Rules and Regulations of the State of Georgia

Department 591 RULES OF BRIGHT FROM THE START GEORGIA DEPARTMENT OF EARLY CARE AND LEARNING

Current through Rules and Regulations filed through October 27, 2026

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ADMINISTRATIVE HISTORY

The **Administrative History** following each Rule gives the date on which the Rule was originally filed and its effective date, as well as the date on which any amendment or repeal was filed and its effective date. Principal abbreviations used in the Administrative History are as follows:

f. - filed

eff. - effective

R. - Rule (Abbreviated only at the beginning of the control number)

Ch. - Chapter (Abbreviated only at the beginning of the control number)

ER. - Emergency Rule

Rev. - Revised

Note: Emergency Rules are listed in each Rule's Administrative History by Emergency Rule number, date filed and effective date. The Emergency Rule will be in effect for 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency Rule is adopted, as specified by the Agency.

Chapter 591-1-1 entitled "Child Care Learning Centers" has been adopted. Filed December 23, 1997; effective March 1, 1998, as specified by the Agency.

Grant Chapter 591-2-1 entitled "Grant Programs" submitted May 5, 1999.

Grant Chapter 591-2-1 submitted December 28, 2000.

Grant Chapter 591-2-1 submitted December 20, 2001.

Rules 591-1-1-.41 to .45 have been adopted. Filed December 13, 2002; effective January 2, 2003.

Grants 591-2-1-.01 to .05 submitted December 17, 2002.

Grants 591-2-1-.01 to .05 submitted November 18, 2003.

Emergency Rules 591-1-1-0.1-.01 and 591-1-1-0.1-.02 adopted. Filed September 1, 2004; effective October 1, 2004, as specified by the Agency, to be in effect for 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency rule is adopted, as specified by the Agency. This Emergency Rule was adopted to amend Chapter 591-1-1 entitled "Rules for Child Care Learning Centers". (This Emergency Rule will not be published; copies may be obtained from the Agency.)

Grant Chapter 591-2-1 submitted December 16, 2004.

Rules 591-1-1-.01, .02, .05 to .08, .10, .17, .19, .24 to .27, .29, .31, .33, .34, .36 to .39, .41 to .44 have been amended. Filed January 12, 2005; effective February 1, 2005.

Emergency Rule 591-1-1-0.2-.16 adopted. Filed January 31, 2005; effective February 1, 2005, as specified by the Agency, to be in effect for 120 days or until the effective date of a permanent Rule covering the same subject matter superseding this Emergency rule is adopted, as specified by the Agency. This Emergency Rule was adopted to amend Chapter 591-1-1 entitled "Rules for Child Care Learning Centers". (This Emergency Rule will not be published; copies may be obtained from the Agency.)

Rule 591-1-1-.16 has been amended superseding Emergency Rule 591-1-1-0.2-.16. Filed May 23, 2005; effective June 12, 2005.

Grant Chapter 591-2-1 submitted December 16, 2005.

Grant Chapter 591-2-1 submitted December 15, 2006.

Grant Chapter 591-2-1 submitted December 12, 2007.

Rules 591-1-1-.03, .14, .21, and .33 have been amended. Filed August 25, 2008; effective September 14, 2008.

Grants 591-2-1-.01 to .07 submitted December 8, 2008.

Rules 591-1-1-.16 and .31 have been amended. Filed April 17, 2009; effective May 7, 2009.

Rules 591-1-1-.01, .15, .29, and .36 have been repealed and new Rules adopted. Filed August 7, 2009; effective August 27, 2009.

Rules 591-1-1-.03, .06, .08, .10, .12, .17, .18, .31, and .38 have been repealed and new Rules adopted. Filed December 2, 2009; effective December 22, 2009.

Grants 591-2-1-.01 to .03, .05 to .07 submitted December 22, 2009.

Rule 591-1-1-.17 has been repealed and a new Rule adopted. Filed August 5, 2010; effective August 25, 2010.

Grants 591-2-1-.01 to .07 submitted December 21, 2011.

ER. 591-1-1-0.3-.36 entitled "Transportation" adopted. F. July 20, 2011; eff. July 21, 2011, as specified by the Agency.

E.R. 591-1-1-0.3-.36 of the same title adopted. F. Nov. 18, 2011; eff. Nov. 18, 2011.

Rule 591-1-1-.36 repealed and new Rule adopted. F. Dec. 12, 2011; eff. Jan. 1, 2012.

Rule 591-1-1-.46 adopted. F. Nov. 16, 2012; eff. Dec. 6, 2012.

Grants 591-2-1-.01 to .06 submitted Dec. 27, 2012.

Grant 591-2-1-.07 repealed. F. Jan. 29, 2013.

Rules 591-1-1-.03, .21, .30 amended, 591-1-1-.45 repealed. F. May 16, 2013; eff. June 5, 2013.

Rules 591-1-1-.02, .09, .24, .31, .33 amended. F. Dec. 13, 2013; eff. Jan. 2, 2014.

Grants 591-2-1-.01 to .06 submitted Dec. 20, 2013.

Rule 591-1-1-.36 amended. F. Feb. 24, 2014; eff. Mar. 16, 2014.

Grants 591-2-1-.01 to .07 submitted Dec. 23, 2014.

Rules 591-1-1-.02 to .23, .25 to .38, .41 to .44, .46 amended. Chapter 591-3-1 entitled "Rules and Regulations for Support Centers" adopted. F. Dec. 4, 2015; eff. Dec. 24, 2015.

Rules 591-1-1-.02, .31, .38 amended, 591-1-1-.41 to 44 repealed. F. June 2, 2016; eff. June 22, 2016.

Rules 591-1-1-.14, .21, .27, .31, .33 amended. F. Sept. 26, 2016; eff. Oct. 16, 2016.

Rules 591-1-1-.03, .06, .08, .10, .11, .12, .14 to .18, .20, .21, .24 to .33, .35 to .39 amended. Rules 591-1-1-.23, .34 repealed. F. May 26, 2017; eff. June 15, 2017.

Rules 591-1-1-.09, .16, .31, .33 amended. F. Aug. 28, 2019; eff. Sept. 17, 2019.

Rules 591-1-1-.15, .16, .17, .29, .32 amended. F. Aug. 31, 2020; eff. Sept. 20, 2020.

Rules 591-1-1-.07, .16, .36 amended. F. Aug. 29, 2023; eff. Sept. 18, 2023.

Rule 591-1-1-.46 amended. F. Sept. 4, 2024; eff. Sept. 24, 2024.

Rules 591-1-1-.02, .21, .35, 591-3-1-.03, .04, amended. F. Sept. 2, 2026; eff. Sept. 22, 2026.

Cite as Ga. Comp. R. & Regs. R. dept. 591, ADMINISTRATIVE HISTORY

Chapter 591-1. .

Subject 591-1-1. CHILD CARE LEARNING CENTERS.

Rule 591-1-1-.01. Title and Applicability.

These rules shall be known as the Rules and Regulations for Child Care Learning Centers.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.01
Authority: O.C.G.A. Sec. 20-1A-1*et seq.*
History. Original Rule entitled "Title and Applicability" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: ER. 591-1-1-0.1-.01 adopted. F. Sept. 1, 2004; eff. Oct. 1, 2004, as specified by the Agency.
Amended: Permanent Rule adopted. F. Jan. 12, 2005; eff. Feb. 1, 2005.
Repealed: New Rule of same title adopted. F. Aug. 7, 2009; eff. Aug. 27, 2009.

Rule 591-1-1-.02. Definitions.

In these rules, unless the context requires otherwise, the capitalized symbols, words and phrases set forth herein shall mean the following:

(a) "Adult" means any competent individual eighteen (18) years of age or older.

(b) "Adverse Action" means any Intermediate or Closure Action issued as a result of one or more rule violations.

(c) "Child Care Learning Center" or "Center" means any place operated by an individual or any business entity recognized under Georgia law wherein are received for pay for group care, for fewer than 24 hours per day without transfer of legal custody, seven or more children under 18 years of age and which is required to be licensed. Child Care Learning Center also includes any day care center previously licensed by the Department of Human Resources and transferred pursuant to Code Section 20-1A-1 et seq.

