(1) Compliance with USDA Nutritional Guidelines. Meals and snacks with serving sizes dependent upon the age of the child shall meet nutritional guidelines as established by the United States Department of Agriculture Child and Adult Care Food Program. Meals and snacks shall be varied daily, and additional servings of nutritious food shall be offered to children over and above the required daily minimum, if not contraindicated by special diet.

(2) Feeding of Infants and Children. A signed written feeding plan for children less than one (1) year of age shall be obtained from Parent(s). Instructions from the Parent(s) shall be updated regularly as new foods are added or other dietary changes are made. The feeding plan shall be posted in the child's assigned room and must include the child's feeding schedule, the amount of formula or breast milk to be given, instructions for the introduction of solid foods, the amount of food to be given and notation of any type(s) of commercially premixed formula which may not be used in an emergency because of food allergies.

(a) Center Personnel shall hold and feed infants less than six (6) months of age and older children who cannot hold their own bottles or sit alone. Baby bottles shall never be propped; the infant's head shall be elevated while feeding.

(b) Honey shall not be served to children less than one (1) year of age.

(c) Age-appropriate solid foods (including cereal) shall not be given to infants or children less than one (1) year of age until recommended as developmentally appropriate by the child’s primary care physician and indicated in writing by the Parent(s). As soon as the feeding plan indicates that a child is ready for solid foods, the child shall be fed from individual spoons and individual containers or dishes. A child shall not be fed directly from the original baby food container if the contents are to be fed to the child at more than one (1) meal or to more than one (1) child.

(d) As soon as the child exhibits a desire to feed him/herself, the child shall be assisted and encouraged to use their fingers for self-feeding, eat with a spoon, and to drink from individual cups.

(e) The Center shall encourage and support breastfeeding. Centers shall have a designated area set aside for breastfeeding mothers to breastfeed.

(f) Food for infants or children less than one (1) year of age shall be cut into pieces one-quarter inch or smaller and food for toddlers shall be cut into pieces one-half inch or smaller to prevent choking.

(g) Center Personnel shall ensure that children do not have excessive amounts of food in their mouths while eating and are chewing their food appropriately to prevent instances of choking. Children shall always be seated when eating and shall not be allowed to lie down or be put to sleep while food is present in their mouths.

(3) Baby Bottles and Formula. All baby bottles shall be clearly labeled with the individual child's name. Formula or breast milk shall be supplied by the Parent daily in bottles. Only the current day's formula or breast milk shall be served. Bottles shall be refrigerated at a temperature of forty (40) degrees Fahrenheit or less. If formula must be provided by the Center, only commercially prepared, ready-to-feed formula shall be used. Refrigerated or frozen breast milk shall only be heated or thawed under warm running water or in a container of warm water.

(4) Feeding Chairs. A feeding chair or similar equipment designed for feeding children shall be provided for the use of each child being fed who is capable of sitting up but who is unable to sit unassisted at a table. The chair or similar equipment must be cleaned with a disinfectant after each use. Such chair or similar equipment shall have a broad base to prevent tipping; a surface that the child cannot raise; a strap or other device which prevents the child from sliding out of the chair; and a feeding surface free of cracks.

(5) Menus. The Center shall provide a menu listing all meals and snacks to be served during the current week except for School-age Centers where the food may be provided by the Parent(s) by agreement between the School-age Center and the Parent(s). Substitutions shall be recorded on the posted menu. Menus shall be retained at the Center for six (6) months.
Meal Service.

(a) Children shall be served all meals and snacks scheduled for the period during which they are present. In those Centers where the Parent(s) of children enrolled provide the meals and snacks, the Center shall ensure that no child remains at the Center without receiving the scheduled nutritious meals and snacks. There shall be a period of at least two (2) hours between each required meal or snack. The following meals and snacks shall be scheduled and served by the Center when appropriate: breakfast or a morning snack, lunch, an afternoon snack, supper if a Center operates evening care and an evening snack prior to bed time if a Center operates night time care.

(b) Food and beverages shall be served in individual plates or bowls and with individual glasses or cups.

(c) Children shall be encouraged but not forced to eat.

