

290-2-2-.12 Physical Environment and Equipment.

A person planning the construction of a new center or any structural changes to an existing center shall obtain the following approvals and submit evidence of the same to the department.** *

(a) **Required Approvals.** The center shall be approved by the local zoning, authority,** *

(b) The center plans shall be approved prior to construction or renovation by:** *

1. The appropriate fire marshal or state inspector,** *
2. The local building official, and** *
3. The department.** *

(c) All water sources, if other than an approved city or county system, shall be approved by the proper authority having jurisdiction.** *

(d) In all new centers, all sewage disposal systems, if other than an approved city or county system, shall be approved by the local county health department and specify the number of persons the system is approved to serve.** *

(e) The center shall submit proof of a compliance with applicable laws and regulations issued by the state fire marshal, the proper local fire marshal or state inspector, including a certificate of occupancy if required prior to receiving any children for care.** *

(f) **Physical Plant Requirements.** The following spaces shall not be used as activity areas for children:** *

1. Basement areas in excess of twenty-five (25) linear feet from a window;*
2. Rooms with floor levels lower than three (3) feet or more below ground level on all sides; and*
3. Any area unapproved for use by authorities having jurisdiction.**

(g) The center shall be used only for the purpose of child care during the hours that the center is in operation.** *

(h) Ceilings in the center shall be at least seven (7) feet in height.*

(i) The center and the surrounding premises shall be kept clean and free of debris. The center shall be:** *

1. Maintained at a temperature range of sixty-five (65) degrees Fahrenheit to eighty-five (85) degrees Fahrenheit depending upon the season,** *
2. Lighted with a minimum of twenty-five (25) foot candles of illumination except during scheduled nap or rest periods. Areas used for napping shall be lit dimly, and** *
3. Ventilated either by mechanical or natural means to provide fresh air and control unpleasant odors.** *

(j) The indoor area, i.e. the room(s) used for the play, rest and eating activities, shall provide thirty-five (35) square feet of usable space per child:** *

1. Kitchens, bathrooms, closets, halls, storage areas or rooms, offices, rooms designated for staff use, other single use areas, and space occupied by adult size furniture shall be excluded in determining usable space.** *

(k) Upon approval by the department, licensees or commission holders may designate two (2) specific one (1) hour periods each day when only twenty-five (25) square feet of space per child is provided for children three (3) years of age and older in their assigned rooms or areas:**

1. Interested licensees or commission holders shall submit a written request for such

designation on forms provided by the department.** *

(l) Child care rooms shall have outside windows which receive natural sunlight and equal not less than five percent (5%) of the floor area in each room, unless central heating and air conditioning are provided.*

1. Facilities which do not have a functioning central heating and airconditioning system shall make fifty percent (50%) of all required windows operable for ventilation. Any openings used for ventilation shall be screened.** *

2. For centers first licensed after the effective date of these rules and for centers that are renovated after the effective date of these rules, the diapering areas shall be ventilated by functioning exhaust fans and a duct system or by the required operable windows.*

(m) Children under three (3) years of age shall be housed in separate physical areas from older children except during the early morning times of arrival and late-afternoon times of departure when mixed-age groups are permitted.*

(n) For evening and nighttime care, separate changing areas shall be provided for children of the opposite sex eight (8) years of age and older.** *

(o) Toilets and lavatories which are accessible to the children shall be located on each floor, in or adjacent to the child care areas or rooms.*

(p) Flush toilets and lavatories (hand washing sinks) with running water shall be provided in the following minimum ratios for the use of all children:*

1.	Number of Children	Toilets and Lavatories	
	1 - 12	1	*
	13 - 25	2	*
	26 - 50	3	*
	51 - 75	4	*
	76 - 100	5	*
	101 - 125	6	*
	126 - 150	7	*
	151 - 175	8	*

Each additional group of twenty-five (25) children shall require one (1) additional toilet and lavatory.

(i) For children being potty-trained, at least one (1) flush toilet shall be provided. Two (2) nursery potty chairs may be substituted for each subsequent required toilet.

2. In lieu of the ratios set forth in subsection 1. above, school age day care centers shall provide at least one (1) toilet and (1) lavatory for each group of twenty-five (25) children.**

(q) When child-size fixtures are not provided, platforms or sets of steps to assist children who are unable to use the fixtures comfortably shall be available at the toilets and lavatories.*

(r) In centers first licensed after the effective date of the rules and centers that remodel or add to existing plumbing facilities, the bathroom area shall be fully enclosed and ventilated to the outside of the building with either an open screened window or functioning exhaust fan and duct system. Centers without fully enclosed bathrooms shall ensure that there is adequate ventilation to control odors and adequate sanitation measures

to prevent the spread of contagious diseases.*

(s) A copy of the hand washing chart, provided by the department, shall be posted above or beside each lavatory used by adults.*

(t) Diapers shall be changed in the child's own crib or on a diaper changing surface that is used for no other purposes other than changing clothes in each room where infants or any other children wearing diapers are served.*