(d) "Child with Special Needs" means a child enrolled in a Center who, due to a physical problem, mental health disorder, behavioral disorder, or developmental disability, which is either permanent or temporary, requires some adaptation of the Center's standard program of care or activities to accommodate the child's special needs.

(e) "Closure Action" means the most restrictive category of Enforcement Actions including emergency closure, long-term suspension and revocation.

(f) "Comprehensive Records Check Determination" means a satisfactory or unsatisfactory determination by the Department, based upon a Federal Bureau of Investigation fingerprint based criminal record check, a search of appropriate sex offender registries, repositories, or data bases, compliance with relevant state and federal law, and a search of the following registries, repositories or databases in the state where the actual or potential employee or director resides and in each state where such individual resided during the preceding five years: criminal registry or repository; state sex offender registry or repository; and state based child abuse and neglect registry and database.

(g) "Correctable Abuse Dereliction or Deficiency" means any conduct of a License or Permit Holder which violates any of these rules wherein the Department determines that the rule violation is not the result of any Non-Correctable Abuse, Dereliction or Deficiency.

(h) "Crime" means

1. Any felony pursuant to O.C.G.A. § 20-1A-30 and in accordance with 42 U.S.C. § 9858f(c)(1)(E);

2. A violation of O.C.G.A. § 16-5-23, relating to simple battery, where the victim is a minor;

3. A violation of O.C.G.A. § 16-5-23.1, relating to battery, where the victim is a minor;

4. A violation of O.C.G.A. § 16-12-1, relating to contributing to the delinquency of a minor;

5. A violation of O.C.G.A. § 16-6-1 et seq. relating to sexual offenses;

6. A violation of O.C.G.A. § 16-5-29, relating to battery of an unborn child;

7. A violation of O.C.G.A. § 16-5-60, relating to reckless conduct causing harm when the victim is a minor;

8. A violation of O.C.G.A. § 16-5-70, relating to cruelty to children;

9. A violation of O.C.G.A. § 16-12-1.1, relating to child care facility operators being prohibited from employing or allowing to reside or be domiciled persons with certain past criminal violations;

10. A violation of O.C.G.A. §§ 16-12-100, 16-12-100.1, 16-12-100.2, 16-12-100.3, relating to obscenity and related offenses where the victim is a minor;

11. A violation of O.C.G.A. § 40-6-391, relating to endangering a child while driving under the influence of alcohol or drugs;

12. A violation of O.C.G.A. § 19-7-5, relating to a failing to report if mandated to do so by law;

13. Child pornography, in accordance with 42 U.S.C. § 9858f(c)(1)(E);

14. Abuse of, endangerment of, or sexual assault against a child by an adult, in accordance with 42 U.S.C. § 9858f(c)(1)(E);

15. Any other violent misdemeanor against a child by an adult, in accordance with 42 U.S.C. § 9858f(c)(1)(E);

16. A violation of O.C.G.A. § 16-4-1, relating to criminal attempt when the crime attempted is any of the crimes specified by this paragraph; or

17. Any other offenses committed in another jurisdiction which, if committed in this state, would be one of the enumerated crimes listed in this paragraph.

(i) "Criminal Record" means:

1. Conviction of a crime; or

2. Arrest, charge, and sentencing for a crime where:

   (i) A plea of nolo contendere was entered to the charge; or

   (ii) First offender treatment without adjudication of guilt pursuant to the charge was granted; provided, however, that this division shall not apply to a violation of O.C.G.A. § 16-13-1 et seq., relating to controlled substances, or any other offense committed in another jurisdiction which, if it were committed in this state, would be a violation of O.C.G.A. § 16-13-1 et seq. if such violation or offense constituted only simple possession; or

(iii) Adjudication or sentence was otherwise withheld or not entered on the charge; provided, however, that this division shall not apply to a violation of O.C.G.A. § 16-13-1 et seq. relating to controlled substances, or any other offense committed in another jurisdiction which, if it were committed in this state, would be a violation of Chapter 13 of Title 16 if such violation or offense constituted only simple possession; or

3. Arrest and being charged for a crime if the charge is pending, unless the time for prosecuting such crime has expired pursuant to O.C.G.A. § 17-3-1 et. seq.

(j) "Department" means Bright from the Start: Georgia Department of Early Care and Learning.

(k) "Director" means the on-site manager of a Child Care Learning Center designated by the legal owner who has submitted a Records Check Application and has received a satisfactory Comprehensive Records Check Determination and who is responsible for the supervision, operation and maintenance of the Center and meets the minimum qualifications as determined by the Department.

(l) "Employee" means any person, other than a Director or Provisional Employee, who has submitted a Records Check Application and has received a satisfactory Comprehensive Records Check Determination and who:

1. Regardless of age, is compensated by a Center for the care of children; or

2. Regardless of age, cares for, supervises or has unsupervised access to children at the Center; or

3. Is 17 years of age or older and resides at the facility; or

4. Regardless of age, performs duties for or services that benefit the Center, with or without compensation, which involve personal contact between that person and any child being cared for by the Center, including but not limited to volunteers that perform consistent services for the Center, where services are considered consistent when provided more than once in a ninety calendar day period; or

5. Regardless of age, is a parent or legal guardian of a child in care who is deemed an employee by the Center or either resides at the Center and is age 17 or older, or is compensated in any fashion by the Center except through appropriate state or federal funds; or

6. Regardless of age, is an independent contractor hired by the Center to offer supplemental educational or physical activities for children in care; or

7. Regardless of age, is a Student-in-Training.

(m) "Enforcement Action" means any action issued as a result of one or more rule violations ranging from technical assistance to a Closure Action.

(n) "Evening Care" means care provided to any child at a Center between the hours of 7:00 p.m. and 12:00 midnight.

(o) "Field Trip" means an excursion or program activity with a specific destination away from the Center. It does not include routine school or home pick-up and deliveries or transporting children to and from activities or events where the provider of the activities or the events assume responsibility for the children during the entirety of the event or activity, such as in dance classes or art lessons or regularly scheduled trips to the local public libraries.

(p) "Fingerprint" means an inked fingerprint card or an electronic image of a person's fingerprint.

(q) "Fingerprint Records Check Determination" means a satisfactory or unsatisfactory determination made by the Department that is based upon national criminal history record information obtained by the use of Fingerprints.

(r) "Group" means a specific number of children assigned to specific Staff throughout the day. More than one Group may occupy the same physical space.

(s) "Infant" means any child who is under twelve (12) months of age or any child who is under eighteen (18) months of age and who is not yet walking.

(t) "Intermediate Action" means a moderately restrictive category of Enforcement Actions including public reprimands, fines, per rule fines, per day fines, restrictions, emergency monitoring and short-term suspension.

(u) "License" means the document issued by the Department to authorize the License Holder to whom it is issued to operate a Center in accordance with these rules. (In lieu of a License, a commission may be issued to a local church ministry, religious nonprofit school or nonprofit religious charitable organization. The requirements to obtain a commission under these rules shall be identical to those for a License.)

(v) "License Holder" means the individual or business entity holding a License issued by the Department to operate a Center at a particular location and having responsibility for the operation and maintenance of the Center in accordance with these rules.

(w) "Night-time Care" means care provided to children at the Center between the hours of 12:00 midnight and 6:00 a.m.

(x) "Non-Correctable Abuse, Dereliction or Deficiency" means an abuse, dereliction or violation of these rules which demonstrates any of the following:

1. Flagrant and shocking intentional misconduct by the Center or Center Staff where those responsible for the operation of the Center knew or should have known of the likelihood of Staff to commit such acts;

2. An intentional or reckless disregard for the physical health, mental health or safety of a child in care which may or may not result in physical injury to the child by the Center or the Center Staff where those responsible for the operation of the Center knew or should have known of the likelihood of Staff to disregard; or

3. Some causal connection between the intentional violation of a rule and the death or major injury of a child in care.

(y) "Parent" means a person related within the second degree of consanguinity by either blood or marriage, or a person with lawful custody, or a state-regulated foster parent, or a legal guardian of a child in care. For purposes of these rules, a Parent shall not be considered an Employee unless such Parent is deemed an Employee by the Center or either resides in the Center or is compensated in any way by the Center other than through appropriate state or federal funds.

