

## Summary of DCCECE Rule Revision/Promulgation

### Child Care Licensing

The Division is proposing changes to the Minimum Licensing Requirements for Child Care Centers, Minimum Licensing Requirements for Child Care Family Home, Minimum Licensing Requirements for Out of School Time Facilities, and Minimum Licensing Requirements for Registered Child Care Family Homes, to define, simplify and clarify the intent of current regulations and to increase the overall quality of care for the children of Arkansas.

**The following recommended changes are the result of recent legislation:**

#### **Minimum Licensing Requirements for Child Care Centers**

In order to come into compliance with Act 23 of 2015 regarding the requirements for insurance the following standards have been added:

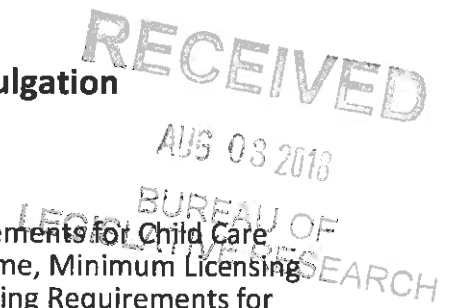
##### **Regulation**

- 101.5 To exempt state institutions, political subdivisions, or other entities entitled immunity for liability under 21-9-301 to have general liability insurance coverage to be licensed.
- 1301.6 To exempt state institutions, political subdivisions, or other entities entitled immunity for liability under 21-9-301 to have commercial insurance coverage in order to transport

In order to come into compliance with Act 572 of 2017 regarding the requirements for FBI Background Checks the following standards have been revised which will require additional staff to have FBI Background Checks:

- 110.1b To require all direct care staff to submit an FBI Background Check within 10 business days of their hire/start date in order to bring these requirements into compliance with the Federal Block Grant Requirements
- 110.1c To require all administrative persons who have direct contact with children to submit an FBI Background Check within 10 business days of their hire/start date in order to bring these requirements into compliance with the Federal Block Grant Requirements
- 110.1d To require all therapist, volunteers or other persons who have supervisory control, disciplinary control over children or who may be left alone with children to submit an FBI Background Check within 10 business days of their hire/start date in order to bring these requirements into compliance with the Federal Block Grant Requirements

The following proposed changes are necessary to explain or clarify existing standards and provide child care providers with clarifications for the standards:



## Regulation

- 102.6 To clarify possible consequences of falsification of any documents and /or submission of false information to the Child Care Licensing Unit or any division of DHS
- 306.3 To add a review of the Minimum Licensing Requirements for Child Care Centers to new staff orientation
- 401.5 Staff shall plan and provide experiences that meet children’s needs and stimulate learning in the following developmental area: physical, social/emotional, creative/aesthetic, cognitive/intellectual and language, found in Arkansas’ Early Learning Standards

## Minimum Licensing Requirements for Child Care Family Home

In order to come into compliance with Act 572 of 2017 regarding the requirements for FBI Background Checks the following standards have been revised which will require additional staff to have FBI Background Checks:

- 109.1b To require each staff person to submit an FBI Background Check within 10 business days.**
- 109.1c To require all therapist, volunteers or other persons who have supervisory control, disciplinary control over children or who have routine contact with children to submit an FBI Background Check within 10 business days of their hire/start date.**
- 305 Sections 305.1, 305.2, 305.3 and 305.4 are being added to define those individuals who would be considered volunteers and the qualifications and responsibilities required of them including background checks. In addition, Section 305 will ensure the definition of volunteers is outlined and defined in the same manner as it is in the Minimum Licensing Requirements for Child Care Facilities, Minimum Licensing Requirements for Registered Family Homes and Minimum Licensing Requirements for Out of School Time Programs.**

The following proposed changes are necessary to explain or clarify existing standards and provide child care providers with clarifications for the standards:

## Regulation

- 201.2 To clarify possible consequences of falsification of any documents and/or submission of false information to the Child Care Licensing Unit or any division of
- 401.2 Staff shall plan and provide experiences that meet children’s needs and stimulate learning in the following developmental area: physical, social/emotional, creative/aesthetic, cognitive/intellectual and language, found in Arkansas’ Early Learning Standards.

## **Minimum Licensing Requirements for Registered Child Care Family Home**

In order to come into compliance with Act 572 of 2017 regarding the requirements for FBI Background Checks the following standards have been revised which will require additional staff to have FBI Background Checks:

- 109.1b** To require each staff person to submit an FBI Background Check within 10 business days.
- 109.1c** To require all therapist, volunteers or other persons who have supervisory control, disciplinary control over children or who have routine contact with children to submit an FBI Background Check within 10 business days of their hire/start date.
- 303** Sections 303.1, 303.2, 303.3 and 303.4 are being added to define those individuals who would be considered volunteers and the qualifications and responsibilities required of them including background checks. In addition, Section 303 will ensure the definition of volunteers is outlined and defined in the same manner as it is in the Minimum Licensing Requirements for Child Care Facilities, Minimum Licensing Requirements for Child Care Family Homes and Minimum Licensing Requirements for Out of School Time Programs.

The following proposed changes are necessary to explain or clarify existing standards and provide child care providers with clarifications for the standards:

### **Regulation**

- 201.3** To clarify possible consequences of falsification of any documents and/or submission of false information to the Child Care Licensing Unit or any division of
- 401.2** Staff shall plan and provide experiences that meet children's needs and stimulate learning in the following developmental area: physical, social/emotional, creative/aesthetic, cognitive/intellectual and language, found in Arkansas' Early Learning Standards.

## **Minimum Licensing Requirements for Out of School Time**

In order to come into compliance with Act 23 of 2015 regarding the requirements for insurance the following standards have been added.

### **Regulation**

- 101.4** To exempt state institutions, political subdivisions, or other entities entitled immunity for liability under 21-9-301 to have general liability insurance coverage to be licensed.
- 1301.6** To exempt state institutions, political subdivisions, or other entities entitled immunity for liability under 21-9-301 to have commercial insurance coverage in order to transport.

In order to come into compliance with Act 572 of 2017 regarding the requirements for FBI Background Checks the following standards have been revised which will require additional staff to have FBI Background Checks:

- 110.1b To require all direct care staff to submit an FBI Background Check within 10 business days of their hire/start date in order to bring these requirements into compliance with the Federal Block Grant Requirements
- 110.1c To require all administrative persons who have direct contact with children to submit an FBI Background Check within 10 business days of their hire/start date in order to bring these requirements into compliance with the Federal Block Grant Requirements
- 110.1d To require all therapist, volunteers or other persons who have supervisory control, disciplinary control over children or who may be left alone with children to submit an FBI Background Check within 10 business days of their hire/start date in order to bring these requirements into compliance with the Federal Block Grant Requirements

The following proposed changes are necessary to explain or clarify existing standards and provide child care providers with clarifications for the standards.

#### **Regulation**

- 102.6 To explain, or clarify possible consequences of falsification of any documents and /or submission of false information to the Child Care Licensing Unit or any division of DHS
- 1101.7 To correct a typographical error which left off the end of a sentence

**This draft is a working document. All information contained herein is subject to change and may differ substantially from the final document. The information contained in this document should not be considered the positions or views of the agency or governor.**