
Centers required to provide supplemental food (to what parents provide) to meet nutritional content requirements	11	CO, DE, KY, NC, ND, NY, OH, OK, OR, RI, VA

Requirement	Number of States	State
Centers required to provide all meals/snacks to children	6	AL, IL, IN, MI, MO, WV
Parents/guardians allowed to bring food for all children for special occasions	4	IA, IL, MS, WA

N=50 states, excluding ID

*Some states have multiple types of nutrition requirements.

C. Behavior Guidance and Discipline

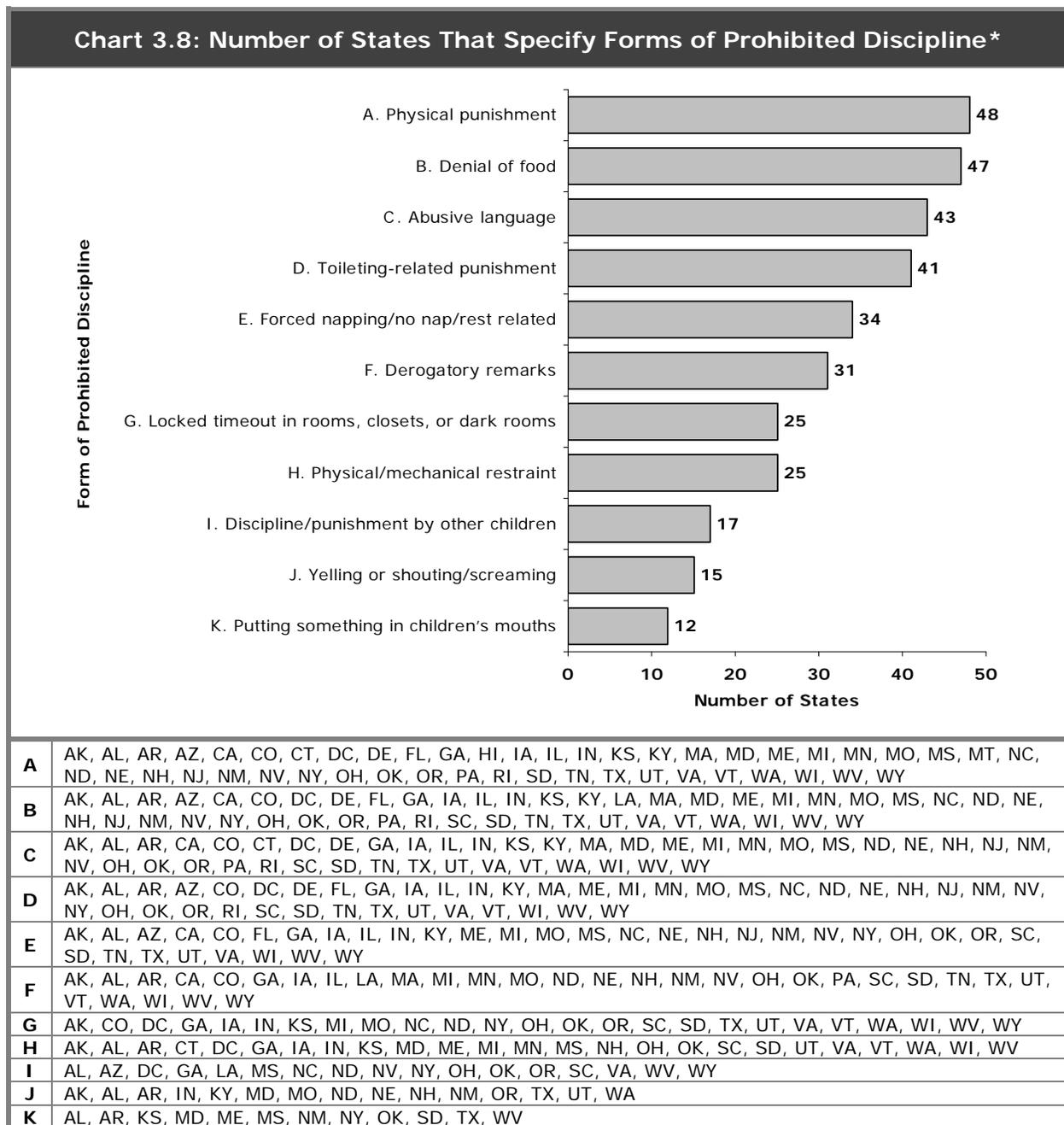
All states that license centers have requirements in their child care center licensing regulations related to behavior guidance and/or discipline. As seen in Table 3.33, most states' regulations specify types of behavior guidance and/or discipline that centers are allowed to use. Of those states, more than half allow children to be separated from groups if they are supervised. Two states allow corporal punishment by specifically listing it as a form of acceptable discipline.

Form of Discipline	Number of States	State
State has requirements about behavior guidance and/or discipline	50	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY
Regulations specify types of discipline that are allowed for use with children	42	AK, AR, AZ, CO, CT, DC, DE, HI, IA, IL, IN, LA, MA, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY
• Supervised separation from groups	24	AR, AZ, CO, DE, IL, LA, MN, MO, MS, ND, NE, NH, NJ, NM, NV, OH, OK, SC, TX, UT, VA, WI, WV, WY
• Corporal punishment	2	LA, SC

N=50 states, excluding ID

*Some states have multiple requirements about the types of allowed discipline.

In their regulations, all states, except ID, specify forms of behavior guidance and/or discipline that are **not** allowed. Chart 3.8 shows the different types of discipline prohibited in states.



N=50 states, excluding ID

*Some states specify multiple forms of prohibited discipline.

D. Activities and Equipment/Materials

Almost all states have requirements in their regulations that address the daily activities centers must provide for children. These requirements help facilities establish learning environments by specifying that activities must meet children’s developmental needs. State regulations also often include lists of required equipment and materials needed for children. *Table 31: Requirements About Activities and Equipment and Materials in Centers for Children in 2008* in the 50-state Data Tables provides state-by-state data about these requirements.

Schedule of Activities

Of the 50 states that license child care centers, 39 (AK, AL, AR, AZ, CO, CT, DE, FL, GA, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MO, MT, NC, ND, NE, NH, NM, OH, OK, OR, PA, RI, SC, SD, TX, UT, VA, WA, WI, WV) require centers to have written daily schedules of activities. Of those, 25 states (AL, AZ, FL, GA, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, NC, NE, NM, OH, OR, PA, TX, UT, VA, WA, WV) require centers to post daily schedules in facilities.

Fast Facts

- Almost all states specify the types of activities that centers must include for children in daily schedules.
- Most states specify that the developmental needs of children must be addressed in the activities provided.

Types of Required Activities

Table 3.34 summarizes the types of activities child care centers are required to have in daily schedules for children.

Type of Activity	Number of States	State
State has requirements about activities for children	49	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV
Outdoor play	46	AK, AL, AR, AZ, CO, CT, DC, DE, FL, GA, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV
Active play	39	AK, AR, AZ, CA, CT, DC, DE, FL, GA, HI, IA, IL, IN, KS, KY, LA, MD, MI, MN, MO, MS, MT, NC, ND, NE, NJ, NV, OH, OK, OR, RI, SC, SD, TN, TX, VA, WA, WI, WV

Table 3.34: States With Requirements About Activities, con.*		
Type of Activity	Number of States	State
Quiet play	39	AK, AL, AR, AZ, CA, CT, DC, DE, FL, GA, HI, IA, IL, IN, KS, KY, LA, MA, MD, MI, MN, MO, MS, MT, NC, ND, NE, NJ, OH, OR, RI, SC, SD, TN, TX, VA, WA, WI, WV
Nap or rest period	37	AK, AL, AR, AZ, CA, CT, DC, DE, FL, GA, IA, IL, IN, KS, LA, MA, MD, ME, MI, MO, MS, NC, NE, NH, NM, NV, NY, OK, OR, RI, TN, TX, UT, VA, WA, WI, WV
Group activities	34	AK, AL, AZ, CT, DE, GA, IA, IL, IN, KS, KY, MA, MD, MI, MO, MT, NC, ND, NE, NH, NJ, NM, NY, OK, OR, RI, SC, SD, TX, VA, VT, WA, WI, WV
Individual activities	33	AK, CT, DE, GA, IA, IL, IN, KS, KY, LA, MA, MD, MI, MO, MT, NC, ND, NE, NH, NJ, NM, OH, OK, OR, RI, SC, SD, TX, VA, VT, WA, WI, WV
Indoor play	32	AK, AL, AZ, CT, DE, FL, GA, IA, IL, IN, KY, LA, MA, ME, MN, MO, NC, ND, NH, NM, NY, OH, OK, OR, RI, SC, SD, TX, VT, WA, WI, WV
Regular meal/snack times	28	AK, AL, AZ, CA, CT, DC, FL, GA, IL, IN, KS, LA, MA, ME, MO, MS, NE, NH, NM, NY, OK, OR, TN, TX, UT, VA, WI, WV
Child-initiated activities	22	AZ, CT, DC, GA, HI, IA, IL, MD, MI, MN, NC, ND, NJ, NY, OH, RI, TN, TX, VA, VT, WA, WV
Gross motor activities	20	AK, AZ, GA, IA, IL, IN, KY, MA, MI, MN, NV, OH, OK, OR, RI, TX, VA, VT, WA, WV
Staff-initiated activities	20	AZ, CT, DC, GA, IA, IL, IN, MD, MI, MN, NC, NJ, NY, RI, TN, TX, VA, VT, WA, WV
Free play	19	AL, DE, GA, HI, IL, KY, MA, MO, MT, NC, ND, NH, NJ, OR, PA, TN, VA, WA, WV
Fine motor activities	17	AZ, GA, IA, IL, IN, KY, MA, MI, MN, OK, OR, RI, TX, VA, VT, WA, WV
Toileting and washing/handwashing	16	AK, AL, CA, CT, GA, IL, KS, MA, MO, NE, NH, NV, OR, UT, WI, WV
Small group activities	15	AL, AZ, CT, GA, IL, IN, MA, MI, MO, NC, ND, NY, OK, RI, VT
Creative expression	14	AK, CT, GA, IA, IN, MA, MN, NH, OH, OR, VA, VT, WA, WI
Large group activities	12	AK, AZ, GA, IL, IN, MA, MI, NC, NY, OK, RI, VT

N=49 states, excluding ID and WY

*Some states require multiple types of activities for children.

Child Developmental Domains Addressed in Activities

Table 3.35 shows that most of the states that require centers to address the developmental needs of children during activities require centers to address social, physical, cognitive/intellectual, emotional, and language/literacy development. Fewer, but nearly half, of these states require centers to address cultural development. State-by-state data are available in *Table 32: Developmental Domains Addressed in Required Activities for Centers in 2008* in the 50-state Data Tables.