(z) "Permit" means the temporary document issued by the Department authorizing a Child Care Learning Center to operate without a License for a limited term and in accordance with these rules.

(aa) "Permit Applicant" means an individual or any business entity recognized under Georgia law applying for a Permit from the Department as defined in these rules.

(bb) "Permit Holder" means the individual or business entity issued a Permit by the Department to operate a Center at a particular location that is responsible for the operation and maintenance of the Center in accordance with these rules.

(cc) "Personnel" or "Staff" means all persons including the Director, Employees and Provisional Employees.

(dd) "Plan of Correction" means a written plan prepared by the authorized agent of the Center submitted to and approved by the Department which states the procedure(s), method(s) and time frame(s) that will be used to correct the area(s) of non-compliance with these rules.

(ee) "Prevention Action" means the least restrictive category of Enforcement Actions including technical assistance, citation, formal notice letter and office conference.

(ff) "Provisional Employee" means a person other than a Director or Employee, who has submitted a Records Check Application to become an Employee and has not received a Comprehensive Records Check Determination but who has received a satisfactory Fingerprint Records Check Determination and who must be supervised at all times by

another Staff member who has a current and valid satisfactory Comprehensive Records Check Determination on file.

(gg) "Qualified" or "Qualifications" means that a person possesses, in addition to the other requirements set forth in these rules, certain minimum personal and health requirements necessary to administer or be employed in a Center. A person may be considered by the Department to be qualified with respect to the minimum personal and health criteria when he or she has a satisfactory Fingerprint Records Check Determination or a satisfactory Comprehensive Records Check Determination; is able to perform adequately the job duties of providing for the care and supervision of the children enrolled in the Center in accordance with these rules; has not made any material false statements relating to any licensure requirement to the Department, the Permit Holder or the License Holder; and has not been shown by credible evidence, e.g., a finding of fact made by a court, jury or department investigation or other reliable evidence, to have abused, neglected, or deprived a child or adult or to have subjected any person to serious injury as a result of intentional or grossly negligent misconduct.

(hh) "Qualifying Work Experience" means verifiable experience working directly with children.

(ii) "Records Check Application" means a document created by the Department to be completed and submitted to the Department by every actual and potential Director, Employee and Provisional Employee of the Center that indicates such information as the Department deems appropriate and which authorizes the Department to receive any sex offender registry, child abuse and neglect registry and criminal history record information pertaining to the individual from any local, state or national agency of appropriate jurisdiction and render a Fingerprint or Comprehensive Records Check Determination.

(jj) "Records Check Clearance Date" means the date upon which an individual's fingerprint report was generated.

(kk) "School-age Children" means children who are at least four (4) years old by the first of September of the current school year.

(ll) "School-age Center" means a Child Care Learning Center, or part thereof with separate physical facilities and a separate License, which provides day-time care exclusively to School-age Children before and/or after the normal school day. Such programs may operate a full-day program solely for the School-age Children enrolled in the program during the regular school year during those periods when school is not in session.

(mm) "Student-in-Training" means a student currently enrolled in either a high school recognized by the Department of Education or an early education curriculum through an accredited school of higher education which requires or permits the student to observe and participate in the care of children at a Center during a limited period of time, i.e., one quarter, one trimester or one semester, provided that they are under the direct supervision of Center Personnel at all times.

(nn) "Valid Evidence" means electronic proof of a satisfactory Fingerprint Records Check Determination or a satisfactory Comprehensive Records Check Determination as follows:

1. Directors - a valid and current satisfactory Comprehensive Records Check Determination letter issued by the Department; provided that the letter for a newly hired Director must have a Records Check Clearance Date that is within the immediate preceding 12 months of the Director's date of hire, and the Director has not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer.

2. Provisional Employees - a valid and current satisfactory Fingerprint Records Check Determination issued by the Department; provided that the letter for a newly hired Provisional Employee must have a Records Check Clearance Date that is within the immediate preceding 12 months of the Provisional Employee's date of hire, and the Provisional Employee has not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer;

3. Employees - a valid and current satisfactory Comprehensive Records Check Determination letter issued by the Department; provided that the letter for a newly hired Employee must have a Records Check Clearance Date that is within the immediate preceding 12 months of the Employee's date of hire, and the Employee has not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer;

(oo) "Violation Class" means the category on the compliance and enforcement chart that corresponds with the level of risk of harm or actual harm as a result of one or more rule violation.

(pp) "Violation History Level" means the category on the compliance and enforcement chart that corresponds with the prior history of continued rule violations.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.02
Authority: O.C.G.A. § 20-1A-1 et seq., 42 U.S.C. § 9857 et seq.
History. Original Rule entitled "Definitions" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: ER. 591-1-1-0.1-.02 adopted. F. Sep. 1, 2004; eff. Oct. 1, 2004, as specified by the Agency.
Amended: Permanent Rule adopted. F. Jan. 12, 2005; eff. Feb. 1, 2005.
Amended: F. Dec. 13, 2013; eff. Jan. 2, 2014.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. June 2, 2016; eff. June 22, 2016.
Amended: F. Aug. 17, 2018; eff. Sep. 6, 2018.
Amended: F. Aug. 26, 2022; eff. Sep. 15, 2022.
Amended: F. May 15, 2025; eff. June 4, 2025.
Amended: F. Sep. 2, 2026; eff. Sep. 22, 2026.

Rule 591-1-1-.03. Activities.

(1) The Center shall provide a daily planned program of varied and developmentally appropriate activities that promote the social, emotional, physical, cognitive, language and literacy development of each child. Center Staff shall use a variety of teaching methods to accommodate the needs of the children's different learning styles.

(2) Current lesson plans shall be kept on site and reflect appropriate instruction practices and activities to support children's development. The Center shall have sufficient and varied play and learning equipment and materials to support the above program of activities in all developmental areas.

(3) Opportunities for each child to make choices in a variety of activities shall be offered.

(4) A Child with Special Needs shall be integrated into the activities provided by the Center unless contraindicated medically or by written parental agreement.

(5) A variety of activities shall be planned for each group that include, but are not limited to:

(a) Indoor and outdoor play;

(b) A balance of quiet and active periods;

(c) A balance of supervised free choice and caregiver-directed activities;

(d) Individual, small group and large group activities;

(e) Large muscle activities, such as but not limited to, running, riding, climbing, balancing, jumping, throwing, or digging;

(f) Small muscle activities, such as but not limited to, building with blocks or construction toys, use of puzzles, shapes, nesting or stacking toys, pegs, lacing, sorting beads, or clay;

(g) Language experiences, such as but not limited to, listening, talking, rhymes, fingerplays, stories, use of film strips, recordings or flannel boards;

(h) Arts and crafts, such as but not limited to, painting, coloring, cutting, or pasting;

(i) Dramatic play, such as but not limited to, play in a home center, with dolls, puppets, or dress up;

(j) Rhythm and music, such as but not limited to, listening, singing, dancing, or making music; and

(k) Nature and science experiences, such as but not limited to, measuring, pouring, activities related to the "world around us" such as nature walks, plants, leaves or weather or experiences in using the five senses through sensory play.

(6) Activities for Children Under Three. Children less than three (3) years of age shall not spend more than one-half (1/2) hour of time consecutively in confining equipment, such as swings, highchairs, jumpseats, carriers or walkers. Children shall use such equipment only when they are awake. Such children shall be allowed time to play on the floor daily. Infants shall have supervised tummy time on the floor daily when they are awake.

(7) Outdoor Activities. Outdoor activities shall be provided daily, weather permitting, in accordance with the following:

(a) Centers operating five (5) hours or more per day shall provide each child who is not an infant at least one and one-half (11/2) hours of outdoor activity per day and infants shall spend at least one (1) hour daily outdoors.

