

Child Care Regulations in Colorado

Overview

A summary of child care regulations in Colorado.

- 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
- Large 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. In Colorado, the Department of Human Services Division of Child Care licenses child care centers, large child care homes, and family child care homes. The Department of Human Services contracts with the Jefferson County Department of Social Services and the Denver Department of Environmental Health to inspect and monitor child care centers, large child care homes, and family child care homes within Jefferson County and in the city and county of Denver. It also contracts with other local health departments, county departments of social services, Front Range Community College, and Goodwill Industries to inspect and monitor child care homes in the metro, Front Range, and western slope counties. Other types of local regulation, 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 regulations in Colorado. 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.

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 Colorado Department of Human Services Division of Child Care is responsible for monitoring compliance with state standards, establishing procedures for revoking a license, and providing appeal mechanisms.

In Colorado, the following forms of child care must be licensed:

- *Child care centers.* Full- or part-time care in a nonresidential setting. In Colorado, this includes nursery schools, prekindergartens, preschools, and religiously affiliated centers. Small centers care for five to 15 children from 2 to 16 years old; large centers care for 16 or more children from 2½ to 16 years old.
- *Large child care homes.* Full- or part-time care in a residence for between seven and 12 children 2 years and older.
- *Family child care homes.* Full- or part-time care in a residence for up to six full-time children from birth to 12 years old, who are from more than one family and are limited to two children younger than 2 years old, including the provider's children younger than 12 years old.
 - "Three under 2" homes are family child care homes that may have three children younger than 2 years old including the provider's own children, provided that no more than two children are under 12 months old.
 - Infant-toddler homes are family child care homes that may have only children under 3 years old including the provider's own children with the exception that one child may be between 3 and 6 years old.
 - Experienced provider homes are family child care homes run by providers with at least six years of experience and no substantiated complaints in the last two years. These providers have six different options for age of child and size of group.

More detailed information about child care centers, large child care homes, and family child care homes may be found later in this guide. Contact the Division of Child Care for more information on "3 under 2" homes, infant-toddler homes, and experienced provider homes.

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 Colorado, the following forms of child care are exempt from licensing:

- family child care for one or two children from the same family that is less than 24-hour care
- child care centers that provide religious instruction more than 50 percent of the time children are in care
- care provided infrequently

3 • Child Care Regulations in Colorado

- child care facility that is licensed by any other approved state department or agency

Age-group definitions

- *Infant*: child between birth and 18 months
- *Toddler*: child from 1 year and walking independently to 36 months
- *Preschooler*: child between 30 months and entering kindergarten
- *School-age*: child between 5 or 6 years (kindergarten) and 13 years

Subsidized child care

Colorado makes funds available to families to assist them with child care payments. The amount of the payments depends 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 family child care home or a child care center, as long as the type of care complies with state regulations.

For further information about program availability and how to qualify, contact the Colorado Department of Human Services Division of Child Care at 303-866-5958 or view their Web site listed below.

Whom to contact

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

Colorado Department of Human Services

Division of Child Care

1575 Sherman Street

Denver, CO 80203

303-866-5958

800-799-5876

www.cdhs.state.co.us

Child abuse reporting

The staffs of all child care facilities are required to report known or suspected child abuse or neglect to the local county department of social services or the police. To report suspected child abuse, contact your local county department of human services or social services or law enforcement.

Child care centers

Licenses

- Child care centers must be licensed.
- Licenses must be clearly posted.
- Liability insurance is not required unless the center receives public funds.
- Permanent license does not expire and renewal is not required, but provider must submit a declaration of compliance and self evaluation annually.
- Provisional license is issued for six months and must be renewed.

State inspection

- Inspection prior to licensing and from once monthly to once every three years, depending on history of compliance.
- Inspection made at random and within 24 hours to 60 days of a complaint, depending on the severity.
- All inspections are unannounced except the first licensing inspection and to change the license capacity.

Staff:child ratios

- 6 weeks to 18 months: one staff for up to five children (1:5)
- 12 to 36 months: one staff for up to five children (1:5)
- 2 to 3 years: one staff for up to seven children (1:7)
- 2½ to 3 years: one staff for up to eight children (1:8)
- 3 to 4 years: one staff for up to 10 children (1:10)
- 4 to 5 years: one staff for up to 12 children (1:12)
- 5+ years: one staff for up to 15 children (1:15)

Mixed age group

- 2½ to 6 years: one staff for up to 10 children (1:10)

For other preschool age combinations, the staff:child ratio for the youngest child should be utilized if more than 20 percent of the group is composed of younger children.