Table 3.35: States That Address Developmental Domains in Required Activities*		
Developmental Domain	Number of States	State
State requirements address child development in activities	42	AK, AL, AR, AZ, CT, DC, DE, FL, GA, HI, IA, IL, IN, KS, KY, MA, MD, MI, MN, MS, MT, NC, ND, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TX, UT, VA, VT, WA, WI, WV
Social development	33	AK, AZ, DC, DE, FL, HI, IA, IL, IN, KS, KY, MA, MD, MI, MN, MT, NC, ND, NJ, NM, NV, NY, OK, PA, RI, SD, TX, UT, VA, VT, WA, WI, WV
Physical development	33	AK, AZ, CT, DC, DE, GA, HI, IL, IN, KS, KY, MD, MI, MN, MT, NC, ND, NJ, NV, NY, OK, OR, PA, RI, SC, SD, TX, UT, VA, VT, WA, WI, WV
Cognitive/intellectual development	32	AK, AZ, CT, DC, DE, FL, HI, IA, IL, IN, KS, KY, MD, MI, MN, MT, NC, ND, NJ, NV, NY, OK, OR, PA, RI, SD, TX, UT, VT, WA, WI, WV
Emotional development	32	AK, AR, AZ, CT, DC, DE, FL, HI, IA, IL, IN, KS, KY, MD, MI, MN, MT, NC, ND, NJ, NM, NV, NY, OK, PA, RI, SD, TX, UT, VT, WA, WI
Language/literacy development	31	AK, AZ, CT, DC, DE, GA, HI, IA, IL, IN, KS, MD, MI, MS, MT, ND, NH, NJ, NV, NY, OH, PA, RI, SC, SD, TX, VA, VT, WA, WI, WV
Cultural development	19	AZ, CT, DC, HI, IA, IL, IN, KY, MA, MN, ND, NJ, NV, NY, PA, RI, VT, WA, WV

N=42 states, excluding CA, CO, ID, LA, ME, MO, NE, TN, WY

*Some states address multiple developmental domains in their requirements.

As shown in Table 3.36, some state regulations also include lists of specific activities centers should provide to meet each of the developmental needs.

Table 3.36: States That List Specific Activities Centers Must Provide to Address Developmental Domains*		
Developmental Domain	Number of States	State
State requirements address child development in activities	42	AK, AL, AR, AZ, CT, DC, DE, FL, GA, HI, IA, IL, IN, KS, KY, MA, MD, MI, MN, MS, MT, NC, ND, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TX, UT, VA, VT, WA, WI, WV
State lists specific activities to address developmental domains	16	AK, CT, GA, HI, IA, IN, MA, MI, MS, MT, ND, TX, VA, VT, WA, WV
Language/literacy development	12	AK, CT, GA, IN, MI, MS, MT, TX, VA, VT, WA, WV
Physical development	7	AK, CT, GA, HI, TX, VT, WV
Cognitive/intellectual development	7	AK, CT, HI, TX, VT, WA, WV
Cultural development	6	HI, IA, MA, ND, VT, WV
Social development	5	HI, MA, TX, VT, WV
Emotional development	4	CT, HI, TX, VT

N=42 states, excluding CA, CO, ID, LA, ME, MO, NE, TN, WY

*Some states list multiple specific activities to address developmental domains.

Equipment and Materials

Table 3.37 shows the types of equipment and materials child care centers are required to have for children.

Table 3.37: States With Requirements About Equipment and Materials*		
Equipment/Material Type	Number of States	State
State has requirements about the types of equipment/materials centers must have for children	38	AK, AL, AR, AZ, CO, CT, DC, GA, HI, IL, IN, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, NJ, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, VA, VT, WA, WI, WV
Gross motor equipment (indoor and/or outdoor)	31	AL, AZ, CO, DC, GA, HI, IL, IN, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, NJ, NV, NY, OH, OR, PA, RI, SD, TN, TX, VT, WI, WV
Fine motor/manipulatives	30	AK, AL, AZ, CO, GA, HI, IL, IN, MA, MD, ME, MI, MN, MO, MS, MT, NJ, OH, OK, OR, PA, RI, SC, SD, TN, TX, VA, VT, WI, WV
Books and other literacy materials	29	AK, AL, AR, AZ, CO, CT, DC, IL, IN, LA, MA, ME, MN, MO, MS, MT, NJ, OH, OK, OR, RI, SC, SD, TN, TX, VA, VT, WA, WV
Art supplies/creative activities	29	AL, AZ, CO, GA, IL, IN, LA, MA, MD, ME, MI, MN, MO, MS, MT, NJ, OH, OK, OR, PA, RI, SC, SD, TN, TX, VA, VT, WI, WV
Dramatic play/pretend materials	28	AL, AZ, CO, GA, IL, IN, LA, MA, MD, ME, MI, MN, MO, MS, MT, NJ, OH, OK, OR, PA, RI, SD, TN, TX, VA, VT, WI, WV
Music materials	23	AL, AZ, CO, IL, IN, LA, MA, MD, ME, MI, MN, MO, MS, NC, NJ, OH, RI, SC, TN, TX, VA, VT, WV
Science/experimental/math (counting/sorting) materials	20	AL, AZ, CO, IL, IN, MA, MD, ME, MN, MO, NC, NJ, OH, OK, OR, RI, TN, VT, WI, WV
Sensory materials	18	IN, LA, MA, ME, MI, MN, MO, MS, MT, NC, NJ, OH, OR, TN, TX, VA, VT, WV

Equipment/Material Type	Number of States	State
Blocks/construction materials	18	AL, IN, MA, MD, ME, MN, MO, MS, OH, OR, RI, SC, TN, TX, VA, VT, WI, WV
Technology/computers	1	WV

N=38 states, excluding CA, DE, FL, IA, ID, KS, KY, ND, NE, NH, NM, UT, WY

*Some states require multiple types of equipment and materials.

In addition to the equipment and material requirements included in Table 3.37, the following six states have requirements regarding the number and/or type of books that centers must have.

- **AK:** Centers must have a minimum of five developmentally appropriate books per child in care.
- **AL:** Centers must have two books per child.
- **IL:** Centers must have at least 20 books per group of 10 or fewer children. Groups larger than 10 must have 2 books per child. All books need not be displayed at all times; child care staff may rotate books on display.
- **MN:** Centers must have two books per child.
- **MS:** Books must be on shelves and tables for children to look at and read. Every child must have age-appropriate materials (including picture books) read to and discussed with him or her every day. When appropriate, the materials should cover topics with which the children are involved.
- **WV:** Books for children 24–36 months of age must be sturdy with heavy paper or cardboard pages and include tactile features. Books for children 36–72 months of age must be picture books with simple stories and rhymes or complex pop-up books with age-appropriate stories.

E. Parent Involvement

Twenty-three states (AK, AZ, CT, DC, DE, IL, MA, ME, MI, ND, NJ, NV, OH, OK, PA, RI, TN, TX, VA, VT, WA, WV, WY) have requirements for centers regarding parent involvement. Eleven states (DE, MA, ME, NJ, OH, OK, RI, TX, VA, WV, WY) require centers to provide opportunities for parents to be involved in activities, and eight states (AK, DC, IL, ND, OH, PA, VT, WA) require centers to encourage parent involvement.

Forty-six states (AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, IA, IL, IN, KS, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY) require centers to provide parents with access to facilities at all times, allowing them to visit without giving prior notice.

As shown in Table 3.38, most states have requirements regarding communication between centers and the parents of children in care. These requirements include providing written policies and procedures to parents, keeping logs of children's care, and having regular meetings with parents.

Requirement	Number of States	State
State has requirements about centers' communication with parents	45	AK, AL, AR, AZ, CA, CO, DC, DE, GA, HI, IA, IL, IN, KS, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY
Centers must provide written copies of policies and procedures to parents	40	AK, AL, AZ, CA, CO, DC, DE, GA, HI, IA, IL, IN, LA, MA, MI, MN, MO, MS, MT, NC, ND, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY
Centers must keep logs of children's care and communicate with parents	22	AR, AZ, DE, IA, IL, IN, KS, MA, MD, ME, MN, ND, OK, OR, RI, TN, TX, VA, VT, WA, WI, WV
Centers must hold regularly scheduled meetings with parents	16	CO, DE, HI, IN, MA, MN, ND, NJ, NY, OH, OK, RI, VA, VT, WI, WY
Centers must have resource areas for parents	2	AK, OK

N=45 states, excluding CT, FL, ID, KY, NE, SD

*Some states have multiple types of requirements about communication with parents.

F. Specialized Care of Children

There are requirements for specialized types of care for children within child care center licensing regulations, such as infant and toddler care, school-age care, and evening/overnight care. Table 3.39 shows whether states have requirements in their center regulations for five common types of specialized care. It also shows the types of requirements states have for specialized care. For example, many states have requirements about activities that pertain only to infant and toddler care or school-age care. In addition, many states have specific facility requirements for these different types of care.

Table 3.39: States With Requirements for Types of Specialized Care*					
Requirement	Number of States				
	Infant and Toddler Care	School-age Care	Care of Mildly III Children	Evening/Overnight Care	Drop-in Care
State has requirements about specialized care	49	47	47	42	14
Types of requirements for specialized care					
Supervision of children	43	20	35	34	6
Staff qualifications	17	28	N/A	N/A	N/A
Activities for children	42	43	7	32	8
Materials/equipment	44	28	16	38	N/A
Facility	35	37	12	28	4

N=50 states, excluding ID

*Some states have multiple requirements about specialized care.

N/A=Requirement not applicable to type of care

Table 33: States With Requirements for Specialized Care in Centers in 2008 in the 50-state Data Tables includes state-by-state data about requirements for specialized care.

Additional Requirements for Infant and Toddler Care

Center regulations generally have more requirements for infant and toddler care than the other types of specialized care listed in Table 3.39. Twenty-three states (AK, AL, AZ, HI, IA, IL, IN, MA, MD, MI, MO, MT, NC, NE, NH, NJ, NV, OH, OK, RI, TX, WI, WV) require a consistent primary caregiver be assigned to each child in that age group. *Table 34: Qualifications for Center Staff Working With Infants and Toddlers in 2008* in the 50-state Data Tables includes details about the required preservice qualifications for staff who work with this age group.

Fast Fact

More than half of states require infants to be placed on their backs to sleep.