(b) Centers operating less than five (5) hours per day shall provide a brief outdoor period for the children daily.

(c) A child may be excused from outdoor activities for a limited period of time if there is documentation that outdoor activity is medically contraindicated or there is an occasional written request by the parent that the child be excused from outdoor activities for a very limited amount of time because of special circumstances.

(8) Individual Attention. Personnel shall provide individual attention to each child. Examples include, but are not limited to: responding promptly to the child's distress signals and need for comfort; playing with and talking to the children; and providing and assisting the child with personal care in a manner appropriate to the child's age level, i.e., providing the child privacy in dressing, diapering and toileting functions as the developmental age of the child dictates.

(9) Staff shall not engage in, or allow children or other adults to engage in, activities that could be detrimental to a child's health or well-being, such as but not limited to, horse play, rough play, wrestling, and picking up a child in a manner that could cause injury.

(10) Routines for Children. Personnel shall provide routines for toileting, eating, resting, napping (depending upon the age of the children), intervals between activities and doing school homework, if any. Staff shall assist and encourage each child to become independent in the development of self-help skills, such as washing hands and face, dressing, eating and toileting.

(11) Children shall be allowed to go to the toilet and get a drink of water as they feel the need.

(12) Supervised nap or rest periods during the day shall be provided for children under five (5) years of age. Children who do not sleep during nap or rest periods shall not be required to remain lying down for more than one (1) hour. Quiet activities for School-age Children and other children who are not asleep shall be provided.

(13) Schedules. A daily schedule for each group shall be developed to reflect routines and activities. Schedules shall be flexible but routinely followed to provide structure. The schedule must be posted in each group's room or area and made available to Parent(s) upon request.

(14) Media Activities. The use of entertainment media, such as television, videotaped programs or movies and video or computer games shall be limited to: no more than two (2) hours daily per child or group and shall be provided only at times when alternative activities are available for children who choose not to participate. Entertainment media shall be age appropriate in accordance with the Entertainment Software Rating Board (ESRB) and the Motion Picture Association of America (MPAA).

(15) Evening Activities. During evening and night-time care, activities shall be provided based on children's ages, hours of care and length of time in care. Quiet activities and experiences shall be available immediately prior to bedtime.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.03
Authority: O.C.G.A. § 20-1A-1 et seq.
History. Original Rule entitled "Activities" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Aug. 25, 2008; eff. Sept. 14, 2008.
Repealed: New Rule of same title adopted. F. Dec. 2, 2009; eff. Dec. 22, 2009.
Amended: F. May 16, 2013; eff. June 5, 2013.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. May 26, 2017; eff. June 15, 2017.

Rule 591-1-1-.04. Admission and Enrollment.

(1) A Center shall not accept a child for enrollment or continue the child's enrollment in the center where the Center Staff determines that services necessary to protect the health and safety of the child while at the Center cannot be provided. No child shall be admitted for care to the Center without enrollment records having been completed on the child in accordance with the requirements set forth in these rules.

(2) The admission of a Child with Special Needs must be in compliance with the Americans with Disabilities Act, and a reasonable effort must be made to accommodate the child's needs and to integrate the child with other children. These accommodations must be in writing and the result of a mutual agreement between the Center and the Parents of the Child with Special Needs. The agreement shall be made in connection with the child's enrollment or at the time that the special need becomes apparent to the Center or the Parents.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.04
Authority: O.C.G.A. § 20-1A-1*et seq.*
History. Original Rule entitled "Admission and Enrollment" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.

Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.

Rule 591-1-1-.05. Animals.

(1) Control of Animals. Animals shall be controlled to assure that proper sanitation of the premises is maintained and animals are not a hazard to the children, Personnel or visitors at the Center. No animals, such as but not limited to, pit bull dogs, ferrets, and poisonous snakes, which may have a vicious propensity, shall be permitted on the Center premises at any time there are children on the premises. Horses or other farm animals shall not be quartered on any property over which Center Staff exercises any control that is located within five hundred (500) feet of the building in which the Center is located.

(2) Confinement. All animals shall be confined in pens or covered areas except for specific teacher-directed learning experiences. Animal pens and confinement areas shall be kept clean.

(3) Vaccinations. Animals shall be properly vaccinated and documentation of the vaccinations shall be maintained at the Center.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.05
Authority: O.C.G.A. § 20-1A-1*et seq.*
History. Original Rule entitled "Animals" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.

Rule 591-1-1-.06. Bathrooms.

(1) Required Facilities. Flush toilets and hand washing sinks with running water shall be provided in the following minimum ratios for the use of all children:

Number of Children	Toilets and Sinks *
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 sink.

* For children being potty-trained, at least one (1) flush toilet shall be provided. If used, nursery potty chairs may not be substituted for a required flush toilet.

(2) Location of Bathrooms. Bathrooms shall be located on each floor in or adjacent to child care areas and rooms.

(3) In lieu of the requirements set forth in subparagraphs (1) and (2) above, School-age Centers shall provide at least one (1) toilet and (1) sink for each group of twenty-five (25) children on the premises.

(4) Ventilation. In Centers first licensed after March 1, 1991, 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.

(5) Fixtures. 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 sinks. In centers with a licensed capacity of 19 or more children, the toilet facilities for children aged four (4) and older shall be suitably screened for privacy.

(6) Supplies. Bathrooms shall be within easy reach of children and equipped with soap, toilet tissue and single-use towels or cloth towels used only once between launderings.

(7) Cleanliness. Bathrooms shall be cleaned daily with a disinfectant.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.06
Authority: O.C.G.A. § 20-1A-1 et seq.
History. Original Rule entitled "Bathroom" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Repealed: New Rule of same title adopted. F. Dec. 2, 2009; eff. Dec. 22, 2009.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. May 26, 2017; eff. June 15, 2017.

Rule 591-1-1-.07. Children's Health.

(1) Exclusion of Sick Children. A child shall not be accepted nor allowed to remain at the Center if the child has the equivalent of a one hundred one (101) degrees Fahrenheit or higher oral temperature and another contagious symptom, such as but not limited to, a rash, diarrhea or a sore throat. When a child shows symptoms of illness during the day,

the child shall be moved to a quiet area away from other children where the child shall be supervised and provided the necessary attention until such time as the child leaves the Center or is able to return to the child's group.

(2) Parental Notification. Parents must be notified of incidents, illnesses, or injuries as follows:

Notification	When
Immediately notify Parent(s) and obtain specific instructions until child can be picked up or returned to group.	When professional medical attention is required, or When child experiences symptoms of moderate discomfort such as elevated temperature, vomiting or diarrhea, or When child is involved in an incident that puts their health and/or safety at risk (e.g., missing from program, left on vehicle, escaped from building/playground, etc.)
Notify Parent(s) by the end of the day.	When professional medical attention is not required, or When child experiences symptoms of less than moderate discomfort, or When child experiences an adverse reaction to prescribed medication which does not constitute moderate discomfort.

(3) Communicable Diseases. The Department's current communicable disease chart of recommendations for exclusion of sick children from the Center and their readmission shall be followed. Parents of all children enrolled shall be notified in writing of the occurrence of any of the illnesses on the most current version of the communicable disease chart, as found on the Department's website, or any cases or suspected cases of viruses or illnesses (COVID-19, etc.) identified during a public health emergency, within twenty-four (24) hours after the Center becomes aware of the illness or the next working day.

(4) Medical Emergencies. A Center shall have a written plan which outlines how emergency medical services will be obtained, including place(s) the child will be taken for emergency care. When a medical emergency arises involving a child, the Center Staff shall seek prompt emergency medical treatment and provide any certified or licensed emergency medical persons with immediate access to the child.

(5) Hazardous Items. Children shall not be permitted to wear around their necks or attach to their clothing pacifiers or other hazardous items.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.07
Authority: O.C.G.A. § 20-1A-1*et seq.*
History. Original Rule entitled "Children's Health" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. Aug. 26, 2022; eff. Sep. 15, 2022.
Amended: F. Aug. 29, 2023; eff. Sep. 18, 2023.