1. The diaper changing surface shall be:*

(i) Smooth,*

(ii) Non-porous, and*

(iii) Equipped with a guard or rail to prevent falls.*

(u) The following items shall also be provided at the diapering area:*

1. Soap,*

2. Individually dispensed, single-use hand towels,*

3. Single-use wash cloths, and*

4. Covered storage container for soiled items.*

(v) In centers first licensed after the effective date of these rules and centers that renovate existing plumbing facilities, a hand washing lavatory with running heated water shall be located adjacent to the diapering area. Flush sinks shall not be used for hand washing. Cleansing procedures in existing facilities shall be approved by the department.*

(w) Staff shall wash their hands after each diaper change they perform.*

(x) Individual storage spaces which are accessible to children who are not infants shall be provided for each child's:**

1. Outer garments, and**

2. Personal belongings.**

(y) Locked or securely fastened storage spaces or cabinets shall be used for the storage of supplies, seasonal toys, decorations and other excess equipment. Children shall not be permitted access to these storage spaces or cabinets.**

(z) The following shall be kept in a locked area out of the reach of children and separate from food storage areas and used by the staff in such ways as to be inaccessible to the children:**

1. All potentially hazardous equipment, such as, but not limited to, lawn and garden tools, repair equipment, maintenance and cleaning equipment, and razors;**

2. Non-food related products under pressure in aerosol dispensing cans;**

3. Flammable materials and liquids;**

4. Corrosive materials;**

5. Cleaning supplies;**

6. Insecticides;**

7. Poisons;**

8. Office supplies; and**

9. Industrial-sized or commercial buckets with a capacity of three (3) gallons or more or any other similar device with rigid sides which would be unlikely to tip over if a toddler fell into the container head first.

(aa) For centers first licensed after the effective date of these rules, the center shall provide or have ready access to an outdoor play area. The minimum size of the outdoor area must be equal to one hundred (100) square feet times one-third (1/3) of the center's

licensed capacity for children.** *

1. At least one hundred (100) square feet shall be available for each child occupying the outside play area at any one time;** *
2. Groups of children may be rotated if necessary so that one hundred (100) square feet per child is provided at all times;**
3. Outside play areas shall be adjacent to the center or in an area which can be reached by a safe route or method approved by the department;** *
4. Play areas shall be protected from traffic or other hazards by a four (4) foot or higher secure fence or other barrier approved by the department;** *
- (i) Fencing material shall not present a hazard to children, and shall be maintained so as to prevent children from leaving the play area by any other means than through an approved access route;** *
- (ii) Fence gates shall be kept closed except when persons are entering or exiting the area;** *
5. The outdoor play space shall have a surface suitable for varied activities;*
- (i) Hard surfaces, such as gravel, concrete, or paving shall not exceed one-fourth (1/4) of the total outdoor play area;*
6. Outside play areas shall be kept:** *
- (i) Clean,** *
- (ii) Free from litter,** *
- (iii) Free of hazards such as, but not limited to, non-resilient surfaces under the fall-zone of play equipment, rocks, exposed tree roots and exposed sharp edges of concrete or equipment;** *
7. Shaded areas shall be provided in the outside play areas;*
8. All outside play equipment shall be arranged so as not to obstruct supervision of children; and** *
9. Climbing and swinging equipment shall be:** *
- (i) Anchored, and** *
- (ii) Have a resilient surface beneath the equipment and the fall-zone from such equipment which is adequately maintained by the center to assure continuing resiliency.** *
- (bb) Any outside storage or equipment area shall be locked or separated from the children by a barrier or be enclosed and shall not be accessible to the children.** *
- (cc) Sufficient parking areas shall be provided to permit safe discharge and pick up of children.** *
- (dd) The center shall provide outside lighting at entrances and exits used by children when the center provides evening or nighttime care.** *
- (ee) **General Requirements.** All equipment shall be used only by the age-appropriate group of children and shall be:**
1. Free from hazardous conditions such as, but not limited to, sharp, rough edges or toxic paint;** *
2. In safe operating condition;** *
3. Placed so as to minimize danger of accident or collision;** *
4. Placed so as to permit the children's freedom of movement; and** *
5. Kept clean.** *
- (ff) **Toys For Children Under Three.** All toys used by children less than three (3) years

of age shall be appropriate for the age of the children using the toys. These toys shall be:

1. Easily cleaned;
2. Non-toxic and lead-free;
3. Too large to be swallowed by a child and not capable of causing asphyxiation or strangulation;
4. Have no sharp pieces, edges or points or small parts which may be pried off by a child;
5. Be free of rust; and
6. Cleaned with a disinfectant daily.

