

## **101216 Personnel Requirements**

### **(a)**

Child care center personnel shall be competent to provide the services necessary to meet the individual needs of children in care and shall at all times be employed in numbers sufficient to meet those needs.

### **(b)**

The Department has the authority to require any licensee to provide additional staff whenever the Department determines and documents that additional staff are required for the provision of services necessary to meet the needs of children in care. The licensee shall be informed in writing of the reasons for the Department's determination. The following factors shall be taken into consideration in determining the need for additional staff: (1) Needs of the children. (2) Extent of the services provided by the center. (3) Physical arrangements of the center. (4) Existence of a state of emergency or disaster.

#### **(1)**

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#### **(2)**

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#### **(3)**

Physical arrangements of the center.

#### **(4)**

Existence of a state of emergency or disaster.

**(c)**

The license may utilize volunteers provided that such volunteers are supervised and are not included in the center's staffing plan.

**(d)**

The following child care center personnel shall be at least 18 years old: (1) Persons who supervise employees and/or volunteers. (2) Persons, including volunteers, who provide any element of care and supervision to children.

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**(2)**

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**(e)**

All personnel shall be given on-the-job training in the areas listed below, or shall have related experience that demonstrates knowledge of and skill in those areas. Such training or experience shall be appropriate to the job assigned and shall be evidenced by safe and effective job performance. (1) Principles of nutrition, food preparation and storage, and menu planning. (2) Housekeeping and sanitation principles, including universal health precautions. (3) Provision of child care and supervision, including communication. (4) Assistance with prescribed medications that are self-administered. (5) Recognition of early signs of illness and the need for professional assistance. (6) Availability of community services and resources.

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**(5)**

Recognition of early signs of illness and the need for professional assistance.

**(6)**

Availability of community services and resources.

**(f)**

At least one staff member who is trained in pediatric cardiopulmonary resuscitation and pediatric first aid pursuant to Health and Safety Code Section 1596.866 shall be present when children are at the child care center or offsite for center activities.

**(g)**

All personnel, including the licensee, administrator and volunteers, shall be in good health and shall be physically and mentally capable of performing assigned tasks. (1) Except as specified in (3) below, good physical health shall be verified by a health screening, including a test for tuberculosis, performed by or under the supervision of a physician not more than one year prior to or seven days after employment or licensure. (2) Each person specified in (g) above shall have a health-screening report signed by the person performing the screening. This report shall indicate the following: (A) The person's physical qualifications to perform the duties to be assigned. (B) The presence of any health condition that would create a hazard to the person, children or other staff members. (3) The good physical health of each volunteer who works in the center shall be verified

by: (A) A statement signed by each volunteer affirming that he/she is in good health. (B) Results of a test for tuberculosis performed not more than one year prior to or seven days after initial presence in the center.

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**(3)**

The good physical health of each volunteer who works in the center shall be verified by: (A) A statement signed by each volunteer affirming that he/she is in good health. (B) Results of a test for tuberculosis performed not more than one year prior to or seven days after initial presence in the center.

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**(B)**

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**(h)**

Personnel that pose a threat to the health and safety of children shall be relieved of their duties.

**(i)**

Prior to employment or initial presence in the child care center, all employees and volunteers subject to a criminal record review shall: (1) Obtain a California clearance or a criminal record exemption as required by law or Department regulations or (2) Request a transfer of a criminal record clearance as specified in Section 101170(f) or (3) Request and be approved for a transfer of a criminal record exemption, as specified in Section 101170.1(r), unless, upon request for a transfer, the Department permits the individual to be employed, reside or be present at the facility.

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**(j)**

Personnel shall provide for the care and safety of children without physical or verbal abuse, exploitation or prejudice.

**(k)**

The licensee or designated individual shall instruct all personnel to report observations or evidence of violations of any of the personal rights specified in Section 101223.

**(l)**

All personnel shall be informed of their rights pursuant to Sections 1596.881 and 1596.882 of the Health and Safety Code. (1) The licensee shall provide each employee with a Notice of Employee Rights (LIC 9052 [11/94]). (A) Each employee shall be asked to sign and date the LIC 9052 (11/94) to acknowledge receipt of the form. (B) A copy of the signed LIC 9052 (11/94) shall be kept in the employee's personnel record. (C) If the employee refuses to sign the LIC 9052 (11/94), a dated notation to that effect shall be kept in the employee's personnel record.

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