Rule 591-1-1-.08. Children's Records.

(1) A Center must maintain a file for each child while such child is in care at the Center and for a period of one (1) year after such child is no longer in care at the Center. In order for the file to be complete, the file shall contain the following: identifying information about the child to include: name, date of birth, sex, address, living arrangement if not with both Parents, name of school, if applicable; identifying information about the Parent(s) to include: names of both Parents, if applicable, home and work addresses, and home and work telephone numbers; name(s) and addresses of the person(s) to whom the child may be released. Such information shall contain the authorized person's address, telephone numbers, relationship to child and to Parent(s) and other identifying information; identifying information about the person(s) to contact in emergencies when the Parent cannot be reached to include name(s) and telephone number(s); identifying information about the child's primary source of health care to include physician's or clinic's name and telephone number; and a statement regarding known allergies or other physical problems, mental health disorders, intellectual disabilities or developmental disabilities which would limit the child's participation in the Center's program and activities.

(a) The file shall contain a description of any special procedures to be followed in caring for the child, including any special services which the Center agrees to provide to a Child with Special Needs.

(b) The file shall contain parental authorizations, including, but not limited to, written authorization for the Center to obtain emergency medical care for the child when the Parent is not available.

(c) The file shall contain parental acknowledgment of their responsibility for keeping the Center advised of any significant changes in enrollment information concerning phone numbers, work locations, emergency contact, family physicians, etc.

(d) The file shall contain parental acknowledgment that when the Parent(s) or persons authorized by the Parent(s) pick up or drop off their child at the Center, they will not allow their child to enter or leave the Center without being escorted and that the Center will not permit the child to enter or exit the Center without an escort.

(2) The file shall also contain evidence of age-appropriate immunizations or a signed affidavit against such immunizations. The items shall be maintained for each child enrolled in the Center on a form approved by the Department, and no child shall continue enrollment in the Center for more than thirty (30) days without such evidence.

(3) The file shall also contain documentation of incidents requiring professional medical attention, other than simple first aid performed by Center Staff, to include: child's name, type of illness or injury, date of illness or injury, how injury or illness occurred, Staff present, method of notifying Parent(s) and services provided to the child.

(4) Confidentiality. Information pertaining to the children enrolled at a Center is considered confidential and may not be released by Center Staff without first obtaining written permission signed by the Parent(s). However, relevant information relating to the children's family situations, medical status and behavioral characteristics on the children enrolled at the Center at any time shall be shared among Center Staff, with members of the Department or with other persons authorized by these rules or the law to receive such information, or with other persons in an emergency situation involving the child.

(5) Attendance Records. A child's daily attendance records for the twelve (12) preceding months must be maintained but need not be filed in each child's record. These records shall be made available to the Department in printed or written form upon request.

(6) Arrival and Departure Records. Records of a child's daily arrival and departure for the twelve (12) preceding months shall be maintained but need not be filed in each child's record. The Parent or person(s) authorized by the Parent to drop off and pick up the child will document, in written or electronic format, each time the Parent or authorized person drops off and picks up the child. The documentation shall include at least the following information: the date, the child's name, the arrival and departure times, and the signature or initials of the Parent or authorized person at the time of arrival and departure. These records shall be made available to the Department in printed or written form upon request.

(7) The Center shall ensure that children are only released to authorized person(s), and Center Staff shall take necessary steps to determine that any such person(s) presenting to pick up a child in care is authorized by the Parent(s) of the child and that person matches the identifying information provided by the Parent.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.08
Authority: O.C.G.A. § 20-1A-1 et seq.
History. Original Rule entitled "Children Records" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Repealed: New Rule of same title adopted. F. Dec. 2, 2009; eff. Dec. 22, 2009.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015
Amended: F. May 26, 2017; eff. June 15, 2017.
Amended: F. Aug. 26, 2022; eff. Sep. 15, 2022.

Rule 591-1-1-.09. Criminal Records and Comprehensive Background Checks.

1. **Satisfactory Fingerprint Records Check Determination or Satisfactory Comprehensive Records Check Determination Required**

   (a) A Center must ensure that every actual and potential Director, Employee and Provisional Employee of a Child Care Learning Center submit both a Records Check Application to the Department and Fingerprints to an authorized fingerprinting site.

   (b) A Center must ensure that every Director has a valid and current satisfactory Comprehensive Records Check Determination on file prior to being present at the Center while any child is present for care or before an individual age 17 or older resides in the Center. The Comprehensive Records Check Determination must have a Records Check Clearance Date that is no older than the preceding 12 months of the hire date; provided, however, if the Director has had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer, a new satisfactory Comprehensive Records Check Determination is required.

   (c) A Center must ensure that every Employee has a valid and current satisfactory Comprehensive Records Check Determination on file prior to being present at the Center while any child is present for care or before an individual age 17 or older resides in the Center. The Comprehensive Records Check Determination must have a Records Check Clearance Date that is no older than the preceding 12 months of the hire date; provided, however, if the Employee has had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer, a new satisfactory Comprehensive Records Check Determination is required.

   (d) The Center must ensure that every Provisional Employee has a valid and current satisfactory Fingerprint Records Check Determination on file prior to being present at the Center while any child is present for care or before an individual age 17 or older resides in the Center and must be supervised at all times by a Director or Employee with a valid and current satisfactory Comprehensive Records Check Determination. The Fingerprint Records Check Determination must have a Records Check Clearance Date that is no older than the preceding 12 months of the hire date; provided, however, if the Provisional Employee has had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer, a new satisfactory Fingerprint Records Check Determination is required.

   (e) No actual or potential Director, Employee or Provisional Employee of a Child Care Learning Center with an unsatisfactory Fingerprint Records Check Determination or an unsatisfactory Comprehensive Records Check Determination may be present at a Center when any child is present for care or reside at a Center.

   (f) Valid Evidence of a satisfactory Fingerprint Records Check Determination must be maintained at the Child Care Learning Center for each Provisional Employee for

the duration of employment or residency plus one year, and such electronic evidence must be made immediately available to the Department upon request.

(g) Valid Evidence of a satisfactory Comprehensive Records Check Determination must be maintained at the Child Care Learning Center for the Director and each Employee (including Students-in-Training, Volunteers, independent contractors and residents age 17 and older) for the duration of employment or residency plus one year, and such electronic evidence must be made immediately available to the Department upon request.

(h) The Center must ensure that every Provisional Employee requests child abuse and neglect registry information and criminal history documents from any U.S. state, territory or tribal land other than Georgia in which they have resided in the preceding five years and submit such documents to the Department in a timely manner. Failure to request out-of-state information will result in the issuance of an unsatisfactory Comprehensive Records Check Determination.

(i) For a Provisional Employee to become a permanent Employee, the individual must have a satisfactory Comprehensive Records Check Determination.

(j) Portability for Directors, Employees and Provisional Employees, excluding Students-in-Training. Only the most recently issued determination letter is eligible for portability and must be ported electronically. A Center may accept a satisfactory Fingerprint Records Check Determination letter or a satisfactory Comprehensive Records Check Determination letter issued by the Department if the Records Check Clearance Date is within the preceding 12 months from the hire date, the individual has not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer, and the Center does not know or reasonably should not know that the individual's satisfactory status has changed.

(k) Portability for Students-in-Training. Only the most recently issued determination letter is eligible for portability and must be ported electronically. A Center may accept a satisfactory Fingerprint Records Check Determination or a satisfactory Comprehensive Records Check Determination letter issued by the Department for a Student-in-Training if the individual's Records Check Clearance Date is within the preceding 24 months from the hire date, the Center has verified and maintains evidence on file at the Center that the Student-in-Training is currently enrolled in a high school recognized by the Department of Education or an early education curriculum through an accredited school of higher education, the individual has not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer, and the Center does not know or reasonably should not know that the individual's satisfactory status has changed.