(d) Caregivers shall not use food to punish or reward children.

(e) Children shall be given necessary assistance in feeding and encouraged to develop good nutritional habits.

(f) Hot food shall not be served at a temperature which would cause the children to burn their mouths upon consuming the food.

(g) Drinking water shall be available to all children and shall be offered at least once between meals and snacks to children less than three (3) years of age.

Restrictions. Food shall be served according to manufacturer's instructions and recommendations. Foods that are associated with young children’s choking incidents, such as, but not limited to, peanuts, hot dogs, raw carrots, popcorn, fish with bones, cheese cubes, and grapes and any other food that is of similar shape and size of the trachea/windpipe shall not be served to the children less than three (3) to four (4) years of age. Children older than three (3) to four (4) years of age may be served these foods provided that the foods are cut in such a way as to minimize choking. Food shall not be accessible or served to children until it has been chopped, diced, cut or mashed and is appropriate for each child’s age and individual eating, chewing and swallowing ability. Foods and drinks with little or no nutritional value, i.e., sweets, soft drinks, etc. shall be served only on special occasions and only in addition to the required nutritious meals and snacks. Powdered nonfat dry milk shall only be used for cooking purposes.

Modified Diets. When a child requires a modified diet for medical reasons, a written statement from a medical authority shall be on file. When a child requires a modified diet for religious reasons, a written statement to that effect from the child's Parent(s) shall be on file. All caregiver Personnel shall be informed of the diet restriction for the child and only food that complies with the prescribed dietary regimen but still meets the food and nutrition requirements shall be served to the child.

Unconsumed Food. Any portions of food or drink which are served to children or placed on the table for service and are not consumed at that meal or snack by the children to whom the portions are served shall be thrown away. Any formula or breast milk remaining one hour from the beginning of the feeding shall be discarded or returned to Parent(s).

Catered Food. Food purchased from a caterer shall be prepared in a facility with a current food service permit and shall be maintained at a safe temperature [forty (40) degrees Fahrenheit or below for foods requiring refrigeration or one hundred forty (140) degrees Fahrenheit for foods which must be heated prior to serving] until served.
Vending Machines. Soft drink vending machines and other food dispensers shall not be maintained on Center premises for children's use. Vending machines and dispensers for Staff shall be outside of the children's areas.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-15

Authority: O.C.G.A. § 20-1A-1 et seq.


591-1-1-.16 Governing Body and Licenses

Each Center shall have a clearly identified governing body which shall be empowered and responsible for determining all policies and procedures and ensuring compliance with these rules and regulations. The chairperson or chief executive officer of the governing body shall complete a statement of responsibility on behalf of the governing body acknowledging the same in connection with any application for License or Permit on a form provided by the Department. If the Center is individually owned, then the owner(s) will complete the statement of responsibility.

(a) Application for License. Prior to filing for licensure, an applicant shall attend an orientation of no more than 16 hours that has been approved by the Department. This orientation shall, at a minimum, provide instruction on the application process and give an overview of the Department’s regulations that relate to the operation of early child care learning centers.

1. Orientation. An existing License Holder applying for another Child Care Learning Center License is not required to attend another orientation within two years following the successful completion of a prior orientation.

2. An applicant applying for multiple Child Care Learning Center Licenses at one time is only required to attend one orientation.

(b) Director's Training. Prior to the issuance of an initial License, the Director of a Center responsible for its day-to-day operations shall have completed a 40-hour director's training course that has been approved by the Department. At a minimum, the subject matter taught at a Director's training course shall cover the areas of administrator competencies that serve as a framework for professional development, which include, but are not limited to, early learning standards, business management, communication, developmentally appropriate practices, professional and leadership development, and advocacy for the Center, Parents, children and Staff.

(c) No person shall operate a Center without a License or Permit. A separate License or Permit is required for each address or location at which a Center is proposed to be operated even when all of the proposed Centers are owned by the same person or entity. A separate License or Permit is also required for each Center operated at a single location by the same governing body.

1. Temporary License. The Department may at its discretion issue a temporary License if the health and safety of the children to be served by the Center will not be endangered. A temporary License will be valid for a specified period not to exceed one (1) year and may be issued when the Center is not in full compliance with these rules but has demonstrated satisfactory evidence that it is making progress toward meeting these rules and has submitted an acceptable Plan of Correction.

