

Child Care Regulations in Vermont

Overview

A summary of child care regulations in Vermont.

- Types of care that must be licensed
- Types of care that must be registered
- Types of care that may operate without a license or registration
- Subsidized child care
- Whom to contact
- Child abuse reporting
- Early childhood programs
- Early childhood programs for 12 children or fewer
- 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 Vermont, the Department of Social and Rehabilitation Services, Child Care Services Division, licenses early childhood programs and registers 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 by child care regulations in Vermont. 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 authorizes an individual or a group to operate a child care facility. The Vermont Department of Social and Rehabilitative Services, Child Care Services Division, is responsible for monitoring compliance with state standards, establishing procedures for revoking a license, and providing appeal mechanisms.

In Vermont, the following form of child care must be licensed:

- *Early childhood programs.* Full- or part-time care in a nonresidential setting or in a home. In Vermont, this includes child care centers, nursery schools, preschools, prekindergartens, before- and after-school programs, and religiously-affiliated programs.

Types of care that must be registered

Registration is a form of regulatory activity that encourages active parental monitoring of facilities.

In Vermont, the following form of child care, if not licensed, must be registered:

- *Family child care homes*. No more than six full-time children and four part-time children.

More detailed information on early childhood programs and family child care homes may be found later in this guide.

Types of care that may operate without a license or registration

Some types of child care are not required to be licensed or registered by the state. Unless the child care is paid for with public funds, 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 Vermont, the following forms of child care are exempt from licensing or registration:

- Care provided in the child's home or by relatives
- Providers caring for the children of just one or two families may voluntarily register
- Recreational programs and camps for school-age children
- Programs aimed at providing single-skill activities such as sports or arts programs
- Programs operating 10 or fewer consecutive weeks per year for school-age children

Subsidized child care

The Vermont Child Care Services Division 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 seeking employment, working, or in training for employment (in a state-approved program) in order to qualify. Families who are eligible may receive assistance whether their child is in a registered family child care home or a licensed early childhood program, or is receiving care provided by an authorized or certified legally exempt provider, as long as the type of care complies with state law.

For further information about program availability and how to qualify, contact Child Care Resource at 800-339-3367.

Whom to contact

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

Vermont Agency of Human Services
Department for Children and Families
Child Development Division
103 South Main Street
Waterbury, Vermont 05671-2901
800-649-2642
802-241-3110
www.dcf.state.vt.us/cdd

Child abuse reporting

The staffs of all child care facilities are required to report known or suspected child abuse or neglect to the Department of Social and Rehabilitation Services. To report suspected child abuse, contact the department's regional office in your area or contact the Department for Children & Families, Family Services, at 802-479-4260.

Early childhood programs

Licenses

- Must be licensed and renewed annually.
- License must be posted.
- General liability insurance is required.
- Professional liability insurance is not required.

State inspection

- Inspection is required prior to licensing.
- Unannounced inspection is made after a complaint and at least twice a year, unless warranted more often.

Staff:child ratios

- 6 weeks to 23 months: one staff for up to four children (1:4)
- 24 to 35 months: one staff for up to five children (1:5)
- 3 years to kindergarten-age: one staff for up to 10 children (1:10)
- First-grade age to 15 years: one staff for up to 13 children (1:13)

In mixed-age groups, the staff:child ratio for the youngest child applies.

Naptime ratios may be lower, but staff must be on premises to assist when necessary.

Maximum group size

- 6 weeks to 23 months: 8
- 3 to 5 years: 20
- 6 to 15 years: none

Staff qualifications

Master teacher

- Must have a master's degree in early childhood education, human/child development, or a related field
- Must have two years of successful experience with groups of children, or at least two years of successful experience with the ages of children specified by the license
- Must have a minimum of 12 hours of Professional Development Activities

Teacher

- Must have a bachelor's degree in early childhood education, human/child development, or a related field
- Must have one year of successful experience with groups of children or experience with the ages of children specified by the license
- Must have a minimum of 12 hours of Professional Development Activities

Teaching associate

- Must have one of the following:
 - Associate's degree in early childhood education, human/child development or a related field
 - Child Development Associate (CDA) credential
 - Child care professional certification from the Community College of Vermont, plus two years of successful experience with groups of children
 - Three years of successful experience with groups of children and completion of four higher education courses in topics related to early childhood education (12 credit hours minimum)
- Must have a minimum of 12 hours of Professional Development Activities

Teaching assistant

- Must be at least 18 years old
- Must have a high school diploma or a general equivalency diploma (GED).