SIDS Risk Reduction

States differ in their requirements to place infants on their backs to sleep. This sleep position has been proven to reduce the risk of Sudden Infant Death Syndrome (SIDS) in infants.³ Table 3.40 shows state requirements related to the prevention of SIDS.

Table 35: State Requirements About Reducing Risk of SIDS in Centers in 2008 in the 50-state Data Tables has additional information about these requirements.

Table 3.40: States With Requirements About Reducing the Risk of SIDS*		
Requirement	Number of States	State
Infants must be placed on their backs to sleep	30	AK, AL, CO, CT, DC, FL, GA, IA, IL, IN, MD, ME, MI, MS, NC, NJ, NM, NY, OH, OK, OR, PA, TN, TX, UT, VA, VT, WA, WI, WV
Physicians may authorize different sleep positions for infants	25	AK, AL, CT, FL, GA, IA, IL, MD, ME, MI, MS, NC, NJ, NM, NY, OH, OK, PA, TX, UT, VA, VT, WA, WI, WV
Soft bedding/materials must not be used in cribs	22	AK, AL, AZ, CO, CT, DC, GA, IL, MA, MD, ME, MI, NJ, OH, OK, PA, TN, TX, VA, VT, WA, WI
Staff are required to complete training about SIDS prevention	7	AK, DC, NC, OK, TN, UT, WI
Parents may authorize different sleep positions for infants	5	IA, NC, NJ, OH, WA

N=50 states, excluding ID

*Some states have multiple requirements about the prevention of SIDS.

3.10 Facility Requirements

A. Environmental Tests and Health Inspections

Environmental Tests

Thirteen states (CT, DE, IA, MA, ME, MI, MS, NH, NJ, RI, UT, VA, VT) require centers to conduct environmental tests for substances such as lead paint, lead in water, asbestos, and radon.

³ Task Force on Infant Sleep Position and Sudden Infant Death Syndrome, American Academy of Pediatrics. (2000). Changing concepts of Sudden Infant Death Syndrome: Implications for infant sleeping environment and sleep position. *Pediatrics*, 105(3), 650–656.

Note

The information in this study only includes data from child care center licensing regulations and state child care licensing agency responses to a survey. There may be other state laws that require centers to have environmental tests and inspections.

Environmental Health Inspections

The following data about environmental inspections were compiled from state child care licensing agency responses to *The 2008 NARA Child Care Licensing Programs and Policies Survey*.

Of the 50 states that license centers, 40 reported that they require centers to have environmental health inspections. Table 3.41 shows how often centers must have inspections. The most common frequency is once a year. State-by-state data are available in *Table 36: Frequency of Environmental Health Inspections of Centers in 2008* in the 50-state Data Tables.

Requirement	Number of States	State
Environmental health inspections required	40	AK, AL, AR, AZ, CO, CT, DC, FL, IL, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, RI, SC, SD, TN, TX, UT, VA, WV, WY
Once a year	19	AR, AZ, DC, KS, KY, LA, ME, MO, MT, NC, ND, NJ, NV, OR, SD, TN, TX, VA, WY
Once every 2 years	8	CO, CT, MA, MI, NE, NY, OK, SC
Once every 3 years	2	IL, NH
Other frequency*	9	AL, FL, MD, MN, MS, OH, RI, UT, WV
No response	2	AK, NM

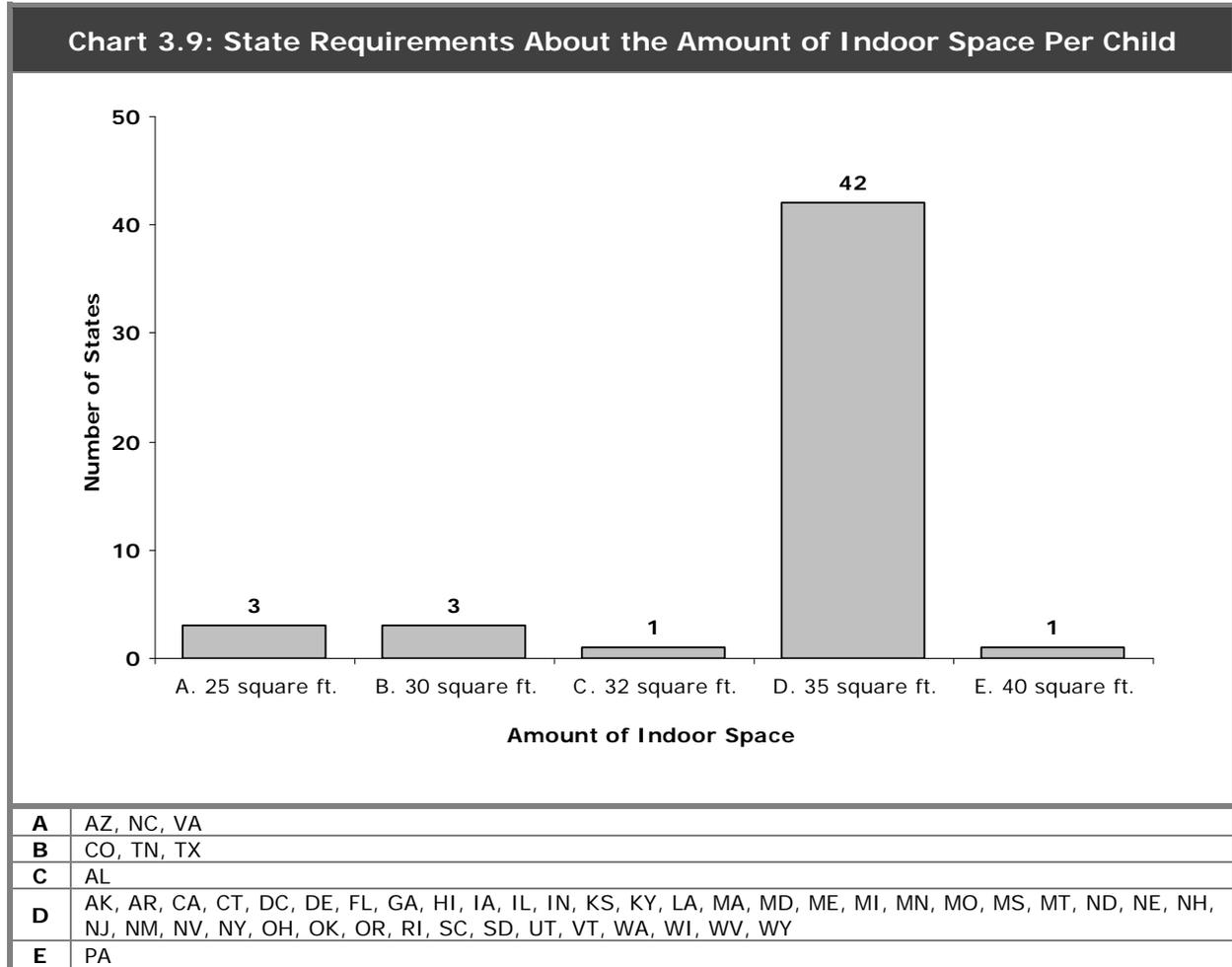
N=40 states, excluding CA, DE, GA, HI, IA, ID, IN, PA, VT, WA, WI

*For details about "Other frequency," see *Table 36: Frequency of Environmental Health Inspections of Centers in 2008* in the 50-state Data Tables.

B. Square Footage

Indoor Space Requirements

All states that license child care centers have requirements about the amount of indoor space that must be provided for each child. As shown in Chart 3.9, most states require child care centers to have 35 square feet of indoor space per child.



N=50 states, excluding ID

In addition, 14 states specify the amount of required indoor space by age of children. Table 3.42 lists the specific space requirements for infants, toddlers, and preschool- and school-age children in these states.

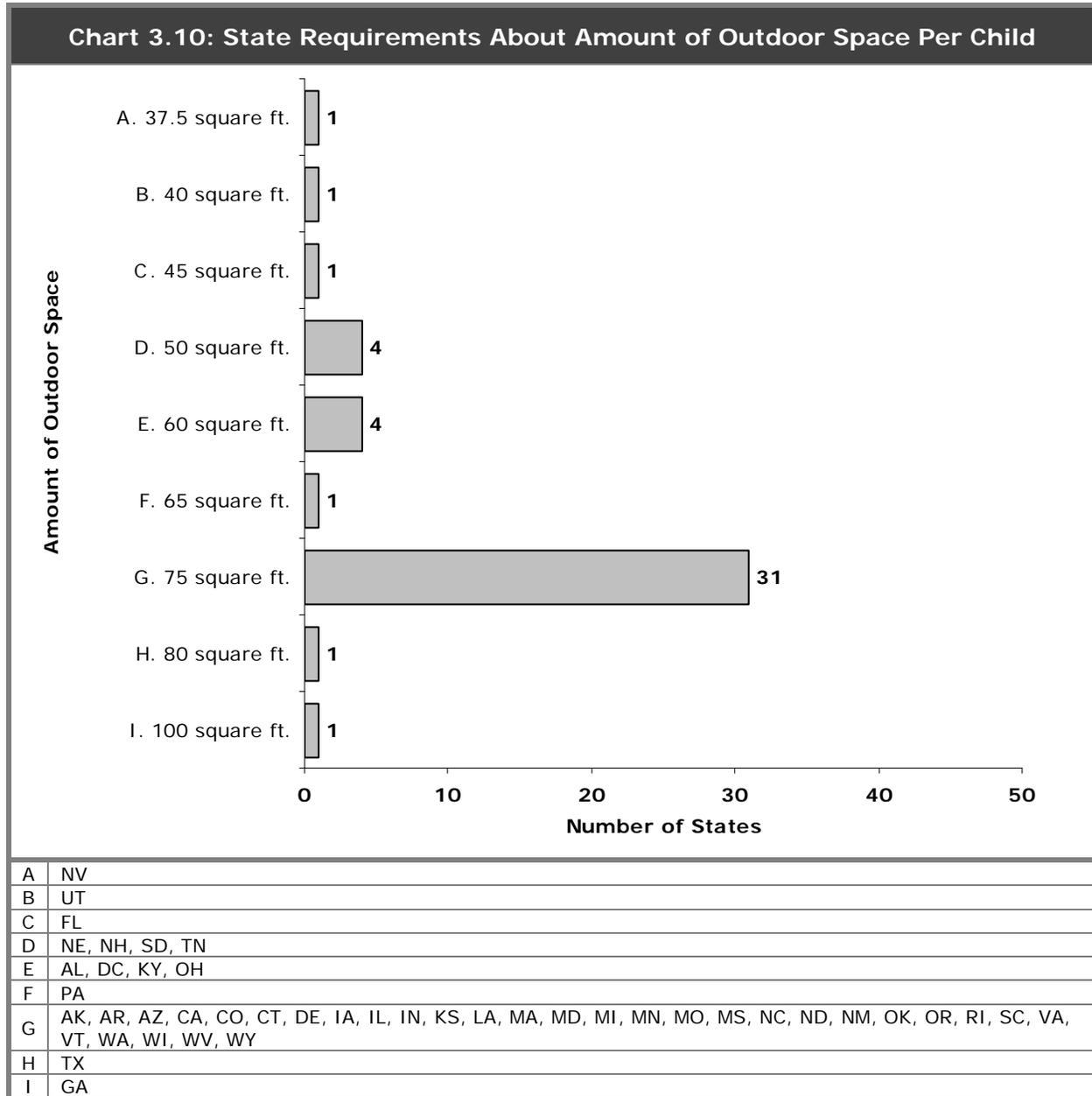
Table 3.42: State Requirements About Amount of Indoor Space Per Child by Age Group				
State	Age of Children			
	Infants	Toddlers	Preschool-age Children	School-age Children
AZ	35 square feet	35 square feet	25 square feet	N/A
CO	50 square feet	45 square feet	30 square feet	30 square feet
IL	55 square feet	55 square feet	35 square feet	N/A
IN	50 square feet	N/A	N/A	N/A
MI	50 square feet	50 square feet	35 square feet	N/A
MO	35 square feet	35 square feet	35 square feet	35 square feet
MS	40 square feet	45 square feet	35 square feet	35 square feet
NY	35 square feet	35 square feet	N/A	N/A
OR	N/A	N/A	N/A	50 square feet
PA	40 square feet	50 square feet	N/A	N/A
RI	45 square feet	45 square feet	35 square feet	N/A
VA	25 square feet	N/A	N/A	N/A
WA	50 square feet	35 square feet	35 square feet	N/A
WY	35 square feet	35 square feet	N/A	N/A