(l) Recheck Required. The Center must immediately require that every Director, Employee and Provisional Employee submit to the Comprehensive Records Check Determination process at the following times:

1. When the Center knows or reasonably should know that a Director, Employee or Provisional Employee has been arrested or charged for any covered Crime;

2. When there is a lapse of employment from the child care industry that lasted for 180 calendar days (6 months) or longer;

3. At least once every five years; and

4. When the Department so requests.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.09
Authority: O.C.G.A. § 20-1A-1 et seq., 42 U.S.C. § 9857 et seq.
History. Original Rule entitled "Criminal Records Check" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Dec. 13, 2013; eff. Jan. 2, 2014.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: New title "Criminal Records and Comprehensive Background Checks." F. Aug. 17, 2018; eff. Sep. 6, 2018.
Amended: F. Aug. 28, 2019; eff. Sep. 17, 2019.
Amended: F. Aug. 26, 2022; eff. Sep. 15, 2022.

Rule 591-1-1-.10. Diapering Areas and Practices.

(1) Ventilation. For Centers first licensed after March 1, 1991, and for Centers that are renovated after March 1, 1991, the diapering areas shall be ventilated by functioning exhaust fans and a duct system or by the required amount of window space provided by operable windows when open.

(2) Hand Washing Sink. In Centers first licensed after March 1, 1991, and Centers that renovate existing plumbing facilities, a hand washing sink with running heated water shall be located adjacent to the diapering area. Flush sinks shall not be used for hand washing. Cleansing procedures in other facilities shall be approved by the Department.

(3) Changing Diapers. Diapers shall be changed in the child's own crib or on a diaper changing surface that is used for no purposes other than changing clothes in each room where infants or any other children wearing diapers are served.

(4) If diapers are changed on a diaper changing surface, the surface shall be smooth, nonporous, and equipped with a guard or rails to prevent falls. Between each diaper change, the diaper changing surface shall be cleaned with a disinfectant and dried with a single-usedisposable towel.

(5) Infants and children shall not be left unattended while being diapered or having their clothes changed on the diaper changing surface.

(6) Any items which might harm a child must be kept out of a child's reach.

(7) Supplies. The following items shall also be provided at the diapering area: liquid soap, individually dispensed, single-use hand towels, single-use wash cloths, and covered storage container for soiled items.

(8) Hygiene. Staff with diaper changing responsibilities shall not be simultaneously assigned to kitchen food preparation duties.

(9) Location of Diapering Area. The area used for diapering shall not be used for food preparation. It must be clear of formulas, food, food utensils and food preparation items.

(10) School-age Center. Except for children with special needs who are school-age but require diapering, the above rules do not apply to School-age Centers.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.10
Authority: O.C.G.A. § 20-1A-1 et seq.
History. Original Rule entitled "Diapering Areas and Practices" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Repealed: New Rule of same title adopted. F. Dec. 2, 2009; eff. Dec. 22, 2009.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. May 26, 2017; eff. June 15, 2017.

Rule 591-1-1-.11. Discipline.

(1) Disciplinary actions used to correct a child's behavior, guidance techniques and any activities in which the children participate or observe at the Center shall not be detrimental to the physical or mental health of any child.

(2) Personnel shall not: physically or sexually abuse a child or engage or permit others to engage in sexually overt conduct in the presence of any child enrolled in the Center; inflict corporal/physical punishment upon a child; shake, jerk, pinch or handle a child roughly; verbally abuse or humiliate a child which includes, but is not limited to, the use of threats, profanity or belittling remarks about a child or his family; isolate a child in a dark room, closet or unsupervised area; use mechanical or physical restraints or devices to discipline children; use medication to discipline or control children's behavior without written medical authorization issued by a licensed professional and given with the parent's written consent; restrict unreasonably a child from going to the bathroom; punish toileting accidents; force-feed a child or withhold feeding a child regularly scheduled meals and/or snacks; force or withhold naps; allow children to discipline or humiliate other children; and confine a child for disciplinary purposes to a swing, highchair, infant carrier, walker or jumpseat.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.11
Authority: O.C.G.A. § 20-1A-1 et seq.

History. Original Rule entitled "Discipline" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. May 26, 2017; eff. June 15, 2017.

Rule 591-1-1-.12. Equipment and Toys.

(1) All indoor and outdoor furniture, activity materials, and equipment shall be used: in a safe and appropriate manner by each Employee and child in attendance; and in accordance with the manufacturer's instructions, recommendations, and intended use. All equipment and furniture shall be used only by the age-appropriate group of children.

(2) Equipment and Furniture. Equipment and furniture shall be free from hazardous conditions such as, but not limited to, sharp rough edges or toxic paint and shall be kept clean.

(3) Equipment and furniture shall be placed so as to permit the children's freedom of movement and to minimize danger of accident and collision.

(4) Equipment and furniture shall be secured if it is of a weight or mass that could cause injury from tipping, falling, or being pulled or pushed over. Potentially unstable equipment and furniture that might injure a child if not secured include, but are not limited to, televisions, chests of drawers, bookcases, shelving, cabinets and fish tanks. Examples of items not required to be secured include, but are not limited to, child-sized tables and chairs, rocking chairs, and cribs.

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

(6) Toys. A variety of age-appropriate toys and play materials shall be available. They shall be stored on low, open shelves accessible to children in each room or assigned area.

(7) Toys that launch projectiles, such as dart guns, pop guns, slingshots, etc., shall not be allowed in the Center, and balloons shall not be accessible to preschool children.

(8) Toys for Children Under Three. Toys for children under three (3) years of age shall also be age-appropriate. Those toys shall be: non-toxic and lead-free; too large to be swallowed by a child and not capable of causing asphyxiation or strangulation; free of sharp pieces, edges or points; free of small parts which may be pried off by a child; free of rust; and easily cleaned with a disinfectant daily.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.12
Authority: O.C.G.A. § 20-1A-1 et seq.
History. Original Rule entitled "Equipment and Toys" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Repealed: New Rule of same title adopted. F. Dec. 2, 2009; eff. Dec. 22, 2009.

Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015
Amended: F. May 26, 2017; eff. June 15, 2017.

Rule 591-1-1-.13. Field Trips.

(1) Notice to Parent(s). A Center shall notify Parent(s) in advance of a child's participation in any field trip. The notice shall include the name and address of the trip destination, the date of the trip, time of departure and estimated arrival time back at the Center.

(2) Parental Permission. A Center shall obtain written permission from Parent(s) in advance of the child's participation in any field trip and such permission must be signed and dated by a Parent.

(3) Additional Supervision. Regular Staff: child ratios must be maintained on a trip and an additional Employee, chaperone or Student-in-Training who is at least sixteen (16) years of age shall be available to assist in the supervision of each group of twenty-five (25) children. Every person enlisted to assist in the supervision of children, other than a Parent, must comply with the background check requirements as outlined in Rule 591-1-1-.09, Criminal Records and Comprehensive Background Checks.

(4) If the field trip involves transporting children, the Center must ensure it complies with the staffing requirements for transporting children.

(5) List of Trip Participants. A list of children and adults participating in the trip shall be left at the Center as well as be taken on the trip in the possession of the adult in charge of the trip.

(6) Emergency Medical Information. Emergency medical information on each child to include allergies; special medical needs and conditions; current prescribed medications that the child is required to take on a daily basis for a chronic condition; the name and phone number of the child's doctor; the local medical facility that the Center uses in the area where the Center is located; and the telephone numbers where the Parent(s) can be reached shall be left at the Center as well as be taken on the trip in the possession of the adult in charge of the trip.

(7) Name Tags. Each child on a field trip shall have on their person their name, and the Center's name address and telephone number.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.13
Authority: O.C.G.A. § 20-1A-1*et seq.*, 42 U.S.C. § 9857*et seq.*
History. Original Rule entitled "Field Trips" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. Aug. 17, 2018; eff. Sept. 6, 2018.

Rule 591-1-1-.14. First Aid and CPR.

(1) Training.

(a) All Staff who provide direct care to children must obtain certification in a biennial training program in pediatric cardiopulmonary resuscitation (CPR) and a triennial training program in pediatric first aid within the first 45 days of employment. Current and valid evidence of the successful completion of such training shall be maintained on the Center's premises. The hours obtained completing this certification will not count towards the required annual training hours.