2. Restricted License. The Department may at its discretion issue a restricted License in lieu of a temporary or regular License. The restricted License may be granted either in connection with the initial application process for a License or Permit or as a result of a subsequent determination made by the Department concerning compliance with these rules. The restriction shall appear on the face of the License and shall restrict a Center from providing care or services which are beyond the capability of the License Holder to provide. The restriction may also limit the number and/or age of the children served by the Center.

3. Regular License. A License will be issued upon presentation of evidence satisfactory to the Department that the Center is in compliance with applicable statutes and these rules. The License is valid for one year unless voluntarily surrendered by the holder, reduced to a restricted or temporary License or suspended or revoked by the Department.

4. Qualification Requirement. In order to obtain or retain a License or Permit, the Director of the Center and its Employees must be qualified as defined in these rules to administer or work in a Center. The Department may presume that the Director and Employees are qualified subject to a satisfactory Comprehensive Records Check Determination. However, the Department may require additional reasonable verification of the qualifications of the Director and Employees either at the time of application for a License or Permit or at any time during the License or Permit period whenever the Department has reason to believe that a Director or Center Employee is not qualified.
under these rules to administer or work in a Child Care Learning Center. Reasonable verification which may be required by the Department may include, but need not be limited to, any or all of the following: statement(s) from an attending physician or other health care professionals attesting to the mental and/or physical health of the applicant and/or staff member; letters of reference from designated persons in the community where the applicant and/or staff member intends to work or is working; certified copies of court orders and additional criminal records checks.

(d) License or Permit is Non-transferable. A License or Permit to operate a Child Care Learning Center is not transferable in any way. Each License and Permit shall be returned to the Department immediately upon the expiration, suspension, revocation, restriction of the License or Permit or closure or termination of the operation.

(e) License Fees. Every License or Commission issued by the Department to operate a Child Care Learning Center shall be subject to an annual fee. Such annual fee shall be determined by the following:

1. Capacity of one to 25 children……. $50.00
2. Capacity of 26 to 50 children………$100.00
3. Capacity of 51 to 100 children…….$150.00
4. Capacity of 101 to 200 children……$200.00
5. Capacity of more than 200 children..$250.00

If such annual fee is not paid by the date set forth by the Department, the Department may issue a late fee of up to $250.00 within 30 days of the due date. If such annual fee and any imposed late fees are not paid within 30 days of the due date, the Department shall revoke the License or Commission.

(f) Amended License. If there is a change in the name of the program or Center, changes in the ages of the children to be served, an increase in the regular hours of operation such that the Center would be providing evening or night-time care in addition to day-time care, changes in the services provided, additions to or changes in the use of the building by the licensed Center, an application for an amended License shall be submitted at least thirty (30) days prior to the change, except in the case of an emergency. If an emergency situation arises which makes it impossible to give thirty (30) days' notice, the management of the Center shall notify the Department by telephone and shall submit an application for an amended License as soon as management becomes aware of the change that will be necessitated by the emergency situation. In no case, however, shall a new owner operate the Center without first securing a new License or Permit from the Department.

(g) False or Misleading Information. The application for a License or Permit, including the Records Check Application, must be truthfully and fully completed. In the event that the Department has reason to believe that the application has not been completed truthfully, it may require additional verification of the facts alleged. The Department may refuse to issue a License or Permit where false statements have been made in connection with the application or any other documents required by the Department.

(h) E-mail Contact Information. Each Center issued or applying for a License or Permit in the state of Georgia shall provide the Department e-mail contact information ("Contact Information") so that this agency may contact the Center and send information to the Center via e-mail. It shall be the Center's responsibility to maintain correct contact information, to update the Department if contact information changes, and to respond timely to information requests from the Department transmitted to the provided e-mail address. Delivery of any such information, including but not limited to directives, bulletins, data requests, notices of proposed amendments to rules and regulations, and any other matters affecting Centers, to said e-mail address shall be considered valid so long as the Department does not receive a failure to deliver message.