N=14 states, excluding AK, AL, AR, CA, CT, DC, DE, FL, GA, HI, IA, ID, KS, KY, LA, MA, MD, ME, MN, MT, NC, ND, NE, NH, NJ, NM, NV, OH, OK, SC, SD, TN, TX, UT, VT, WI, WV

N/A=Not addressed; state does not specify square footage for age group

Outdoor Space Requirements

All states except six (HI, ID, ME, MT, NJ, NY) have requirements about the amount of outdoor space that must be provided for each child. As shown in Chart 3.10, most states require centers to have 75 square feet of outdoor space for each child.



N=45 states, excluding HI, ID, ME, MT, NJ, NY

Eight states (CO, KS, MI, MN, MO, NJ, OK, WI) have requirements about the total minimum amount of outdoor space that centers are required to have, as shown in Table 3.43.

Minimum Requirement	State
150 square feet	NJ
750 square feet	KS, MO, WI
1,200 square feet	MI
1,500 square feet	CO, MN
1,800 square feet	OK

N=8 states, excluding AK, AL, AR, AZ, CA, CT, DC, DE, FL, GA, HI, IA, ID, IL, IN, KY, LA, MA, MD, ME, MS, MT, NC, ND, NE, NH, NM, NV, NY, OH, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WV, WY

Table 37: Amount of Indoor and Outdoor Space Required in Centers in 2008 in the 50-state Data Tables includes the square footage requirements for each state.

C. Condition of Facility and Equipment

As shown in Table 3.44, all states, except ID and IN, have requirements about the condition of facilities and/or equipment (e.g., facilities and equipment must be in good condition).

Requirement	Number of States	State
Indoor area and equipment		
Requirements about the condition of the indoor area of the building/facility	47	AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, KS, KY, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY
Requirements about the condition of indoor equipment	45	AK, AL, AR, AZ, CA, CO, CT, FL, GA, HI, IA, IL, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, TN, UT, VA, VT, WA, WI, WV, WY

Table 3.44: States With Requirements About the Condition of the Facility and/or Equipment, con.*		
Requirement	Number of States	State
Outdoor area and equipment		
Requirements about the condition of the outdoor area of the building/facility	46	AL, AR, AZ, CA, CO, CT, DE, FL, GA, HI, IA, IL, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY
Requirements about the condition of outdoor equipment	46	AK, AL, AR, AZ, CA, CO, CT, DE, FL, GA, HI, IA, IL, KS, KY, LA, MA, MD, ME, MI, MN, MO, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, UT, VA, VT, WA, WI, WV, WY
Materials and toys		
Requirements about the condition of materials and toys for children	39	AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, UT, WI, WV, WY

N=49 states, excluding ID and IN

*Some states have multiple types of requirements about indoor and outdoor areas and equipment, materials, and toys.

D. Safety of Equipment

As seen in Table 3.45, all states, except ID and IN, have requirements about the safety of indoor and outdoor equipment. Information about each state's requirements about surfaces under indoor and outdoor equipment is available in *Table 38: Requirements About Surfaces Under Indoor and Outdoor Equipment in Centers in 2008* in the 50-state Data Tables.

Table 3.45: States With Requirements About Equipment Safety*		
Requirement	Number of States	State
Indoor equipment		
Requirements about sleeping equipment (e.g., cots and cribs)	48	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY
Requirements about the safety of indoor equipment	44	AK, AR, AZ, CA, CO, CT, DC, FL, GA, HI, IA, IL, KS, KY, MA, MD, ME, MI, MN, MO, MS, MT, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY
Requirements prohibiting the use of stackable cribs	25	AL, AZ, CA, CT, DE, FL, GA, KS, KY, LA, ME, MI, MN, MO, MS, NE, NH, NY, OH, OR, PA, SC, VA, WA, WY
Requirements about the surfaces under indoor equipment	12	LA, MI, MS, NH, NV, OH, PA, TX, UT, VA, VT, WV
Outdoor equipment		
Requirements about the safety of outdoor equipment	46	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, KS, KY, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, PA, RI, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY
Requirements about the surfaces under outdoor equipment	40	AK, AL, AR, AZ, CA, CO, CT, DE, DC, FL, GA, HI, IL, KY, LA, MA, ME, MI, MO, MS, NC, NE, NH, NJ, NM, NV, OH, OK, OR, PA, RI, SC, TN, TX, UT, VA, VT, WI, WV, WY
Indoor and outdoor equipment		
Requirements about equipment to be free of components that can pinch, shear, or crush body tissues	30	AK, AL, AR, CA, DC, DE, FL, GA, IL, KY, MA, MN, MO, MT, NC, NE, NV, NY, OH, OK, OR, PA, SC, TN, TX, VA, WA, WI, WV, WY

N=49 states, excluding ID and IN

*Some states have multiple types of requirements about the safety of indoor and outdoor equipment.

E. Outdoor Space

Enclosures or Fencing

As shown in Table 3.46, 39 states require child care centers to have fences or other enclosures around outdoor play spaces. Most of these states require that fences be at least 4 feet in height. State-by-state data are available in *Table 39: Height Requirements for Outdoor Enclosures and Fences for Centers in 2008* in the 50-state Data Tables.

Table 3.46: States With Requirements About Outdoor Fencing		
Requirement	Number of States	State
State requires that outdoor space is enclosed or has a fence	39	AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IL, IN, KS, KY, LA, ME, MI, MO, MS, MT, NC, NE, NM, NV, OH, OK, OR, PA, RI, SC, TN, TX, UT, VT, WA, WI, WV, WY
Height must be at least 4 feet	29	AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, IL, KS, ME, MI, MS, MT, NC, NM, OK, OR, PA, RI, SC, TN, TX, UT, WI, WV, WY
Height must be 42 inches	1	MO
Height must be 3 feet	1	NE
Height not specified	8	HI, IN, KY, LA, NV, OH, VT, WA

N=39 states, excluding AK, IA, ID, MA, MD, MN, ND, NH, NJ, NY, SD, VA

Bodies of Water

Forty-two states (AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IL, IN, KS, LA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NY, OH, OK, OR, PA, SC, TN, TX, UT, VA, VT, WA, WI, WY) have requirements about the safety of swimming pools in child care centers. In addition, 26 states (AK, AR, CA, CO, CT, DC, DE, FL, LA, MD, MN, MS, MT, NC, NE, NH, NJ, NM, NV, OH, OK, OR, SC, TX, WI, WV) have requirements to protect children from bodies of water (e.g., ponds, lakes, and rivers).

F. Fire Safety and Emergency Preparedness

Fire Inspections

The following data about fire inspections were compiled from state child care licensing agency responses to *The 2008 NARA Child Care Licensing Programs and Policies Survey*.

Note

The information in this study only includes data from child care center licensing regulations and state child care licensing agency responses to a survey. There may be other state laws regarding fire safety that require centers to have fire inspections or fire evacuation plans or conduct fire drills.

All states, except ID, reported that they require centers to have fire inspections. Table 3.47 shows how often centers must have inspections. A majority of states require annual fire inspections. State-by-state data are available in *Table 40: Frequency of Center Fire Inspections in 2008* in the 50-state Data Tables.

Requirement	Number of States	State
Fire inspections required	50	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY
Once a year	29	AR, CT, DC, DE, FL, GA, IL, IN, KS, KY, LA, ME, MO, MS, MT, NC, ND, NJ, NM, NV, OH, OR, RI, SD, TN, TX, VA, WI, WY
Once every 2 years	11	AK, CO, HI, IA, MA, MD, NE, NY, OK, SC, WV
Once every 3 years	3	AZ, NH, WA
Other frequency*	7	AL, CA, MI, MN, PA, UT, VT

N=50 states, excluding ID

*For details about "Other frequency," see *Table 40: Frequency of Fire Inspections of Centers in 2008* in the 50-state data tables.

Fire Safety and Fire Drills

Forty-six states (AL, AR, AZ, CA, CO, CT, DC, FL, GA, HI, IA, IL, IN, KS, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, WA, WI, WV, WY) have requirements regarding fire safety. Of those states, 34 (AL, CA, CO, CT, DC, FL, IL, IN, IA, MD, MA, MI, MN, MO, MT, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, SD, TX, UT, VA, WA, WI, WY) require centers to have plans for how to evacuate the children and staff in case of fires in facilities.

Thirty-eight states also require child care centers to conduct fire drills. As shown in Table 3.48, most of these states require centers to conduct fire drills at least once a month.