5 • Child Care Regulations in Vermont

- Must complete a 30-hour course in early childhood education or one higher education course in early childhood development within one year of beginning employment

Trainee

- Must be at least 17 years old
- Must be enrolled in or graduated from a state-approved technical center human services program that emphasizes child development

Staff training

- All staff must have 12 hours annually of Professional Development Activities.

CPR and first aid

- All paid staff must know basic first aid as of January 2002.
- One person with CPR training must be present at all times.

Staff medical requirements

- Physical exam is not required.
- Up-to-date immunizations are not required.
- TB test is not required.
- AIDS test is not required.
- Drug and alcohol tests are not required.

Staff background checks

- State criminal background and child abuse clearance checks are required.
- Fingerprinting is not required.
- Three references are required.

Discipline

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

Parents' rights

- Must be offered the opportunity to meet with staff upon request and at least two times annually
- Must have free access to the center and the child's caregiver at any time child is in care
- Must receive a copy of operating policies

- Must be notified immediately of accident, illness, or injury, or lost or missing child

Health and safety requirements

- Must have a working phone.
- Emergency phone numbers must be posted.
- Must have written authorization to release the child to an adult other than the parent.
- Must have check-in and check-out procedures for children.
- Outdoor play area must be surrounded by a fence, or otherwise protected from risks of harm.
- Must cover electrical outlets.
- Must have a first-aid kit.
- Hazardous or toxic materials must be inaccessible to children.
- Pets must be vaccinated for rabies, and may not be of dangerous temperament or present a risk of harm.
- In facilities constructed before 1978, Essential Maintenance Practices must be performed to protect children from dust and chips related to lead paint.
- Stairs must have handrails and safety gates.
- Must post an emergency evacuation plan.
- Must practice the evacuation plan monthly.
- Windows and doors must have screens.
- Swimming pools must be properly maintained and outdoor facilities must be protected with a locking gate and surrounded by a fence at least 4 feet high.
- Smoking is prohibited on the premises or in view of children.

Transportation

- Signed written permission from a parent or a guardian is required to transport child.
- Children under 5 years old must be secured in a federally approved child restraint system and all passengers over 5 years old, including the driver, must be secured in a safety belt.
- Driver must have a valid operator's license; driving 16 or more persons at one time requires a commercial driver's license.

Child medical requirements

- Must have all age-appropriate immunizations, including hepatitis B.
- Screening for blood lead levels is not required.
- Must have written permission from the parent to administer medications.

Care for sick children

- Children with certain symptoms and certain contagious illnesses listed by the state must be excluded from care.

Early childhood programs for 12 children or fewer

Licenses

- Must be licensed and renewed every year.
- License must be posted.
- General liability insurance is required.
- Professional liability insurance is not required.

State inspection

- Inspection is required during licensing and twice annually.
- Unannounced inspection is made after a complaint.

Staff:child ratios

- One staff for up to two children (1:2) under 2 years old or, if no other children are in care, one staff for up to four children (1:4) under 2 years old

Maximum group size

- May care for up to 12 children

Staff qualifications

Provider

- Must be at least 18 years old
- Must have one of the following:
 - CDA credential
 - Associate's degree in a child-related area
 - Certification in child care from Community College of Vermont or a voc/tech program

- Must have two years of successful experience operating a state regulated family child care home

Assistant

- Must be at least 18 years old
- Must have successful experience working with young children in a regulated facility
- Must complete one 30-hour course in child development within one year

Staff training

- All staff must have 12 hours of training per year.

CPR and first aid

- All paid staff must know basic first aid as of January 2002.
- One person with CPR training must be present at all times.

Staff medical requirements

- Physical exam is not required.
- No immunization requirements.
- TB test is not required.
- AIDS test is not required.
- Drug and alcohol tests are not required.

Staff background checks

- State criminal and child abuse background checks are required.
- Provider must have three written references; assistant must have three telephone references.