(b) The training must be done by certified or licensed health care professionals or trainers and must deal with the provision of emergency care to infants and children.

(2) Staffing Requirement.

(a) When any child is present on the premises, at least fifty percent (50%) of the caregiver staff present shall be trained in pediatric cardiopulmonary resuscitation (CPR) and pediatric first aid.

(b) There must always be one staff person present in each classroom where children are present that has current and valid pediatric cardiopulmonary resuscitation (CPR) and pediatric first aid training.

(c) During any field trip or transportation of children, there must always be a staff member present who has current evidence of the successful completion of pediatric cardiopulmonary resuscitation (CPR) and pediatric first aid.

(d) The Center Director must have current evidence of successful completion of pediatric cardiopulmonary resuscitation (CPR) and pediatric first aid at all times.

(3) Supplies. Each building of the Center and any vehicle used by the Center for transportation of children shall have a first aid kit which shall at least contain: scissors; tweezers; gauze pads; adhesive tape; thermometer; band-aids, assorted sizes; antibacterial ointment; insect-sting preparation; an antiseptic cleansing solution; triangular bandages; rubber gloves; protective eye wear; a protective face mask; and cold pack. The first aid kit, together with a first aid instruction manual which must be kept with the kit at all times, shall be stored so that it is not accessible to children but is easily accessible to Staff.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.14
Authority: O.C.G.A. § 20-1A-1 et seq.
History. Original Rule entitled "First Aid and CPR" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Aug. 25, 2008; eff. Sept. 14, 2008.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. Sep. 26, 2016; eff. Oct. 16, 2016.

Amended: F. May 26, 2017; eff. June 15, 2017.
Amended: F. May 15, 2025; eff. June 4, 2025.

Rule 591-1-1-.15. Food Service and Nutrition.

(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.

(6) 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.

(7) 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, 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 four (4) years of age. Children older than 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.

(8) 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.

(9) 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.

(10) 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).

(11) 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.

(12) 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*.
History. Original Rule entitled "Food Service and Nutrition" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Repealed: New Rule of same title adopted. F. Aug. 7, 2009; eff. Aug. 27, 2009.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. May 26, 2017; eff. June 15, 2017
Amended: F. Aug. 31, 2020; eff. Sept. 20, 2020.

Rule 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 or revoke a License or Permit where false statements have been made in connection with the application or any other documents submitted to 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
Authority: O.C.G.A. § 20-1A-1*et seq*., 42 U.S.C. § 9857*et seq*.
History. Original Rule entitled "Governing Body" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the

Agency.
Amended: ER. 591-1-1-0.2-.16 adopted. F. Jan. 31, 2005; eff. Feb. 1, 2005, as specified by the Agency.
Amended: Permanent Rule adopted. F. May 23, 2005; eff. June 12, 2005.
Amended: F. Apr. 17, 2009; eff. May 7, 2009.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. May 26, 2017; eff. June 15, 2017.
Amended: F. Aug. 17, 2018; eff. Sept. 6, 2018.
Amended: F. Aug. 28, 2019; eff. Sept. 17, 2019.
Amended: F. Aug. 31, 2020; eff. Sept. 20, 2020.
Amended: F. Aug. 29, 2023; eff. Sep. 18, 2023.

Rule 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-.17
Authority: O.C.G.A. § 20-1A-1 et seq.
History. Original Rule entitled "Hygiene" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Repealed: New Rule of same title adopted. F. Dec. 2, 2009; eff. Dec. 22, 2009.
Repealed: New Rule of the same title adopted. F. Aug. 5, 2010; eff. Aug. 25, 2010.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. May 26, 2017; eff. June 15, 2017.
Amended: F. Aug. 31, 2020; eff. Sept. 20, 2020.

Rule 591-1-1-.18. Kitchen Operations.

(1) Food. Food shall be in sound condition, free from spoilage and contamination and safe for human consumption. Eggs, pork, pork products, poultry and fish shall be thoroughly cooked. All raw fruits and vegetables shall be washed thoroughly before being cooked or served. Foods not subject to further washing or cooking before serving shall be stored in such a manner as to be protected against contamination. Meats, poultry, fish, dairy products and processed foods shall have been inspected under an official regulatory program. Hot foods shall be maintained at a temperature of one hundred forty (140) degrees Fahrenheit or above except during serving. Food and drinks shall be prepared as close to serving time as possible to protect children and Personnel from foodborne illness.

(2) Food Preparation Areas. Each Center shall have a designated space for food preparation separate from rooms used by children and in an area not used for diaper changing. The area shall be kept clean and free of accumulation of dust, dirt, food particles and grease deposits. Food preparation surface areas shall be nonporous with no unsealed cracks or seams.

(3) Ventilation shall be provided either by mechanical or natural means so as to provide fresh air and control of unpleasant odors in the food preparation area.

(4) Kitchen lights shall be shielded.

(5) Refrigeration. All perishable and potentially hazardous foods shall be refrigerated at a temperature of forty (40) degrees Fahrenheit or below and served promptly after cooking. Freezer temperature shall be maintained at zero (0) degrees Fahrenheit or below.

(6) Dishwashing. Non-disposable dishes, glasses and silverware shall be properly cleaned by pre-rinsing, or scraping, washing, sanitizing and air drying. A three (3) compartment sink or a dishwasher with a sani-cycle or capability of maintaining a rinse water temperature of a minimum of one hundred fifty (150) degrees Fahrenheit and a two (2) compartment sink shall be available. Dishes, glasses and silverware shall be rinsed in the approved dishwasher or rinsed in a chemical sanitizer and air dried.

(7) Storage Areas. Each Center shall have a designated space for storage of food and kitchen items. The area shall be kept clean and free of accumulation of dust, dirt, food particles and grease deposits.

(8) Containers of food shall be stored above the floor on clean surfaces protected from splash and other contamination. Containers for food storage other than the original container or package in which the food was obtained, shall be impervious and non-absorbent, have tight-fitting lids or covers and labeled as to contents.

(9) Cleaning materials shall be stored separately from food.

(10) Garbage. Garbage shall be stored in trash containers with lids. Containers shall be emptied and cleaned as needed. Acceptable facilities, including water and detergent or steam, shall be provided and used for cleaning containers. Areas around outside containers shall be kept clean.

(11) Hygiene. Kitchen Staff shall wash their hands and arms thoroughly with liquid soap and warm running water before starting food service work and shall wash hands during work hours as often as may be necessary to remove soil and contamination as well as after visiting the toilet room.

(12) Exclusion of Children. Children shall not be permitted in the kitchen except as part of a planned, supervised learning experience.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.18
Authority: O.C.G.A. § 20-1A-1 et seq.
History. Original Rule entitled "Kitchen Operations" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Repealed: New Rule of same title adopted. F. Dec. 2, 2009; eff. Dec. 22, 2009.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. May 26, 2017; eff. June 15, 2017.

Rule 591-1-1-.19. License Capacity.

(1) Usable Space Per Child. A Center's License capacity is based upon its size. A Center must have thirty-five (35) square feet of usable space per child. 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.

(2) Exception. Upon approval by the Department, a Center 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. This provision is intended to account for increased attendance for before-school and after-school care.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.19
Authority: O.C.G.A. § 20-1A-1*et seq.*
History. Original Rule entitled "License Capacity" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.

Rule 591-1-1-.20. Medications.

(1) Parental Authorization. Except for first aid or as authorized under Georgia law, Personnel shall not dispense prescription or non-prescription medications to a child without specific written authorization from the child's physician or Parent. Such authorization will include when applicable, date; full name of the child; name of the medication; prescription

number, if any; dosage; the dates to be given; the time of day to be dispensed; and signature of Parent.

(2) Dispensing Medication. Written authorization to dispense medications shall be limited to two (2) weeks unless otherwise prescribed by a physician or authorized under Georgia law. Medication shall only be dispensed out of its original container which must be labeled with the child's name or as authorized under Georgia law.

(3) Dispensing Records. The Center shall maintain a record of all medications dispensed to children by Personnel to include the date, time and amount of medication that was administered; any noticeable adverse reactions to the medication; and the signature or initials of the person administering the medication.

