

Child Care Regulations in Alabama

Overview

A summary of child care regulations in Alabama.

- Types of care that must be licensed
- Types of care that may operate without a license
- Age-group definitions
- Subsidized child care
- Whom to contact
- Child abuse reporting
- Child care centers
- Group child care homes
- Family child care homes

Child care is regulated differently in every state and sometimes even in different counties or cities in the same state. Throughout most of Alabama, the state Department of Human Resources, Office of Child Care, licenses child care centers and county offices of the Department license group child care homes and family child care homes. In Mobile and Madison counties, the county offices of the Department license centers, group child care homes, and family child care homes. Other types of local regulations, such as zoning, health, building, and fire safety codes, may also apply to child care facilities.

This guide explains the level of quality required for child care in Alabama. Some child care programs in the state operate at this level and some well above it. As a parent, you have your own standards and will look for providers you trust to meet them. Over time, your informed consumer choice and cooperation with the licensing agency can help raise the quality of child care in your community.

The regulations listed below are effective as of January 22, 2002; however some providers have been granted a compliance period. It is important to speak with a provider regarding their individual status.

Both the law and licensing requirements are subject to change. To ensure that you have accurate and complete information, check with the licensing office to see whether there have been any changes since the information in this guide was last updated.

Types of care that must be licensed

Child care licensing is a type of regulatory activity in which the state gives permission to an individual or a group to operate a child care facility. The state or county offices of the Alabama Department of Human Resources is responsible for monitoring compliance with state standards, establishing procedures for revoking a license, and providing appeal mechanisms.

In Alabama the following forms of child care must be licensed:

- *Child care centers.* Full- or part-time care in a non-residential setting for 13 or more children. In Alabama, this includes nursery schools, preschools, and pre-kindergartens operating more than four hours per day.
- *Group child care homes.* Full- or part-time care in a residence for between 7 and 12 children, including related children younger than lawful school age.
- *Family child care homes.* Full- or part-time care in a residence for 6 or fewer children, including related children younger than lawful school age.

More detailed information about child care centers, group child care homes, and family child care homes may be found later in this guide.

Types of care that may operate without a license

Some types of child care are not required to be licensed by the state. There are no agencies investigating or regulating these providers, so be sure to thoroughly check a provider's background and experience before choosing this type of care.

In Alabama the following forms of child care are exempt from licensing:

- Care provided in the child's home or by relatives
- Kindergarten or nursery schools operating fewer than four hours a day
- Activities programs for school-age children operated by civic, government, or charitable organizations
- Religiously affiliated child care centers that have received an official exemption
- Programs operated by colleges or universities

When children's programs are run by public elementary schools, the Department of Education is responsible for regulating them. Other government agencies that run children's programs also do their own regulating.

Age-group definitions

- *Infant:* child from birth to walking independently (usually about 18 months)
- *Toddler:* child from walking independently to 2½ years
- *Preschooler:* child from 2½ years to 5 years
- *School-age:* child 5 years and older

Subsidized child care

Alabama's Child Care Subsidy Program makes funds available to families to assist them with child care payments. Eligibility and the amount of the payments are

based on family size and income. Recipients of these funds must be working or in training for employment in order to qualify. Families who are eligible may receive assistance whether their child is in a child care center, group child care home, or family child care home. For further information about program availability and how to qualify, call the Alabama Department of Human Resources at 334-242-1773.

Whom to contact

For more detailed information regarding child care regulations in Alabama, to obtain a copy of state standards, or to report licensing violations, contact:

Office of Child Care
Alabama Department of Human Resources
Family Services Division
50 Ripley Street
Montgomery, AL 36130
334-242-9500
www.dhr.state.al.us

Child abuse reporting

The staffs of all child care facilities are required to report known or suspected child abuse or neglect to the state or to police. To report suspected child abuse, contact the Sheriff's Department, the County Office of the Alabama Department of Human Resources, or call the Alabama Department of Human Resources, Division of Family and Children's Services, at 334-242-9500 and request to speak to Child Care intake.

Child care centers

Licenses

- Must be licensed and renewed every two years.
- License must be clearly posted.
- General and/or professional liability insurance is not required.

State inspection

- Must be inspected prior to licensing.
- Unannounced inspections are made at renewal and after a complaint.

Staff:child ratios

- Birth to 12 months: one staff for up to six infants (1:6)
- 12 to 18 months: one staff for up to six infants (1:6)

4 • Child Care Regulations in Alabama

- 18 months to 2½ years: one staff for up to eight children (1:8)
- 24 to 36 months: one staff for up to nine children (1:9)
- 2½ to 4 years: one staff for up to 12 children (1:12)
- 4 years to school-age*: one staff for up to 20 children (1:20)
- School-age* to 8 years: one staff for up to 22 children (1:22)
- 8+ years: one staff for up to 25 children (1:25)

Staff:child ratios may differ during nap and swim time.

Children younger than 2½ years must be grouped separately from children over 2½ years.

In mixed age groups in which 20 percent of the group is made up of the youngest children, the ratio for the youngest child is used.