Two staff are required whenever nine or more children are present.

Maximum group size

- 6 weeks to 18 months: 10
- 12 to 36 months: 10
- 2 to 2½ years: 14
- 2½ to 3 years: 16
- 3 to 4 years: 20
- 4 to 5 years: 24
- 5+ years: 30

Mixed age groups

- 2½ to 6 years old: 20

For other age combinations, the staff:child ratio for the youngest child should be utilized if more than 20 percent of the group is composed of younger children.

Small centers may have a maximum capacity of 15 children between 2 and 16 years old.

Staff qualifications

Director

- Must be at least 18 years old.
- Must be a high school graduate.
- Small centers (less than 16 children) must have at least one of the following:
 - Three years of experience in child care plus 45 hours of training in early childhood education
 - Two years of college education (a three semester hour course in early childhood education plus one year of experience)
 - Child Development Associate (CDA) or Child Care Professional (CCP) credential or two-year college degree in early childhood education
- Large centers (more than 16 children) must have at least one of the following:
 - Bachelor's degree in early childhood education and development
 - Bachelor's degree in elementary education including 12 semester hours in specific classes and one year of experience
 - Two-year college degree plus one year of experience
 - Twenty-four semester hours of college level training plus two years of experience
 - Three semester hour course every five years

Teacher

- Must be at least 18 years old.
- Must be a high school graduate.
- Must have at least one of the following:
 - Bachelor's degree
 - Two-year college degree in child development/education
 - CDA credential
 - Two years of college education plus six months of experience
 - Twelve college-level units in early childhood education or development plus nine months of experience
 - Training program approved by state
 - Three years of experience

Teacher's aide

- Must be at least 16 years old.
- Must work under supervision of teacher.
- Infant aides must be at least 18 years old.

Substitute

- Must meet qualifications of staff for whom the substitution is needed.

Staff training

- Nine hours annually for all staff.
- Must have special training to care for infants and toddlers.

CPR and first aid

- One person trained in pediatric CPR and first aid must be present at all times for every infant room with 15 or fewer toddlers, or 30 preschool or school-age children.

Staff medical requirements

- Must have current physical exam.
- Must have TB test before beginning work and must have chest X-ray if sensitive to TB test.
- AIDS test is not required.
- Drugs and alcohol tests are not required.

7 • Child Care Regulations in Colorado

- Must have immunizations as required by personal physician.

Staff background checks

- Must be fingerprinted.
- Must have FBI criminal background check if have lived in Colorado for less than two years.
- Must have child abuse registry check.
- Staff younger than 18 years old must provide three written references.

Discipline

- Child care centers must have written discipline policy.
- Certain methods of discipline, including corporal punishment, are prohibited.

Parents' rights

- Reports of state inspections must be available to parents at center.
- Parents must be provided with written operating procedures.
- Parents must be given access to all areas of facility where children are cared for.
- Child care centers must have regularly scheduled conferences with parents.

Health and safety requirements

- Must have a written emergency plan.
- Must have sign-in/out sheets for children.
- Must have a working phone.
- Fire drills, consistent with fire department procedures, must be held regularly.
- Dangerous substances may not be stored in rooms where children receive care.
- Electrical outlets must be covered.
- Must have a smoke detector.
- Swimming pools must be surrounded by fence at least five feet tall with locking gate.
- Smoking is prohibited.

Child medical requirements

- Infants and toddlers are required to have medical exams six months prior to or within 30 days of enrollment.

- Preschool children are required to have exams within 12 months prior to or 30 days after enrollment.
- Must be immunized, including hepatitis B.

Care for sick children

- Children exposed to specific communicable diseases must be excluded from the center for the time prescribed by the child's physician or the local health department.
- Parents must be notified when a child attending the center contracts a contagious disease.
- Regulations allow care for sick children who are not contagious.

Large child care homes

Licenses

- Large child care homes must be licensed.
- Liability insurance is not required unless the center receives public funds.
- Original provisional license is valid for six months.
- After renewal, license is permanent.

State inspection

- Inspection before licensing is required.
- Unannounced inspection is made after a complaint.
- Inspections vary depending on history of compliance; may occur from once monthly to once every three years.

Staff:child ratios

- One staff for up to six children, including family members

Contact the licensing agency for information on staff:child ratios and maximum group size for infant-toddler homes.