(i) Permit. The Department may issue a Permit for a program to operate without a License for a limited term in situations, such as but not limited to, a change of ownership.

1. An application for a Permit to operate a Child Care Learning Center shall be submitted to the Department on the forms provided by the Department.
2. A Permit Applicant or Permit Holder must provide evidence of a satisfactory Comprehensive Records Check Determination for the Director and every Employee and a satisfactory Fingerprint Records Check Determination for every Provisional Employee of the program.

3. A Permit Applicant or Permit Holder may continue to employ an individual from the prior ownership, if applicable. During the Permitting process, such individual may be present at the Center while any child is present for care based on the prior satisfactory Comprehensive Records Check Determination so long as that determination is valid and current, no more than 5 years old and the individual has not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer.

4. The Permit Applicant or Permit Holder shall not allow any individual to reside at the Center or be present at the Center while any child is present for care if the Center knows or reasonably should know that the individual has a Criminal Record, an unsatisfactory Fingerprint Records Check Determination or an unsatisfactory Comprehensive Records Check Determination.

5. Each Director and Employee must receive a satisfactory Comprehensive Records Check Determination and each Provisional Employee must receive a satisfactory Fingerprint Records Check Determination issued by the Department before that individual can be present at the Center while any Child is present for care or reside in the Center and prior to issuance of a License.

6. Issuance of a Permit. A Permit will be issued, upon presentation of evidence satisfactory to the Department that a Center is in compliance with applicable statutes and these rules. The Permit shall be valid for 21 calendar days unless voluntarily surrendered by the Holder or suspended or revoked by the Department.

7. Renewal of a Permit. A Permit may be renewed only if every resident and member of the Center’s Staff has both submitted a Records Check Application to the Department and submitted to a fingerprint scan within 21 calendar days of the issuance of the initial Permit.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-16
Amended: ER. 591-1-1-0.2-.16 adopted. F. Jan. 31, 2005; eff. Feb. 1, 2005, as specified by the Agency.
Amended: F. Aug. 17, 2018; eff. Sep. 6, 2018.
Amended: F. Aug. 28, 2019; eff. Sep. 17, 2019
591-1-1-17 Hygiene

(1) Bathtubs and Showers. If used, bathtubs and showers shall be cleaned with a disinfectant after each use.

(2) Children's Hygiene. To the extent possible, Personnel shall keep children clean, dry and comfortable.

(3) Children's Personal Items. Children's combs, toothbrushes and cloth towels shall be kept clean.

(4) Contagious Diseases. **Children, Parents, Staff**, or any other persons being supervised by the Staff, shall not be allowed in the Center who knowingly have or present symptoms of a contagious communicable disease (such as fever, coughing, fatigue, muscle aches, diarrhea, etc.) or any virus or illness (such as COVID-19, etc.) identified during a public health emergency.

(5) Drinking Fountains and Cups. Drinking fountains, if available, shall be safe and kept clean, have regulated pressure, not be mounted on sinks used for diaper changing activities and have an angle jet with an orifice guard above the rim. Single-service drinking cups shall be provided when appropriate drinking fountains are not available, and cups shall be discarded after each use unless the cups are sanitized in a dishwasher between each use.

(6) Garbage. Garbage and organic waste shall be stored in containers that are lined with plastic liners and have tight-fitting covers. Trash and garbage shall be removed from the building daily or as often as necessary to maintain the premises in a clean condition.

(7) Handwashing, Children. Children's hands shall be washed with liquid soap and warm running water: immediately upon arrival for care, when moving from one child care group to another and upon re-entering the child care area after outside play; before and after eating meals and snacks, handling or touching food, or playing in water; after toileting and diapering, playing in sand, touching animals or pets, contact with bodily fluids such as, but not limited to, mucus, saliva, vomit or blood and after contamination by any other means.

(a) Washcloth handwashing is permitted for infants when the infant is too heavy to hold for handwashing or cannot stand safely to wash hands at a sink and for children with special needs who are not capable of washing their own hands. An individual washcloth shall be used only once for each child before laundering.