Requirement	Number of States	State
State requires fire drills	38	AR, AZ, CO, DC, FL, IA, IL, IN, KS, LA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SD, TX, UT, VA, WA, WI, WV, WY
More than once a month	2	RI, WV
At least once a month	27	AR, AZ, FL, IA, IL, IN, KS, LA, MD, ME, MN, MO, MS, NC, NJ, NM, NV, NY, OH, OK, OR, TX, UT, VA, WA, WI, WY
More than four times a year	4	DC, MT, NH, PA
At least four times a year	3	MI, NE, SD
Other frequency	1	CO*
Time interval not specified in regulations	1	ND

N=38 states, excluding AK, AL, CA, CT, DE, GA, HI, ID, KY, MA, SC, TN, VT

*CO requires that fire drills be held at unexpected times and under varying conditions to simulate the conditions of actual fires.

Smoke Detectors and Fire Extinguishers

As shown in Table 3.49, some states that license centers require them to have smoke detectors and/or fire extinguishers. Fourteen states (AR, AZ, HI, MI, MO, MS, MT, ND, NM, NY, OK, OR, TX, WY) require centers to have smoke detectors and/or fire extinguishers, and nine states (AR, MI, MO, MT, ND, NM, NY, OK, WY) require centers to have both.

Table 3.49: States With Requirements About Smoke Detectors and Fire Extinguishers		
Requirement	Number of States	State
Centers must have smoke detectors	12	AR, AZ, MI, MO, MS, MT, ND, NM, NY, OK, OR, WY
Centers must have fire extinguishers	12	AR, HI, MI, MO, MT, ND, NM, NY, OK, OR, TX, WY

N=14 states, excluding AK, AL, CA, CO, CT, DC, DE, FL, GA, IA, ID, IL, IN, KS, KY, LA, MA, MD, ME, MN, NC, NE, NH, NJ, NV, OH, PA, RI, SC, SD, TN, UT, VA, VT, WA, WI, WV

General Emergency Plans

In addition to the requirements related to fires, several states also have requirements about plans and drills for general emergencies (i.e., not specifically fires). Nine states (AK, AZ, DE, FL, MA, MS, PA, VT, WV) require centers to have evacuation plans for general emergencies, and 20 states (AR, CA, CO, DE, IA, IL, IN, KS, MI, MN, MO, MS, NE, NV, OK, OR, SD, TX, UT, VA) require centers to perform general emergency drills. *Table 41: Fire and Emergency Evacuation and Drill Requirements for Centers in 2008* in the 50-state Data Tables provides state-by-state data about evacuation and drill requirements.

Fast Fact
More than two-thirds of states require centers to be prepared for specific emergencies caused by weather, utility-related problems, and/or intruders/acts of violence.

Emergency Preparedness

Table 3.50 shows the states that have preparedness requirements about specific emergencies caused by weather, utility-related problems, and/or intruders/acts of violence. State-by-state data are available in *Table 42: Requirements About Emergency Preparedness for Centers in 2008* in the 50-state Data Tables.

Table 3.50: States With Requirements About Specific Emergency Preparedness*		
Requirement	Number of States	State
State has requirements about specific emergency preparedness	36	AL, AR, CA, CO, CT, DC, DE, GA, HI, IA, IL, IN, KS, MA, MD, MI, MN, MO, MS, ND, NE, NJ, NM, NV, OH, OK, OR, PA, SC, SD, TN, TX, UT, VA, WA, WI
Centers must have emergency plans/procedures for natural disasters (e.g., tornados, hurricanes, earthquakes, and other weather)	31	AL, AR, CA, CO, CT, DE, GA, HI, IA, IL, IN, KS, MA, MI, MN, MO, MS, NE, NJ, NV, OH, OK, OR, SC, SD, TN, TX, UT, VA, WA, WI
Centers must have emergency plans/procedures for utility-related problems (e.g., blackouts)	8	AL, DE, GA, IA, MA, OH, OK, UT
Centers must have emergency plans/procedures for intruders/acts of violence**	5	DE, IA, OH, OK, VA

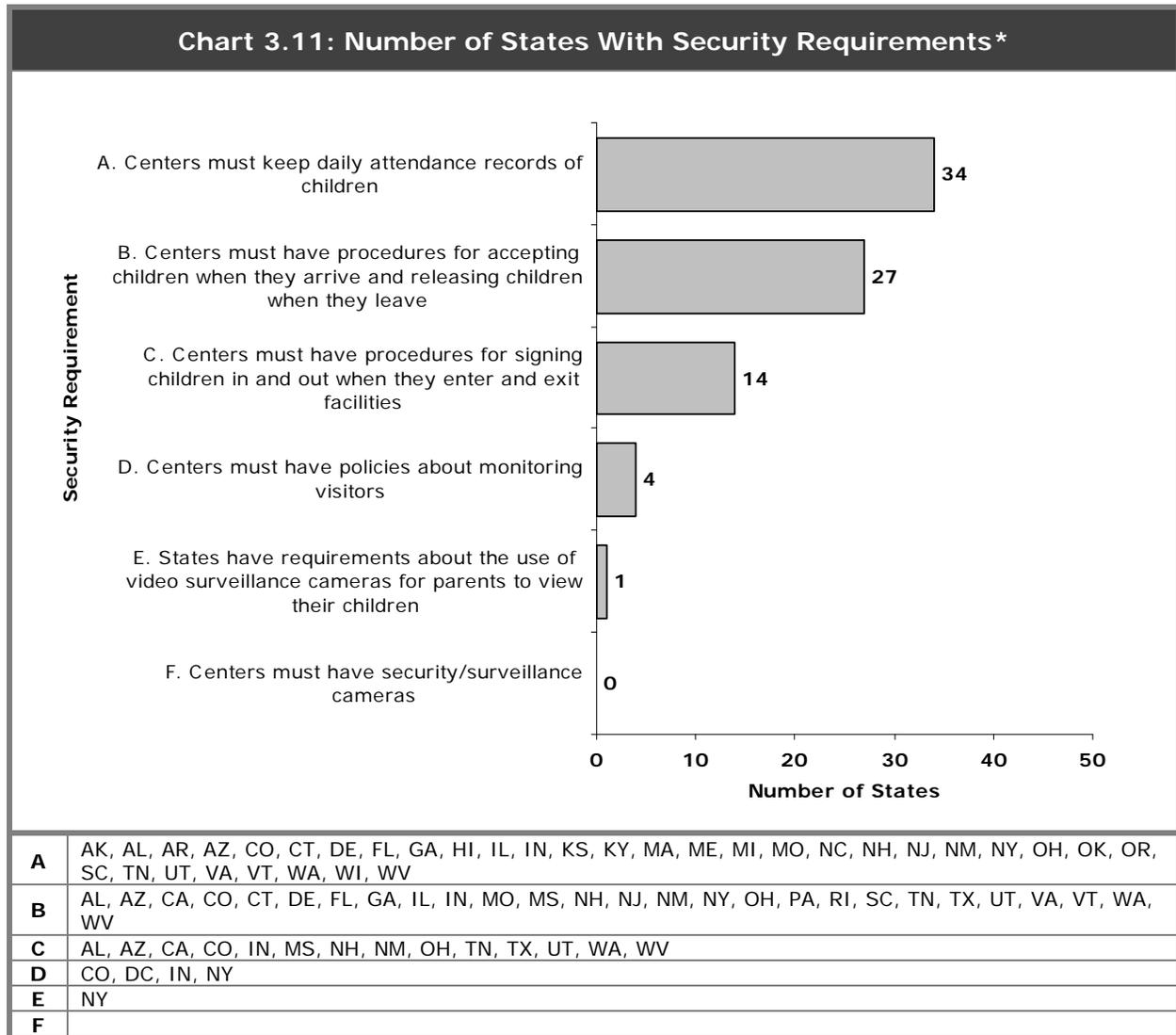
N=36 states, excluding AK, AZ, FL, ID, KY, LA, ME, MT, NC, NH, NY, RI, VT, WV, WY

*Some states have multiple requirements about emergency preparedness.

**"Intruders/acts of violence" includes intruders within the center, intoxicated parents, lost or abducted children, threats of violence, man-made disasters, and others.

G. Security

Most states have requirements for centers related to the security of children. For example, as shown in Chart 3.11, most states require centers to keep daily attendance records of children, and more than half require centers to establish procedures for accepting children when they enter centers and releasing children at the end of the day. At this time, no states require centers to have surveillance cameras to protect facilities.



N=40 states, excluding IA, ID, LA, MD, MN, MT, ND, NE, NV, SD, WY

*Some states have multiple security requirements.

H. Transportation

General Requirements

All states, except ID and SC, have requirements regarding transporting children in vehicles. Table 3.51 shows some of the specific requirements states have for transporting children. See "3.8 Supervision of Children" for more information about transportation requirements.

Table 3.51: States With Requirements About Transportation*		
Requirement	Number of States	State
State has requirements about transportation	49	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY
Requirements for vehicle drivers (e.g., drivers must have valid licenses)	41	AL, AR, AZ, CA, CO, DC, DE, FL, GA, IA, IL, IN, KS, KY, LA, MA, ME, MI, MN, MO, MS, MT, NC, NH, NJ, NM, NV, NY, OH, OK, OR, PA, SC, TN, TX, UT, VT, WA, WI, WV, WY
Requirements about the condition of vehicles	36	AL, AR, AZ, CA, CO, DC, DE, FL, GA, IA, IL, IN, KS, KY, LA, MA, MI, MS, NC, ND, NH, NJ, NM, NY, OH, OK, OR, SC, TN, UT, VA, VT, WA, WI, WV, WY
Requirements for first aid kits to be kept in vehicles	27	AZ, CO, DC, DE, GA, IL, IN, KS, KY, LA, MA, MI, MS, NC, NJ, NM, OH, OK, PA, SC, TN, TX, UT, WA, WI, WV, WY
Requirements about vehicle seating	24	AL, AR, CA, CO, DC, FL, GA, KY, MA, ME, MI, MO, NC, NE, NJ, NM, OK, OR, PA, SC, TN, VA, VT, WI
Requirements about emergency equipment needed in vehicles	17	AK, AR, DC, DE, GA, IN, KY, LA, MI, NC, NJ, NM, OH, TN, TX, WA, WV

N=49 states, excluding ID and SD

*Some states have multiple types of transportation requirements.

Vehicle Safety Restraints

Nearly all states also have requirements for centers regarding vehicle safety restraints for children, such as seatbelts and carseats, as shown in Table 3.52.