Discipline

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

Parents' rights

- Must be offered the opportunity to meet with the provider two times each year
- May have free access to areas of the home used for care any time children are in attendance
- Must receive a copy of operating policies

Health and safety requirements

- Must have a working phone.
- Emergency phone numbers must be posted.
- Must have written authorization to release the child to an adult other than the parent.
- Must have check-in and check-out procedures for children.
- Outdoor play area must be surrounded by a fence, or otherwise protected from risks of harm.
- Must cover electrical outlets.
- Must have a first-aid kit.
- Hazardous or toxic materials must be inaccessible to children.
- Pets must be vaccinated for rabies, and may not be of dangerous temperament or present a risk of harm.
- In facilities constructed before 1978, Essential Maintenance Practices must be performed to protect children from dust and chips related to lead paint.
- Stairs must have handrails and safety gates.
- Must post an emergency evacuation plan.
- Must practice the evacuation plan monthly.
- Windows and doors must have screens.
- Swimming pools must be properly maintained and outdoor facilities must be protected with a locking gate and be surrounded by a fence at least 4 feet high.
- Smoking is prohibited on the premises or in view of children.

Child medical requirements

- Must have all age-appropriate immunizations, including hepatitis B.
- Screening for blood lead levels is not required.
- Must have written permission from the parent to administer medications.

Care for sick children

- Sick children must be excluded from care.

Family child care homes

Licenses

- Must be registered and renewed annually.
- Liability insurance is not required.

State inspection

- Must have on-site assessment and rules review prior to registration.
- Inspection is conducted on a random basis.
- Unannounced inspection is made after a complaint.

Staff:child ratios

- One staff for up to two children under 24 months old, or when caring only for children under three years old
- One staff for up to three children
- Two staff for four to seven children
- Three staff for eight or more children
- A second staff person must be present and on duty when there are more than six children in care

Maximum group size

- May care for up to 10 children, not including the provider's own children over 2 years old, if four or more are school-age children who are attending fewer than four hours a day

Staff qualifications

Provider

- Must be at least 18 years old
- Must be able to read
- Must reside in the home
- Must attend orientation within 90 days of becoming registered

Assistant

- Must be at least 18 years old

Staff training

- Must have six hours of interactive developmental activities annually

CPR and first aid

- All staff must have knowledge of basic first aid.
- Infant/child CPR training is required within the first year, not to be included in the required six hours of staff training.
- First-aid and child abuse prevention training is encouraged.

Staff medical requirements

- Physical exam is not required.
- No immunization requirements.
- TB test is not required.
- AIDS test is not required.
- Drugs and alcohol tests are not required.

Staff background checks

- State criminal and child abuse background checks are required.
- Three written references are required.

Discipline

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

Parents' rights

- May visit at any time the child is in care
- Must receive a copy of "Booklet for Parents," explaining registration regulations
- Must be notified if anyone in the home smokes

Health and safety requirements

- Must comply with local ordinances.
- Must have a working phone.
- Emergency numbers must be posted by the phone.
- Must have written authorization to release the child to an adult other than the parent.
- Must cover electrical outlets.
- Must have a first-aid kit.
- Hazardous or toxic materials must be inaccessible to children.

- In facilities constructed before 1978, Essential Maintenance Practices must be performed to protect children from dust and chips related to lead paint.
- Must post an emergency evacuation plan.
- Must practice the evacuation plan monthly.
- Each floor level must have two exits.
- Must have smoke detectors on each floor.
- Must have a fire extinguisher.
- Firearms must be unloaded and inaccessible to children.
- Swimming pools must be properly maintained and outdoor facilities must be protected with a locking gate; above-ground pools less than 4 feet high and in-ground pools must be surrounded by a fence at least 4 feet high.
- Smoking is prohibited on the premises or in view of the children.

Transportation

- Signed written permission from a parent or a guardian is required to transport children.
- Children under 5 years old must be secured in a federally approved child restraint system and all passengers over 5 years old, including the driver, must be secured in a safety belt.
- Driver must have a valid operator's license; driving 16 or more persons at one time requires a commercial driver's license.

Child medical requirements

- Must have all age-appropriate immunizations, including hepatitis B.
- Screening for blood lead levels is not required.
- Must have written permission from the parent to administer medications.

Care for sick children

- Sick children may be in care if the provider and parent agree that the presence of the ill child will not have an adverse effect on the health of the other children in care.