If the group has less than 20 percent of children in the youngest age group, the ratio for the next youngest age group applies.

Maximum group size

- Birth to 12 months: 6
- 12 months to 18 months: 6
- 18 months to 2½ years: 8
- 24 to 36 months: 9
- 2½ to 4 years: 12
- 4 to 6 years: 20
- 6 to 8 years: 22
- 8+ years: 25

Staff qualifications

Director

- Must be at least 19 years old
- Must have a high school diploma or a general equivalency diploma (GED)
- Must have at least 20 clock hours of training in administration and management and at least four clock hours of training in quality child care

5 • Child Care Regulations in Alabama

- Must have one of the following:
 - 120 clock hours of training in child care and at least 12 months of working experience as a child care worker or teacher or as a director in a licensed child care or a department approved setting
 - Child Development Associate (CDA) credential or a Certified Child Care Professional certificate from the National Child Care Association (NCCA) and at least 12 months of working experience as a child care worker or teacher or as a director in a licensed child care or a department approved setting
 - Associate's degree in child development or early childhood education and at least nine months of working experience as a child care worker or teacher or as a director in a licensed child care or a department approved setting
 - Bachelor's degree in child development or early childhood education and at least 6 months of working experience as a child care worker or teacher or as a director in a licensed child care or a department approved setting

Head teacher

- Must be at least 19 years old
- Must have a high school diploma or a GED (general equivalency diploma)
- Must have at least 12 clock hours of training in child care and development

Teacher's aide

- Must be at least 16 years old
- Must have completed eighth grade
- Must be supervised by teacher
- Not counted in staff:child ratio

Substitute

- Must be at least 19 years old
- Must be able to meet all qualifications of staff for whom he or she is substituting

Volunteer

- Must be supervised

Service staff

- Must attend center orientation
- Not included in the staff:child ratio unless they meet child care worker qualifications, act as a child care worker, and give full attention to the children.

Staff training

- Director must have at least 24 hours of training annually.
- Teachers must have at least 12 hours of training annually.
- Service staff must have at least four hours of training annually.

CPR and first aid

- At least one certified staff member must be on location.

Staff medical requirements

- Must have medical exam stating staff is free from any infectious or contagious disease and physically fit to care for children (obtained within first six months of employment and renewed at least every four years after initial visit).
- Must have TB test or chest X-ray within six months before being hired.
- Immunizations are not required.
- Drug and alcohol tests are not required.

Staff background checks

- State child abuse clearance checks are required.
- Fingerprinting and criminal records background checks are required.
- Directors and staff must provide three written references from non-relatives, including at least one previous employer.
- Character suitability review is required.

Discipline

- Certain methods of discipline, including corporal punishment, are prohibited.

Parents' rights

- Must be given a copy of operating procedures.
- Must be informed in writing of complaint procedures.
- Must be encouraged to visit at any time of the day.
- Must be notified of changes in child's behavior.

Health and safety requirements

- Must have adequate ventilation, lighting, and heating in areas used by children.
- Must meet local zoning laws and ordinances.
- Must be clean and free from apparent hazardous conditions such as heaters, fans, and radiators.

7 • Child Care Regulations in Alabama

- Flammables and other harmful materials must be labeled and kept under lock and key.
- Windows must have screens and glass doors must be marked.
- Electrical outlets must be covered.
- Stairs or steps must have handrails that are within children's reach.
- Outdoor play area and swimming pools must have a fence at least 4 feet high and have a locked gate.
- Animals must be separated from children and have current rabies vaccinations.
- Animals or breeds of animals that have shown aggressive behavior are not allowed.
- Must have a working phone.
- Must have written emergency procedures.
- Must have a written fire department inspection report with no violations.
- Must have a written health inspection report.
- Smoking is prohibited on the premises.

Transportation

- Annual vehicle safety check is required.
- Age-appropriate child safety restraints are required.
- Written permission from a parent or a guardian is required.

Child medical requirements

- Children must have medical exam and up-to date immunizations within one year prior to admission.
- Screening for blood lead levels is not required.

Care for sick children

- Ill children may not be permitted at the center and a child who becomes ill must be separated until the parent or guardian arrives.

Group child care homes

Licenses

- Must be licensed and renewed every two years.

- General and/or professional liability insurance is not required.

State inspection

- Inspection is made prior to licensing.
- Unannounced inspections are made when licenses are renewed and after a complaint.

Staff:child ratios

- One caregiver for every two children (1:2)
- Two caregivers for between 7 and 12 children of any age

Maximum group size

- No more than four children under 12 months
- No more than 12 children at one time, including drop-in, part-time, and related children younger than school-age

Staff qualifications

Provider

- Must be at least 19 years old.
- Must have a high school diploma or a GED.
- Must have at least 24 hours of training in child care and development.
- Must reside in the home.

Assistant

- Must be at least 19 years old.
- Must have a high school diploma or a GED.
- Must have 12 hours of training within the first 30 days of work.
- Must be present when more than seven children are present.