Table 3.52: States With Requirements About Vehicle Safety Restraints for Children*		
Requirement	Number of States	State
State has requirements about vehicle safety restraints for children	43	AK, AL, AR, AZ, CA, CO, DC, DE, FL, GA, IA, IL, IN, KS, KY, MA, MD, ME, MI, MN, MO, MS, MT, NC, NE, NH, NJ, NM, NY, OH, OK, OR, PA, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY
Requirements about carseats/child restraint systems	40	AK, AL, AR, AZ, CO, DC, DE, FL, GA, IA, IL, KS, KY, MA, MD, ME, MI, MN, MO, MS, MT, NC, NE, NH, NJ, NM, NY, OH, OK, OR, PA, TN, TX, UT, VA, VT, WA, WI, WV, WY
Requirements about seatbelts for children	36	AK, AL, AR, AZ, CO, DC, DE, FL, GA, IA, IL, KS, KY, MA, MD, ME, MI, MO, MT, NC, NE, NH, NJ, NM, NY, OH, OK, OR, TN, TX, UT, VA, VT, WI, WV, WY

N=43 states, excluding CT, HI, ID, LA, ND, NV, RI, SD

*Some states have multiple types of vehicle safety restraint requirements.

I. Liability and Automobile Insurance

Thirty-three states require child care centers to have either liability insurance or automobile insurance as protection from accidents and injuries to children in care, as shown in Table 3.53. Seventeen states (AZ, DC, DE, IN, KS, KY, LA, ME, NC, ND, NJ, NV, RI, SD, TN, VT, WI) require centers to have both types of insurance. *Table 43: Liability and Automobile Insurance Requirements for Centers in 2008* in the 50-state Data Tables shows the states that have these requirements and the amount of insurance required if specified in the state regulations.

Requirement	Number of States	State
State requires insurance	33	AR, AZ, DC, DE, FL, HI, IL, IN, KS, KY, LA, MA, ME, MI, MS, MT, NC, ND, NH, NJ, NM, NV, NY, OK, PA, RI, SD, TN, VA, VT, WA, WI, WV
Requires automobile insurance	27	AR, AZ, DC, DE, FL, HI, IN, KS, KY, LA, MA, ME, MI, MS, NC, ND, NH, NJ, NM, NV, OK, RI, SD, TN, VT, WA, WI
Requires general liability insurance	23	AZ, DC, DE, IL, IN, KS, KY, LA, ME, MT, NC, ND, NJ, NV, NY, PA, RI, SD, TN, VA, VT, WI, WV

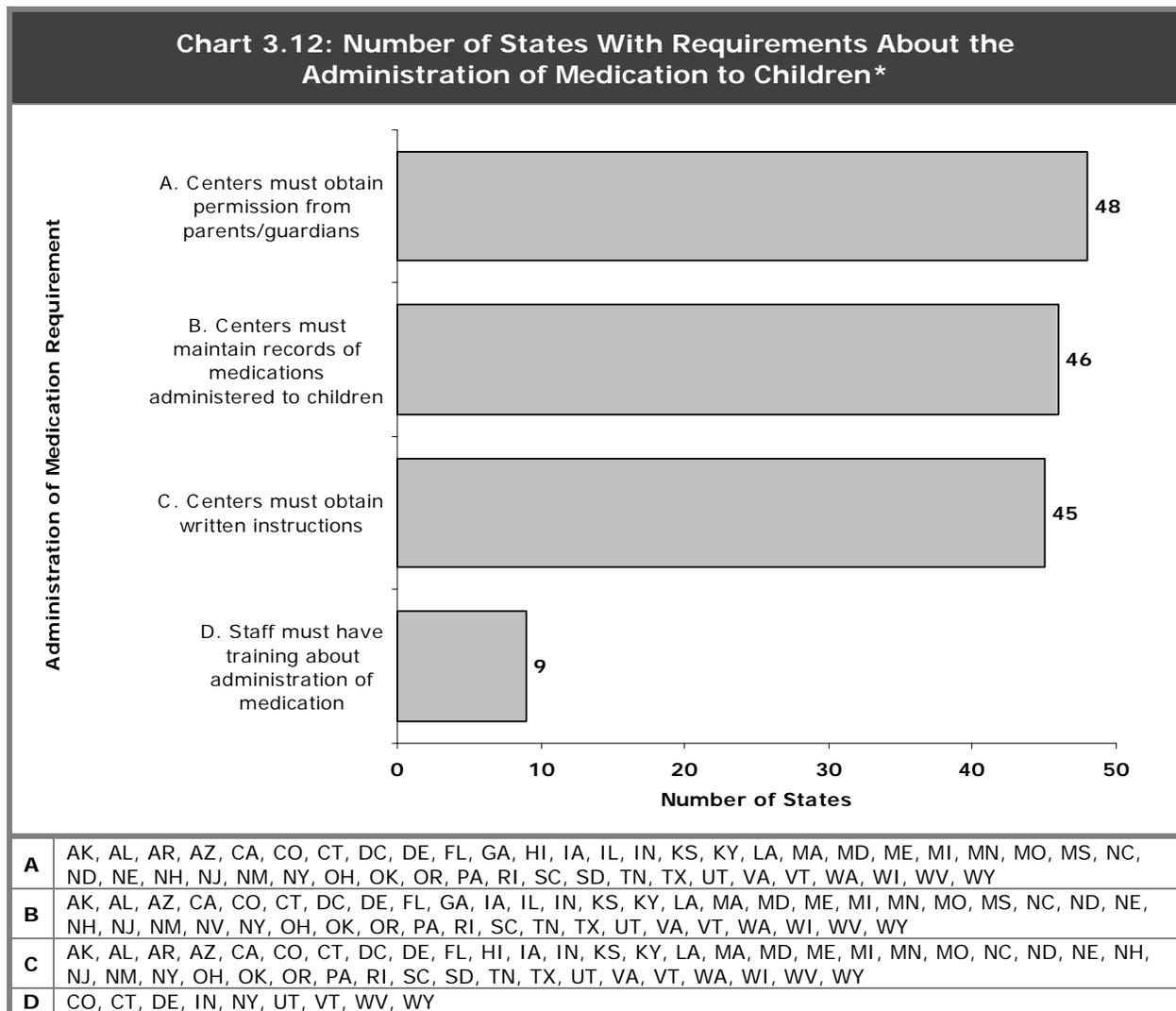
N=33 states, excluding AK, AL, CA, CO, CT, GA, IA, ID, MD, MN, MO, NE, OH, OR, SC, TX, UT, WY

*Some states require multiple types of insurance.

J. Medical Care and Related Issues

Administration of Medication

All states, except ID, have requirements about the administration of medication to children. As shown in Chart 3.12, nearly all states must obtain permission from parents to administer medications, keep records of medications given to children, and get written instructions about how to give medications to children.



N=50 states, excluding ID

*Some states have multiple requirements about the administration of medication.

Medical Procedures

Seven states (AL, CT, DC, IN, MI, OH, SC) have requirements for centers related to performing medical procedures, such as blood glucose tests, on children with medical conditions. These states require that permission be obtained from parents, and/or instructions are obtained from parents or physicians about how to perform procedures. Three states (AL, CT, MI) require centers to keep records of medical procedures.

Fast Facts

- All states that license child care centers have requirements about the administration of medication to children.
- Nearly all states have requirements for centers regarding the care of children who are mildly ill.

Care of Ill Children

As shown in Table 3.54, most states allow centers to exclude mildly ill children from facilities, meaning they must be kept at home until they are well enough to return to programs. Fewer states specifically allow child care centers to admit children into programs when they are mildly ill.

As shown in “3.9 Care of Children,” many states also have requirements about the supervision of ill children, the types of activities centers should make available to ill children, and the facilities where ill children are located.

Table 3.54: States With Requirements About the Care of Mildly Ill Children*

Requirement	Number of States	State
State has requirements about the care of mildly ill children	47	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, IN, KS, KY, LA, MA, ME, MI, MN, MO, MS, MT, NC, ND, NH, NJ, NM, NY, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WV, WY
Allows centers to exclude children who are mildly ill	38	AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IL, IN, KY, LA, MA, MN, MO, MS, MT, NC, NH, NJ, NM, NY, OH, OR, PA, RI, SC, TX, UT, VA, VT, WA, WI, WV, WY
Allows centers to admit children who are mildly ill	18	AK, HI, IA, IL, MA, MO, MT, NC, ND, NY, OR, PA, RI, SC, UT, WA, WI, WY

N=47 states, excluding ID, MD, NE, NV

*Some states have multiple requirements about the care of mildly ill children.

Incident Reporting

Table 3.55 shows that most states have requirements about reporting serious injuries and deaths of children in child care centers. Most states also require centers to keep their own records of these incidents.

Table 3.55: States With Requirements About Incident Reporting*		
Requirement	Number of States	State
State has requirements about incident reporting	45	AK, AL, AR, CA, CO, CT, DE, FL, GA, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY
Centers must keep records of all serious injuries that occur to children in programs	39	AL, AR, CA, CO, CT, DE, FL, GA, IA, IL, IN, KS, LA, MA, MD, ME, MN, MO, MS, MT, NC, ND, NH, NJ, NM, NV, NY, OH, OR, PA, RI, TN, TX, UT, VA, WA, WI, WV, WY
Centers must report all serious injuries that occur to children in programs to the licensing agency	34	AK, AL, AR, CA, CO, CT, DE, GA, IL, IN, KY, MA, MD, MI, MN, MS, MT, NC, ND, NJ, NM, NV, NY, OH, OK, OR, PA, SC, TX, VT, WA, WI, WV, WY
Centers must report all deaths that occur to children in programs to the licensing agency	31	AK, AL, CA, CO, CT, DE, GA, IL, IN, KS, KY, MA, MD, MI, MN, MS, ND, NH, NJ, NM, NV, NY, OH, OK, OR, PA, SC, WA, WI, WV, WY

N=45 states, excluding AZ, DC, HI, ID, NE, SD

*Some states have multiple requirements about incident reporting.

Health Consultants

Of the states that license child care centers, 19 (CO, CT, DE, HI, IN, MA, MD, ME, MN, NC, ND, NJ, NV, NY, OK, RI, WA, WI, WV) require centers to have health consultants available to staff.

Terminology

Child care health consultants: Health professionals who child care centers use to provide information and expertise about health issues.

First Aid Kits

All states except four (AL, ID, MO, SD) require centers to keep first aid kits in facilities. Twenty-seven of those states (AK, AR, AZ, CA, CT, DE, FL, GA, IL, IN, KY, MA, MI, MN, MS, MT, NE, NM, OK, OR, PA, TX, VA, VT, WA, WV, WY) specify items that must be contained in kits.

