

**441—109.12(237A) Activity program requirements.**

**109.12(1) Activities.** The center shall have a written curriculum that uses developmentally appropriate practices and a written program of activities planned according to the developmental level of the children. The center shall post a schedule of the program in a visible place. The child care program shall complement but not duplicate the school curriculum. The program shall be designed to provide children with:

*a.* A curriculum or program of activities that supports development of self-esteem, self-regulation, positive social interactions, communication skills, curiosity, problem-solving, creative expression, and gross motor and fine motor development.

*b.* A balance of active and quiet activities, individual and group activities, indoor and outdoor activities, and staff-initiated and child-initiated activities.

*c.* Experiences in harmony with the ethnic and cultural backgrounds of the children.

*d.* A supervised nap or quiet time for all children under six years of age not enrolled in school who are present at the center for five or more hours.

**109.12(2) Discipline.** The center shall have a written policy that shall be provided to staff at the start of employment and to parents at the time of admission. The center shall not use as a form of discipline:

*a.* Corporal punishment, including spanking, shaking, and slapping.

*b.* Punishment that is humiliating or frightening or that causes pain to the child. Children shall never be locked in a room or closet.

*c.* When restraints are part of a treatment plan for a child with a disability authorized by the parent and a psychologist or psychiatrist, staff shall receive training on the safe and appropriate use of the restraint.

*d.* Punishment or threat of punishment associated with a child's illness, lack of progress in toilet training, or in connection with food or rest.

*e.* No child shall be subjected to verbal abuse, threats, or derogatory remarks about the child or the child's family.

**109.12(3) Children requiring special accommodations.** Reasonable accommodations, based on the special needs of the child, must be made in providing care to a child with a disability.

**109.12(4) Infant environment.**

*a.* An area shall be provided that is properly and safely equipped for the use of infants and free from the intrusion of children two years of age and older.

*b.* Each infant and toddler shall be diapered in a sanitary manner as frequently as needed at a central diapering area. Diapering, sanitation, and hand-washing procedures shall be posted and implemented in every diapering area. There shall be at least one changing table for every 15 infants.

*c.* Highchairs or hook-on seats shall be equipped with a safety strap that shall be engaged when the chair is in use and shall be constructed so the chair will not topple.

*d.* Safe, washable toys, large enough so they cannot be swallowed and with no removable parts, shall be provided. All hard-surface toys used by children shall be sanitized daily.

*e.* The provider shall follow safe sleep practices for infants under one year of age.

(1) Infants shall always be placed on their backs for sleep.

(2) Infants shall be placed on a firm mattress with a tight fitted sheet that meets U.S. Consumer Product Safety Commission (August 1, 2024) and ASTM federal standards (August 1, 2024).

(3) Infants shall not be allowed to sleep on a bed, sofa, air mattress or other soft surface. No child shall be allowed to sleep in any item not designed for infant sleeping, including but not limited to an infant seat, car seat, swing, or bouncy seat.

(4) No toys, soft objects, stuffed animals, pillows, bumper pads, blankets, or loose bedding shall be allowed in the sleeping area with the infant.

(5) No co-sleeping shall be allowed.

(6) Sleeping infants shall be actively observed by sight and sound.

(7) If an alternate sleeping position is needed, a signed physician or physician associate authorization with statement of medical reason is required and an expiration date.

*f.* A crib or crib-like furniture that has a waterproof mattress covering and sufficient bedding to enable a child to rest comfortably and that meets the current standards or recommendations from the U.S.

Consumer Product Safety Commission (August 1, 2024) or ASTM International (August 1, 2024) for juvenile products shall be provided for each child under two years of age if developmentally appropriate. Crib railings shall be fully raised and secured when the child is in the crib. A crib or crib-like furniture shall be provided for the number of children present at any one time. The center shall develop procedures for maintaining all cribs or crib-like furniture and bedding in a clean and sanitary manner. There shall be no restraining devices of any type used in cribs.

*g.* Infant walkers cannot be used.

*h.* All items used for sleeping must be used in compliance with manufacturer standards for age and weight of the child.

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