Maximum group size

- No more than 12 children over 2 years old.
- May provide care to no more than two children younger than 2 years old.

Staff qualifications

Provider

- Must be at least 18 years old
- Must reside in the home
- Must have a substitute who meets all requirements of primary care giver
- Must have at least one of the following:
 - Three years of experience in group homes or as licensed child care provider
 - Two years of college education plus one year of experience in group home
 - CDA credential
 - Forty hours of training plus two years as licensed provider plus two years of experience in group homes

Contact the licensing agency for information on staff qualifications for special licenses for experienced providers.

Staff training

- Twelve hours of orientation training prior to licensing or within three months of licensing
- One and a half hours of universal precautions training renewed every three years
- Nine hours of training yearly on general child care topics

CPR and first aid

- CPR and first aid training is required and must be kept current.

Staff medical requirements

- Staff and family members that participate in the care of children must have initial physical exam and regular physical statements as determined by doctor every two years.
- Must have TB test.
- No immunization requirements.

Staff background checks

- Staff and family members over 18 years old must have child abuse registry check and must be fingerprinted for criminal background check.
- Staff and family members over 18 years old must have FBI background checks if have lived in Colorado for less than two years.

Discipline

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

Parents' rights

- Reports of state inspections must be available to parents at center.
- Parents must be provided with written operating procedures.

Health and safety requirements

- Must have a written emergency plan.
- Must meet all local zoning ordinances and building codes.
- Must have a working phone.
- Emergency phone numbers must be posted.
- Dangerous substances must be stored in a locked area away from children.
- Electrical outlets must be covered.
- Must have smoke detectors and fire exits.
- One adult, with valid water safety certificate, must be present during water activities.
- Swimming pool must be surrounded by fence at least five feet tall with locking gate.
- No smoking is allowed during operation.

Child medical requirements

- Must be immunized according to regulations set by the Department of Public Health and Environment within the last 12 months prior to enrollment.
- Must be renewed every year for children younger than 7 years old and every three years for children 7 years and older.

Care for sick children

- Children exposed to specific communicable diseases must be excluded from the home for the time prescribed by the child's physician or the local health department.
- Regulations allow care for sick children who are not contagious.

Family child care homes

Licenses

- Family child care homes must be licensed.
- Liability insurance is not required unless the center receives public funds.
- Original provisional license valid for six months.
- After renewal, license is permanent.

State inspection

- Unannounced inspection is made after a complaint.
- Inspection before licensing is required.
- Inspections vary depending on history of compliance; may occur from once monthly to once every three years.

Staff:child ratios

- One staff for up to six children, including family members

Maximum group size

- No more than six children from birth to 13 years old may be in care at one time plus two children before or after school.
- No more than two children younger than 2 years old.

Staff qualifications

Provider

- Must reside in the home
- Must be at least 18 years old
- Must have a substitute.

Staff training

- Twelve hours in the three months before licensing
- Nine hours every year thereafter
- One and a half hours of universal precautions training renewed every three years

Contact the licensing agency for information on “3 under 2” homes, that have more stringent training requirements.

CPR and first aid

- CPR and first aid training is required and must be kept current.

Staff medical requirements

- Staff and family members must have initial physical exam and regular physical statements every two years as determined by doctor if they participate in care of children.
- Must have TB test.
- No immunization requirements.

Staff background checks

- Staff and family members over 18 years old must have child abuse registry check and be fingerprinted for criminal background check.
- Staff and family members over 18 years old must have FBI background checks if they have lived in Colorado for less than two years.

Discipline

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

Parents' rights

- Reports of state inspections must be available to parents at center.
- Parents must be provided with written operating procedures.

Health and safety requirements

- Must have written emergency plan.
- Must meet all local zoning ordinances and building codes.
- Must have a working phone.
- Emergency phone numbers must be posted.
- Dangerous substances must be stored in a locked area away from children.
- Electrical outlets must be covered.
- Must have smoke detectors and fire exits.
- Swimming pool must be surrounded by fence at least five feet tall with locking gate.
- No smoking is allowed during operation.

Child medical requirements

- Children are required to have exams within 12 months prior to enrollment and must renew every year for children younger than 7 years old and every three years for children over 7 years old.
- Must be immunized according to regulations set by the Department of Health and Environment.

Care for sick children

- Children exposed to specific communicable diseases must be excluded from the home for the time prescribed by the child's physician or the local health department.
- Regulations allow care for sick children who are not contagious.