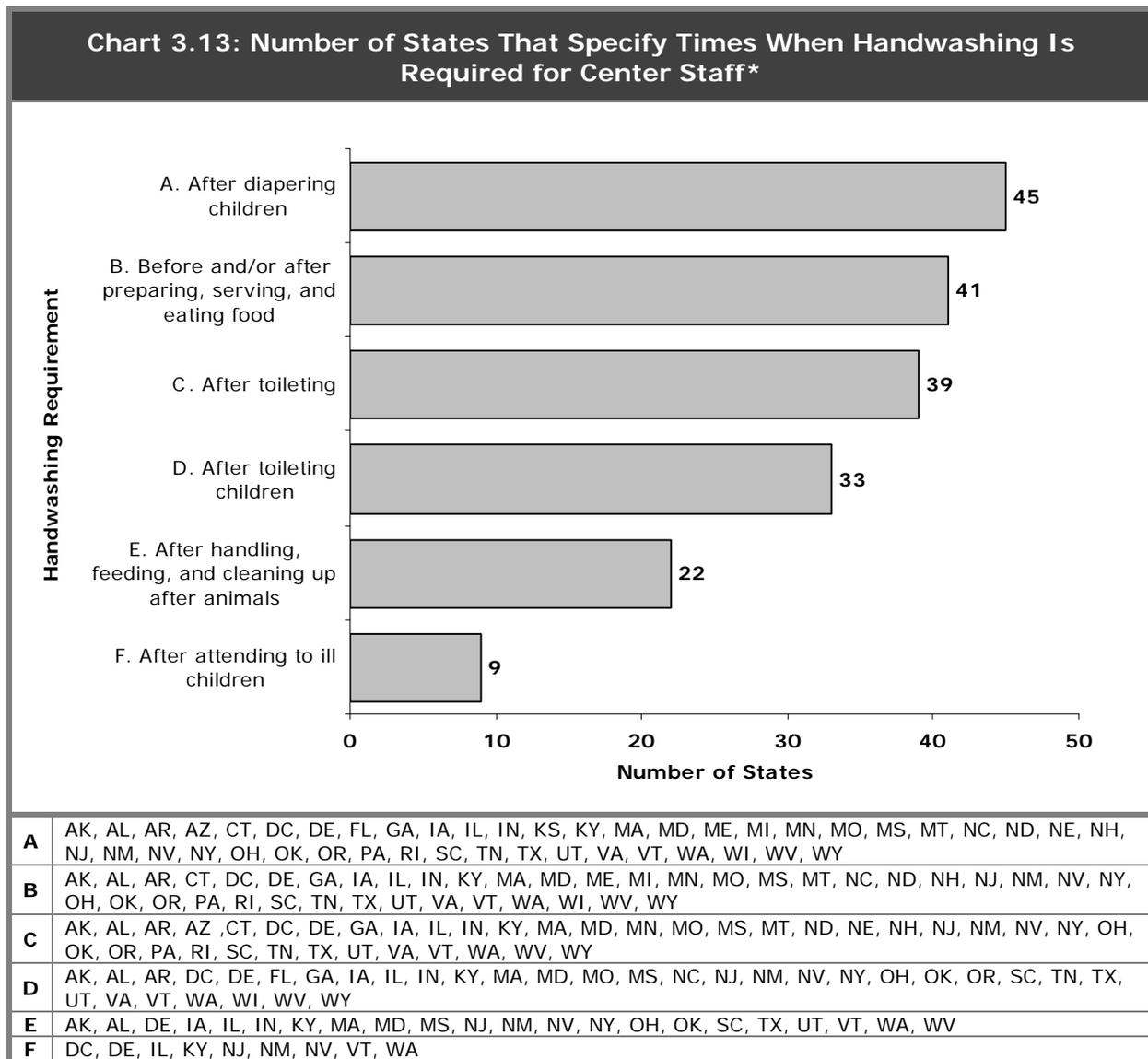
CA

K. Handwashing

Requirements for Staff

Forty-six states (excluding CA, CO, HI, ID, LA) have requirements about handwashing for staff. In addition, 17 states (AK, AR, AZ, CA, CT, DE, IL, IN, KY, MD, MO, MT, NM, NV, RI, SC, VA) have requirements about locations and/or amount of handwashing facilities for staff.

Forty-five states (AK, AL, AR, AZ, CT, DC, DE, FL, GA, IA, IL, IN, KS, KY, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY) specify when staff must wash their hands. Chart 3.13 shows the times when center staff must wash their hands.



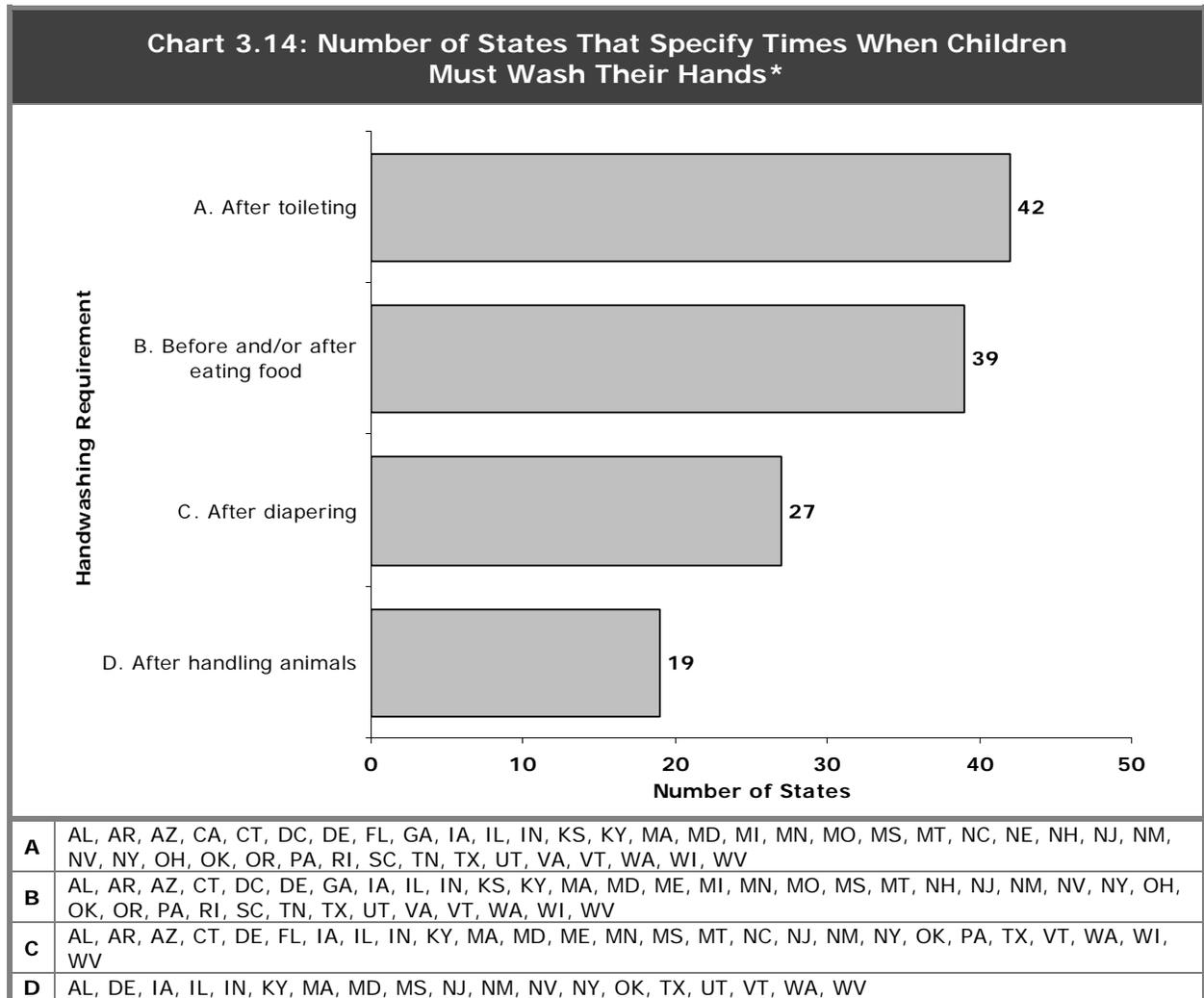
N=45 states, excluding CA, CO, HI, ID, LA, SD

*Some states specify multiple times when staff are required to wash their hands.

Requirements for Children

Forty-four states (excluding AK, HI, ID, LA, ND, SD, WY) have requirements for centers regarding washing children’s hands. In addition, 42 states (AL, AZ, CA, CT, DE, FL, GA, HI, IA, IL, IN, KS, KY, MA, MD, ME, MI, MN, MO, MS, MT, ND, NE, NH, NJ, NM, NV, NY, OK, OR, PA, RI, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY) have requirements about locations and/or number of handwashing facilities for children.

Forty-three states (AL, AR, AZ, CA, CT, DC, DE, FL, GA, IA, IL, IN, KS, KY, MA, MD, ME, MI, MN, MO, MS, MT, NC, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, TN, TX, UT, VA, VT, WA, WI, WV) specify when children must wash their hands. Chart 3.14 shows the times when children must wash their hands.