(gg) **Accessibility Of Toys.** A variety of age-appropriate toys and play materials shall be stored on low open shelves accessible to children in each room or assigned area. Infants and children shall not be permitted to play with toys which are not designed for their particular age group or younger. Projectile launchers of any sort, such as dart guns, pop guns, and slingshots etc. shall not be allowed at the center. Balloons shall not be accessible to preschool children.**

(hh) **Outdoor Equipment.** The outdoor play equipment shall provide an opportunity for the children to engage in a variety of experiences and shall be age-appropriate. For example, toddlers shall not be permitted to swing in swings designed for school-age children. The outdoor equipment shall be free of lead-based paint, sharp corners and shall be regularly maintained in such a way as to be free of rust and splinters that could pose significant safety hazard to the children.*

(ii) **Tables.** There shall be table space provided for each child who is able to sit at a table unassisted.** *

1. An appropriately-sized chair or bench shall be provided for each child who is not an infant and who is able to use a chair or bench.** *

(jj) **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.*

1. High chairs or similar equipment shall have:*

(i) A broad base to prevent tipping;*

(ii) A surface that the child cannot raise;*

(iii) A strap or other device which prevents the child from sliding out of the chair; and*

(iv) A feeding surface; free of cracks.*

(kk) **Cleaning of Tables and Feeding Chairs.** After each use, table tops and high chairs or similar equipment shall be cleaned with a disinfectant.*

(ll) **Sleeping Equipment.** Individual sleeping equipment shall be available for each child.*

1. A crib with a mattress shall be available for each infant.*

(i) Cribs shall be of sturdy construction with bars no more than two and three-eighths inches (2 3/8") apart.*

(I) Stack cribs shall not be used.*

(II) If crib mobiles or other mobiles are used in the center, the mobiles shall be placed or installed in such a manner so as to be incapable of being touched by any infant or child.*

(ii) Each crib mattress shall be at least two inches (2") thick and covered with a waterproof, washable material.*

(iii) Locks and latches on the dropside of the crib shall be safe and secure from accidental

release.*

(iv) Crib sides shall always be up and the fastenings secured when a child is in the crib, except when personnel are standing at the side of the crib giving the child personal attention.

(v) There shall be no restraining devices of any type used in the crib unless prescribed in writing by a physician. Staff shall be responsible for using the restraints safely and in accordance with the prescription.

(vi) Loose plastic materials shall not be used in cribs.

(vii) Each crib shall have individual crib-size bedding, including a sheet and cover which is:

(I) Changed daily or more often if necessary, and

(II) Changed prior to a change of occupant.

(viii) Before a change of occupant, each crib and mattress shall be cleaned with a disinfectant.

2. Depending on the developmental stage of the one (1) year old child, a crib or playpen or mat or cot shall be available for resting or sleeping. A crib shall not be used with an infant who has learned how to climb out of the crib.*

(i) Playpens shall have a two inch (2") mat.*

(ii) Playpens shall be stored outside of children's activity room or area when the children are not napping or resting.*

3. A cot or mat shall be available for each child who is two (2) years or older who is required to take a nap.*

(i) Cots and mats, if stored in the children's activity room or area, shall be arranged so as to:*

(I) Prevent children's access to them, and*

(II) Allow maximum use of play space.*

(ii) Mats shall be:*

(I) Covered with waterproof material,*

(II) Washable, and*

(III) At least two inches (2") thick.*

4. For nighttime care, each child, except infants who require individual cribs, shall be provided an individual:*

(i) Bed with four inch (4") mattress, or*

(ii) Cot with a two inch (2") pad.*

5. Sleeping and resting equipment shall be:*

(i) Of sound construction,*

(ii) Of sufficient size to accommodate comfortably the size and weight of the child,*

(iii) Marked for individual use and used by the same child daily, and*

(iv) Kept clean.*

6. Sleeping equipment shall be covered with a clean sheet or similar covering.*

(i) Sheets shall either be individually marked or laundered daily, and*

(ii) Individually marked sheets shall be laundered weekly, or more frequently as needed;*

7. A light weight cover shall be available for each child's use.*

(i) Covers shall either be individually marked or laundered daily, and*

(ii) Individually marked covers shall be laundered weekly, or more frequently as needed.*

8. Pillows shall not be used by children under two (2) years of age.*

9. When used for older children, pillows shall be:*

(i) Assigned for individual use, and*

(ii) Covered with individually marked pillow cases or covered with cases that are laundered daily; and*

(iii) Individually marked pillow cases shall be laundered weekly, or more frequently as needed.*

Authority O.C.G.A. Chapter 49-5-12 (1982 and 1982 Supp.) O.C.G.A. Chapter 49-5-14 (1982 Supp.)

O.C.G.A. Sec. 49.5-8. **Administrative History.** Original Rule entitled "Transportation" was filed on October 1, 1974; effective October 21, 1974. **Amended:** Rule repealed and a new Rule entitled "Fire Safety Requirements" adopted. Filed February 21, 1983; effective March 23, 1983, as specified by the Agency.

Repealed: New Rule entitled "Physical Environment and Equipment" adopted. F. Jan. 18, 1991; eff. Mar. 1, 1991, as specified by the Agency.