(8) Handwashing, Staff. Personnel shall wash their hands with liquid soap and warm running water: immediately upon arrival for the day, when moving from one child care group to another, and upon re-entering the child care area after outside play; before and after diapering each child, dispensing medication, applying topical medications, ointments, creams or lotions, handling and preparing food, eating, drinking, preparing bottles, feeding each child, and assisting children with eating and drinking; after toileting or assisting children with toileting, using tobacco products, handling garbage and organic waste, touching animals or pets, handling bodily fluids, such as, but not limited to, mucus, saliva, vomit or blood and after contamination by any other means.

(9) Laundry. If laundry is done on Center premises, the laundry area shall be located outside the children's activity rooms or areas and not used as a passageway by children to travel from one area to another whenever any soiled or clean laundry is exposed.
(10) Potty Chairs. If used, toilet potty chairs shall after each use be emptied by disposal in a flush toilet, cleaned with a disinfectant, and stored in the bathroom. If a sink is used, the sink shall also be disinfected.

(11) Soiled Containers and Items. Separate containers shall be used for storing soiled disposable items, such as disposable diapers, disposable washcloths and soiled nondisposable items, such as cloth diapers, washcloths and bed linens. Such containers shall be waterproof or equipped with a leakproof disposable liner, covered, easily cleaned and maintained in such a manner so as the contents of the container are never accessible to the children.

(12) Wet Clothing. Children's wet or soiled clothing shall be stored in individual plastic bags immediately after being removed from the child.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-1.17
Authority: O.C.G.A. § 20-1A-1 et seq.
591-1-1.29 Required Reporting

(1) Child Abuse, Neglect or Deprivation. Within twenty-four (24) hours or the next work day, the Director or designated person-in-charge shall report or cause to be reported any suspected incidents of child abuse, neglect or deprivation to the local County Department of Family and Children Services in accordance with state law and to the Department, notifying that such a report was made.

(2) Communicable Diseases. The Director or designated person-in-charge shall report or cause to be reported any cases or suspected cases of notifiable communicable diseases (COVID-19, Tuberculosis, Measles, etc.) or any viruses or illnesses identified during a public health emergency, immediately to the Department and to the local County Health Department as required by the rules of the Georgia Department of Public Health, Rule 511-2-1, Notification of Disease.

(3) Incident Required Reports. The Director or designated person-in-charge shall report or cause to be reported to the Department within twenty-four (24) hours or the next work day: any death of a child while in the care of the Center; any serious illness or injury requiring hospitalization or professional medical attention other than first aid of a child while in the care of the Center; any situation when a child in care becomes missing, such as, but not limited to, a child who is left on a vehicle, a child who leaves the building, playground, or property, or a child who is left behind on any trip; any fire; any structural disaster; and any emergency situation that requires temporarily relocating children; and any time the program’s operating status changes (i.e., open to closed or temporarily closed and temporarily closed to open).

(4) Criminal Record. Within twenty-four (24) hours or on the next work day that the Center knows or reasonably should know that there has been an arrest or change in the Comprehensive Records Check Determination of any Director or Employee or the Fingerprint Records Check Determination for any Provisional Employee, the Director or designated person-in-charge shall report or cause to be reported to the Department the incident and the name of any such Director, Employee or Provisional Employee.

(5) Annual Reports. The Department may request an annual report from an administrator of a Center. If such a request is made, the administrator shall have up to thirty (30) days to submit the annual report to the Department.

Cite as Ga. Comp. R. & Regs. R. 591-1-1.29
Amended: F. Aug. 17, 2018; eff. Sep. 6, 2018.
591-1-1-.32 Staff:Child Ratios and Supervision

(1) A Center must establish groupings of children for care and maintain Staff:child ratios as follows:

<table>
<thead>
<tr>
<th>Ages of Children</th>
<th>Staff:Child Ratio*</th>
<th>Maximum Group Size**</th>
</tr>
</thead>
<tbody>
<tr>
<td>Infants less than one (1) year old or children under eighteen (18) months who are not walking</td>
<td>1:6</td>
<td>12</td>
</tr>
<tr>
<td>One (1) year olds who are walking</td>
<td>1:8</td>
<td>16</td>
</tr>
<tr>
<td>Two (2) year olds</td>
<td>1:10</td>
<td>20</td>
</tr>
<tr>
<td>Three (3) year olds</td>
<td>1:15</td>
<td>30</td>
</tr>
<tr>
<td>Four (4) year olds</td>
<td>1:18</td>
<td>36</td>
</tr>
<tr>
<td>Five (5) year olds</td>
<td>1:20</td>
<td>40</td>
</tr>
<tr>
<td>Six (6) years and older</td>
<td>1:25</td>
<td>50</td>
</tr>
</tbody>
</table>

* Staff, such as the Director or service workers (food, maintenance and clerical staff, etc.), shall be counted in the Staff:child ratio only during the time that they are giving full attention to the direct supervision of the children. Service staff routinely acting as child care workers shall meet the qualifications of the respective caregivers.

** Maximum group size does not apply to outdoor play on the playground routinely used by the Center or for special activities in the Center lasting no more than two (2) hours. Maximum group size does not apply to Centers with a licensed capacity of 18 or fewer. However, required Staff:child ratios must be maintained.

(2) Mixed-Age Groups for Centers with a licensed capacity of 19 or more children. The Staff:child ratios for a mixed-age group shall be based on the age of the youngest group of children that includes more than twenty percent (20%) of the total number of children in the mixed-age group.

(3) Mixed-Age Groups for Centers with a licensed capacity of 18 or fewer children. The Staff:child ratios for a mixed-age group shall be based on the following: the age of the youngest child under three (3) years of age shall determine the Staff:child ratio for the group in which the child(ren) under three (3) years of age are cared for; and where all of the children in any one group are three (3) years of age or older, the age of the majority of the children in the group shall determine the Staff:child ratios.

(4) For Centers with a licensed capacity of 19 or more, children under three (3) years of age shall be housed in separate physical areas from older children and cannot be mixed with older children except at the following times and circumstances:

   a) During early morning times of arrival and late afternoon times of departure, infants and children younger than three (3) years may be grouped with older children so long as Staff:child ratios and group size are met based upon the age of the youngest child in the group.

   b) Children who turn three (3) years of age during the regular school year may remain grouped with other two (2) year olds for the remainder of the school year provided that the continued placement in the younger group is with the agreement of the older child's Parent(s) and is developmentally appropriate for the child.

(5) Staff:Child Ratios During Day-time Scheduled Rest or Sleeping Periods. During those periods, the Staff:child ratios may be doubled for children three (3) years and older provided that: at least one (1) Staff person is in each room providing direct supervision of the children; and all Staff required by paragraph (1) above relating to Staff:child ratios are in the Center and available to assure safe evacuation in an emergency.
(6) Staff:Child Ratios During Evening and Night-time Care. The Staff:child ratios required by paragraph (1) above shall be maintained except when a majority of the children are sleeping. When a majority of the children are sleeping, then the required ratios may be doubled. However, all Staff required by paragraph (1) above must be available on the premises of the Center to resume supervision of the children whenever a majority of the children in care in an area are no longer asleep or an emergency situation arises.

(7) Supervision. Children shall be supervised at all times appropriate to the individual age, needs and capabilities of each child. Such supervision must include, but not be limited to, indoor and outdoor activities, mealtimes, naptime, transportation, field trips, and transitions between activities. "Supervision" means that the appropriate number of Staff members are physically present in the area where children are being cared for and are providing watchful oversight to the children, chaperones volunteers and Students-in-Training. The persons supervising in the child care area must be alert, positioned to maximize their ability to hear and see the children at all times, and able to respond promptly to the needs and actions of the children being supervised, as well as the actions of the chaperones volunteers and Students-in-Training, and provide timely attention to the children's actions and needs. Staff shall be attentive and participating with all children during mealtimes and shall be seated within an arm's length away from children thirty-six (36) months of age and younger.

(8) Assignment of Caregiving Staff. Employees shall be assigned so that in so far as possible children receive care from the same Employee each day.

(9) Immediately prior to the Center closing and being locked at the end of the business day, the Staff member charged with the responsibility of locking the Center shall make a physical inspection of the entire premises to verify that no child is left on the Center's premises.