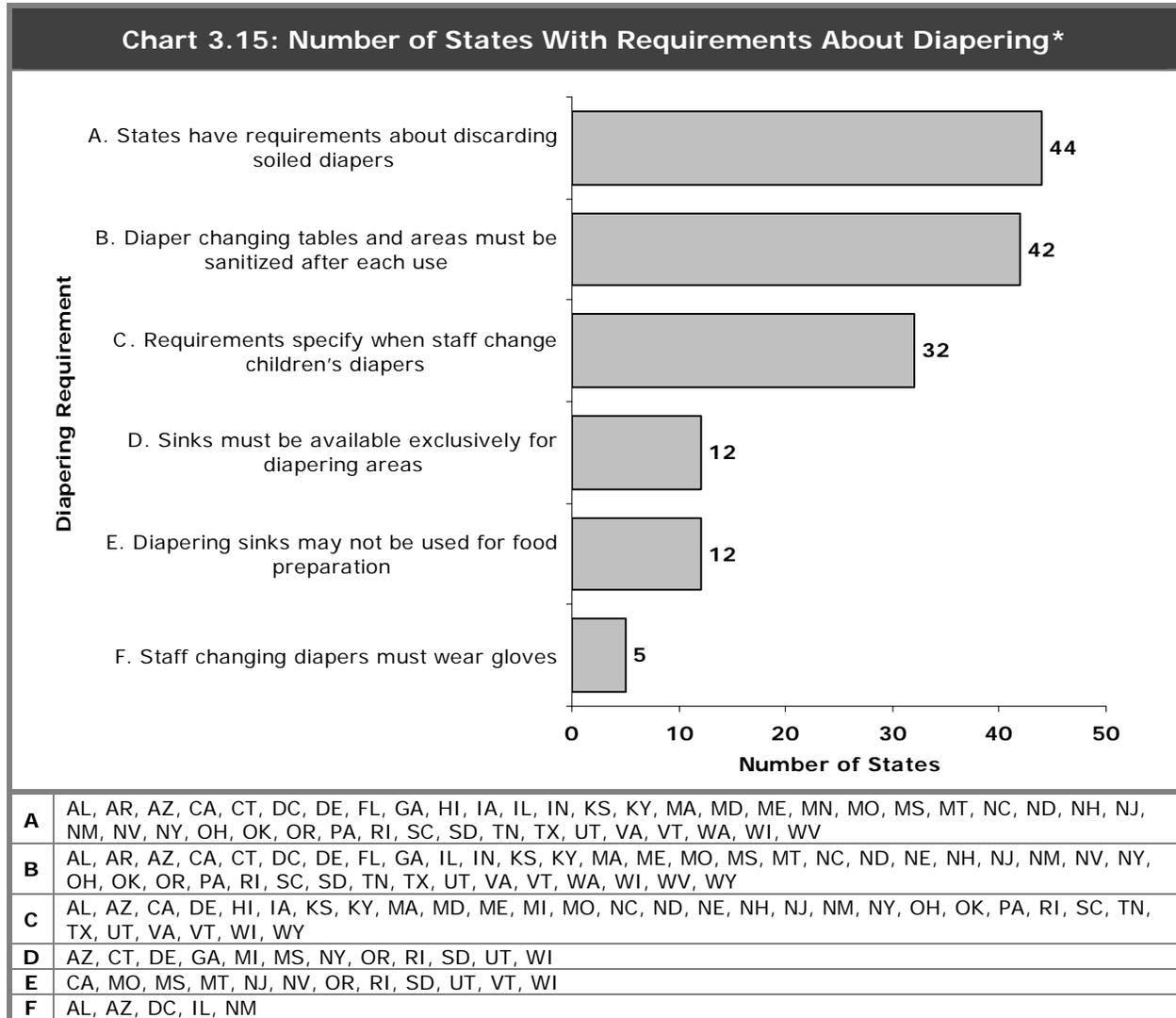


N=43 states, excluding AK, CO, HI, ID, LA, ND, SD, WY

*Some states specify multiple times when children must wash their hands.

L. Diapering

All states except two (ID, LA) have requirements about diapering. As shown in Chart 3.15, these requirements include information about discarding soiled diapers, sanitation of diapering areas, and when to change children’s diapers.



N=49 states, excluding ID, LA

*Some states have multiple requirements about diapering.

M. Smoking Policies

Table 3.56 shows that almost all states have requirements regarding smoking in child care centers. Most states specify that smoking is not allowed in center facilities. However, some states allow centers to permit smoking on the grounds or in designated areas of centers.

Table 3.56: States With Requirements About Smoking*		
Requirement	Number of States	State
State has requirements about smoking in centers	48	AK, AL, AR, AZ, CA, CO, CT, DC, DE, FL, GA, HI, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY
Does not allow smoking in centers	31	AK, AL, AR, CA, CT, DC, FL, IA, IL, IN, KS, LA, MD, ME, MI, MS, MT, ND, NH, NJ, NM, NY, OK, RI, TX, UT, VA, VT, WA, WI, WV
Does not allow smoking on the grounds of centers	19	AL, CA, CT, FL, GA, IA, IN, LA, MD, ME, MI, MS, MT, NM, TX, UT, VT, WI, WV
Does not allow smoking in the presence of children	18	AR, DE, HI, IL, KY, ME, MS, MT, NC, NE, NH, OH, TN, VA, VT, WA, WI, WV
Does not allow smoking in vehicles while transporting children	16	CO, DC, FL, GA, IA, KS, MI, NM, NY, OR, TX, UT, WA, WI, WV, WY
Does not allow smoking in areas used for the care of children	11	CO, DE, MA, MO, NC, NM, NY, OR, PA, SC, WY
Does not allow smoking in designated areas	10	AR, AZ, CT, GA, KY, MS, NV, OH, SC, WA
Does not allow smoking in areas where food is prepared	6	DE, MO, NM, PA, SC, WY

N=48 states, excluding ID, MN, SD

*Some states have multiple types of requirements about smoking.

N. Hazardous Materials

All states except five (HI, IA, ID, NV, SD) have requirements regarding the accessibility of hazardous materials and substances, such as cleaning products and other chemicals, in child care centers. Of those 46 states, 39 (AK, AR, AZ, CO, DC, DE, FL, GA, IL, IN, KY, LA, MA, MD, ME, MN, MO, MT, NC, ND, NE, NH, NJ, NM, NY, OH, OK, OR, PA, RI, SC, TX, UT, VA, VT, WA, WI, WV, WY) specify that hazardous materials must be kept out of children’s reach.

Fast Fact

Slightly more than one-third of states that license centers specify that firearms are not allowed in facilities.

O. Firearms

As shown in Table 3.57, two-thirds of states have requirements regarding the presence of firearms in child care centers.

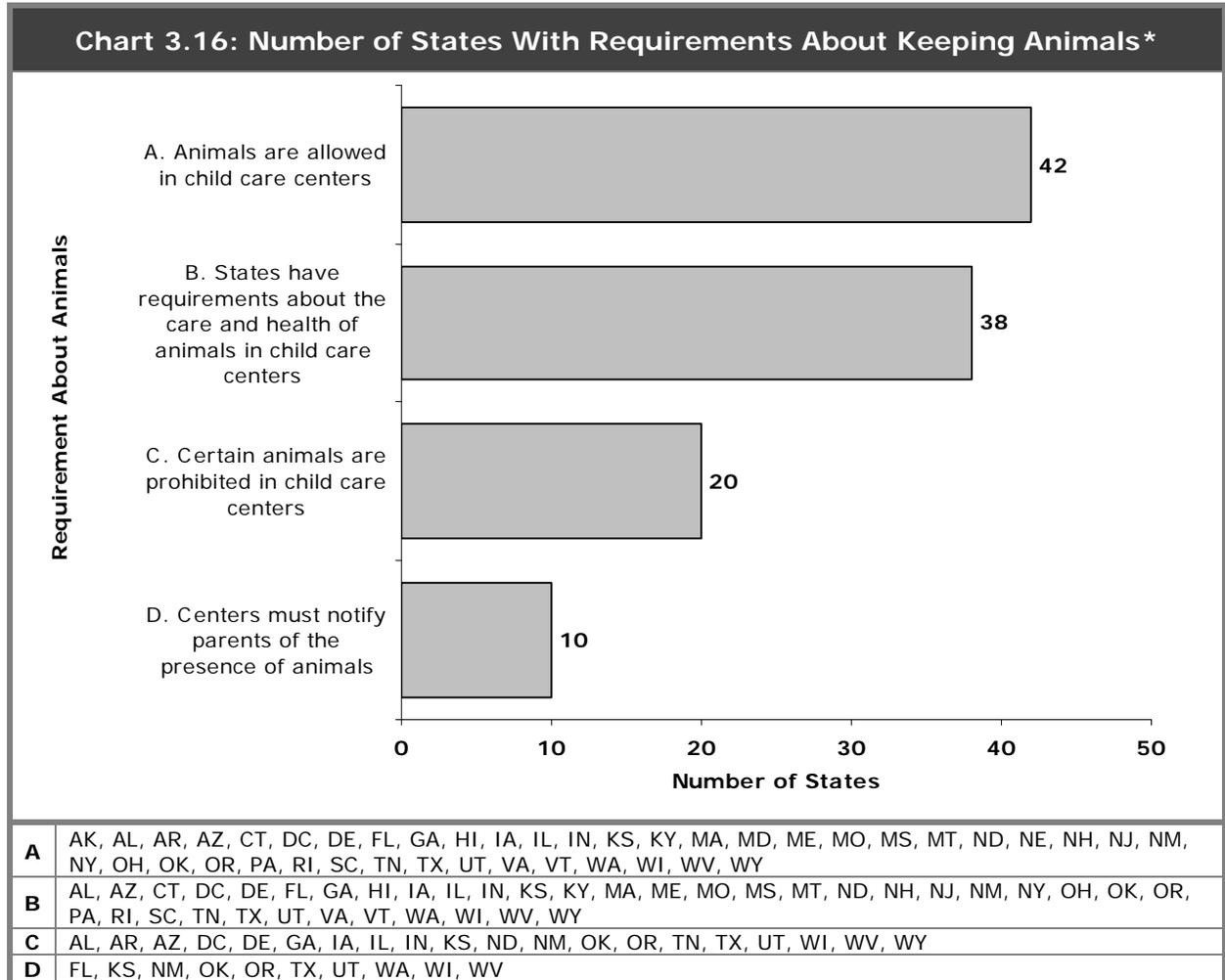
Requirement	Number of States	State
State has requirements about the presence of firearms in the facility	34	AK, AL, AZ, CA, CO, CT, DC, DE, FL, IN, KS, KY, LA, MD, ME, MO, MS, MT, NC, NE, NH, NM, OH, OK, OR, PA, SC, TN, TX, UT, WA, WI, WV, WY
Does not allow firearms in centers	20	AK, AL, AZ, CA, CO, CT, DC, DE, FL, IN, ME, NM, OH, OR, PA, SC, TN, WA, WI, WV
Allows firearms in centers, but requires them to be in locked containers or closets	8	KY, MO, MT, NC, NE, NH, OK, UT
Allows firearms in centers, but requires ammunition to be separate	4	KY, MT, OK, UT
Requires centers to notify parents of the presence of firearms in facilities	2	OK, WY

N=34 states, excluding AR, GA, HI, IA, ID, IL, MA, MI, MN, ND, NJ, NV, NY, RI, SD, VA, VT

*Some states have multiple types of requirements about the presence of firearms.

P. Animals in Facilities

Forty-three states (AK, AL, AR, AZ, CT, DC, DE, FL, GA, HI, IA, IL, IN, KS, KY, MA, MD, ME, MI, MO, MS, MT, ND, NE, NH, NJ, NM, NY, OH, OK, OR, PA, RI, SC, TN, TX, UT, VA, VT, WA, WI, WV, WY) have requirements about keeping animals in child care centers. As shown in Chart 3.16, all except one (MI) of these 43 states allow animals to be kept in centers. Most of these states have requirements about the care of animals.



N=43 states, excluding CA, CO, ID, LA, MN, NC, NV, SD
 *Some states have multiple requirements about keeping animals.