Substitute

- Must be at least 19 years old.
- Must have a high school diploma or a GED.
- Name, address, phone number, and medical information must be on file for at least two provider substitutes.

Staff training

- Provider must have 20 hours of training every year.

- Assistant must have 16 hours of training in child care during first six months of employment and 12 hours per year thereafter.

CPR and first aid

- Training in CPR and first aid is required.

Staff medical requirements

- All staff and household members who have contact with children must have a physical exam before a license is issued; the license must be renewed every two years by the provider and every four years by other staff.
- Must have TB test or chest X-ray within six months before being hired.
- Immunizations are required for children who are younger than school-age and living in the house.

Staff background checks

- Staff and household members must provide three written references.
- Criminal record check is required.
- Fingerprinting is required.
- Character suitability review is required.

Discipline

- Certain methods of discipline, including corporal punishment, are prohibited.

Parents' rights

- Must be given copy of operating procedures
- Must be informed about how to obtain a copy of the state licensing requirements and complaint procedures
- Must be informed of right to visit and observe at any time during the hours of care

Health & safety requirements

- Must have adequate ventilation, lighting, and heating in areas used by children.
- Must meet local zoning laws and ordinances.
- Must be clean and free from apparent hazardous conditions (e.g., barriers around heaters, fans and radiators).
- Flammables and other harmful materials must be labeled and kept under lock and key.
- Windows must have screens and glass doors must be marked.

- Electrical outlets must be covered.
- Stairs and steps must have handrails within children's reach.
- Outdoor play areas and swimming pools must have a fence at least 4 feet high and have a locked gate.
- Animals must be separated from children and have current rabies vaccination.
- Must have a working phone.
- Must have a written plan for care and evacuation of children in emergency.
- Must post emergency numbers by the phone.
- Must have written emergency procedures in case of emergency.
- Must have written fire department inspection report with no violations.
- Must have written health inspection report.
- Must have a working flashlight.
- Smoking is prohibited during the hours of child care.

Transportation

- Age-appropriate child safety restraints are required.
- Written permission from a parent or a guardian is required.

Child medical requirements

- Must have medical exam and up-to-date immunizations, within one year prior to admission.
- Medical report and certificate of immunization must be kept on file.

Care for sick children

- Ill children may not be in care and a child who becomes ill must be separated until the parent or guardian arrives.

Family child care homes

Licenses

- Must be licensed and renewed every two years.
- General and/or professional liability insurance is not required.

State inspection

- Inspection prior to licensing.

- Unannounced state inspections made when licenses are renewed and after a complaint.

Staff:child ratios

- One staff for up to 6 children

Maximum group size

- No more than 6 children at one time, including the provider's own children younger than lawful school age.
- No more than two children under 12 months after January 1, 2004 (Prior to January 1, 2004: no more than three children younger than 12 months).

Staff qualifications

Provider

- Must be at least 19 years old.
- Must have a high school diploma or a GED.
- Must have 24 clock hours of training in child care and development.
- Must reside in the home.

Substitute

- Must be at least 19 years old.
- Must have a high school diploma or a GED.
- Must be available to help if caregiver must leave.
- Name, age, address, phone number, medical, and reference information must be on file at home.

Staff training

- Twenty hours of training in child development every year

CPR/first aid

- Training required

Staff medical requirements

- All staff and household members who have contact with children must have a physical exam before a license is issued and this must be renewed every two years by the provider and every four years by others.
- Must have TB test or chest X-ray within six months before being hired.
- Immunizations are required for children living in the household and younger than lawful school age.

Staff background checks

- Staff and household members must provide three written references.
- Criminal record check is required.
- Fingerprinting is required.
- Character suitability review is required.

Discipline

- Certain methods of discipline, including corporal punishment, are prohibited.

Parents' rights

- Must be given copy of operating procedures
- Must be informed in writing of complaint procedures
- Must be informed of right to visit and observe any time during the hours of care

Health & safety requirements

- Must have adequate ventilation, lighting, and heating in areas used by children.
- Must meet local zoning laws and ordinances.
- Must be clean and free from apparent hazardous conditions such as heaters, fans, and radiators).
- Flammables and other harmful materials must be labeled and kept under lock and key.
- Windows must have screens and glass doors must be marked.
- Electrical outlets must be covered.
- Stairs and steps must have handrails within children's reach.
- Outdoor play areas and swimming pools must have a fence at least 4 feet high and have a locked gate.
- Animals must be separated from children and have current rabies vaccination.
- Must have a working phone.
- Must have a written plan for care and evacuation of children in emergency.
- Must post emergency numbers by the phone.
- Must have written procedures in case of emergency.
- Must have a written fire department inspection report with no violations.

- Must have a written health inspection report.
- Must have a working flashlight.
- Smoking is prohibited during the hours of child care.

Transportation

- Age-appropriate child safety restraints are required.
- Written permission from a parent or a guardian is required.

Child medical requirements

- Must have medical exam, including up-to-date immunizations, within one year prior to admission

Care for sick children

- Ill children may not be in care and a child who becomes ill must be separated until the parent or guardian arrives.