(4) Storage. Medications shall be kept in a storage cabinet or container which is locked or otherwise not accessible to the children and shall be stored separate from cleaning chemicals, supplies or poisons. Medications requiring refrigeration shall be placed in a leakproof container in a refrigerator that is not accessible to the children.

(5) Unused Medication. Medicines which are no longer to be dispensed shall be returned to the child's Parent(s) immediately.

(6) Non-Emergency Injections. Non-emergency injections shall only be administered by appropriately licensed persons unless the Parent and physician of the child sign a written authorization for the child to self-administer the injection.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.20
Authority: O.C.G.A. § 20-1A-1 et seq.
History. Original Rule entitled "Medications" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. May 26, 2017; eff. June 15, 2017.

Rule 591-1-1-.21. Operational Policies and Procedures.

A Center shall establish and implement written policies and procedures which shall be kept current, be consistent with applicable laws, regulations and these rules, made available to the Parent(s) and used to govern the operations of the Center.

(1) The policies and procedures shall include the following:

(a) A description of services to be provided which specifies the ages of children to be served, days and times of operations and days and times that the Center is closed;

(b) A description of enrollment and admission requirements which specifies the Parents' responsibilities for supplying needed information to the Center and escorting the child to and from the Center;

(c) A fee and payment schedule that specifies the standard fees, fees related to absences and vacations and other charges and fees such as transportation and late fees;

(d) A description of the Center's transportation and field trip services (see rule .36 about transportation requirements);

(e) A description of handling administration of medication (see rule .20 about medications), and notifying Parent(s) of noticeable adverse reactions to prescribed medications;

(f) A description of parental notification in cases of illnesses and injury and exclusion of sick children (see rule .07 about children's health);

(g) A description of parental notification when a notifiable communicable disease is present (see rule .07 about children's health);

(h) A description of handling medical emergencies (see rule .07 about children's health);

(i) A description of meals and snacks served, including guidelines for food brought from the child's home;

(j) Permission for access by the child's Parent(s) to all Center areas used by the child (see rule .22 about parental access);

(k) Child abuse reporting law requirements;

(l) A description of behavior management and discipline actions used by the Center, to include the program's practices regarding the expulsion and suspension of children enrolled for care.

(m) Nondiscrimination statement;

(n) Center-sponsored religious and cultural activities, if any;

(o) If licensed for the care of an infant or toddler: Center's diapering procedures, Center's toilet training procedures, and Center's feeding procedures;

(p) A written plan for handling emergencies, including but not limited to severe weather, fire and other emergency situations (i.e., loss of electrical power or water and death, serious injury or loss of a child, a threatening event, or natural disaster) which may occur at the Center. The Center will have in place procedures for

evacuation, relocation, shelter-in-place, lock-down, communication and reunification with families, and continuity of operations. The plan must apply to all children in care and will include specific accommodations for infants and toddlers, children with disabilities, and children with chronic medical conditions. Such plan shall include assurance that no Center Personnel will impede in any way the delivery of emergency care or services to a child by licensed or certified emergency health care professionals.

(q) A description of the safe sleep practices followed by the Center that includes the following information: the initial placement of infants on their backs to sleep; no cover or other soft items in crib; appropriate sleep clothing for infants to be provided by Parent; individual crib, cot or mat and bedding provided and changing and cleaning practices for these items; infants who fall asleep in other equipment, on the floor or elsewhere will be moved to a crib to sleep; and no swaddling or positioning devices used.

(r) A description of the practices followed by the Center to prevent shaken baby syndrome and abusive head trauma in children up to five years of age that includes the following information: how to recognize, respond to, and report the signs and symptoms of shaken baby syndrome and abusive head trauma; strategies to assist staff members in understanding how to care for infants and how to cope with a crying, fussing, or distraught child; strategies to ensure staff members understand the brain development of children up to five years of age; and a list of prohibited behaviors when dealing with children.

(2) The Center shall have written documentation signed by the Parent(s) in each child's file that the Director or designee has: provided to the Parent(s) a copy of the Center's policies and procedures required by this rule; advised the Parent(s) of the safe sleep practices followed by the Center; advised the Parent(s) of the child's progress, issues relating to the child's care and individual practices concerning the child's special needs; and encouraged participation by Parent(s) in Center activities.

(3) The Center shall conduct drills for fire, tornado and other emergency situations. The fire drills will be conducted monthly and tornado and other emergency situation drills will be conducted every six months. The Center shall maintain documentation of the dates and times of these drills for two years.

(4) The Center shall provide the Parent(s) with a copy of the Center's policies and procedures as required by this rule.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.21
Authority: O.C.G.A. § 20-1A-1 et seq.
History. Original Rule entitled "Operational Policies and Procedures" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Aug. 25, 2008; eff. Sept. 14, 2008.
Amended: F. May 16, 2013; eff. June 5, 2013.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.

Amended: F. Sep. 26, 2016; eff. Oct. 16, 2016.
Amended: F. May 26, 2017; eff. June 15, 2017.
Amended: F. May 15, 2025; eff. June 4, 2025.
Amended: F. Sep. 2, 2026; eff. Sep. 22, 2026.

Rule 591-1-1-.22. Parental Access.

The custodial parent(s) of the child shall at any time the child is in attendance be permitted access to all child care areas of the Center and shall make his or her presence known to Center Staff prior to removing the child from the Center.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.22
Authority: O.C.G.A. § 20-1A-1*et seq.*
History. Original Rule entitled "Parental Access" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.

Rule 591-1-1-.23. Repealed.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.23
Authority: O.C.G.A. § 20-1A-1 et seq.
History. Original Rule entitled "Parental Authorizations" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Repealed: F. May 26, 2017; eff. June 15, 2017.

Rule 591-1-1-.24. Personnel Records.

(1) A Center must maintain a personnel file on the Director, all Employees, Provisional Employees, Personnel, Staff, Students-in-Training, Volunteers, Clerical, Housekeeping, Maintenance, and other Support Staff for the duration of the term of employment plus one (1) calendar year, and it shall contain the following: identifying information to include: name, date of birth, social security number, current address and current telephone number; employment history; as applicable to the position held: evidence of education and qualifying work experience, evidence of required orientation including date and signature of person providing the orientation; evidence of all training required by these rules which shall include: title of training, date of training, trainer's signature, location of training and number of clock hours obtained; a statement completed by the staff member that the information provided is true and accurate; and any other records required by these rules.

(2) Personnel files shall also contain daily attendance records or other employee payroll records for the Employee for the preceding six (6) month period which may be stored away from the Center provided that the Center notifies the Department of its intention to

store these records off-site, provides the Department with the name, address and phone number of the custodian of these records and allows the Department, at its discretion, to have access to these records at the custodian's location immediately or access at the Center within seven (7) business days of a Department representative's request. The Department may, at its discretion, accept photocopies of the requested records which are provided within seven (7) business days of the Department representative's request for the same;.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.24
Authority: O.C.G.A. § 20-1A-1 et seq.
History. Original Rule entitled "Personnel Records" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Amended: F. Dec. 13, 2013; eff. Jan. 2, 2014.
Amended: F. May 26, 2017; eff. June 15, 2017.

Rule 591-1-1-.25. Physical Plant.

(1) Ceilings. Ceilings shall be at least seven (7) feet in height.

(2) Changing Areas. For evening and night-time care, separate changing areas shall be provided for children of the opposite sex eight (8) years of age and older.

(3) Cleanliness. The Center and surrounding premises shall be kept clean, free of debris and in good repair. Hygienic measures such as, but not limited to, screened windows and proper waste disposal procedures shall be utilized to minimize the presence of rodents, flies, roaches and other vermin at the Center.

(4) Climate Control. A Center shall be maintained at a temperature range of sixty-five (65) degrees Fahrenheit to eighty-five (85) degrees Fahrenheit depending upon the season and ventilated either by mechanical or natural means to provide fresh air and control unpleasant odors. Facilities which do not have a functioning central heating and air conditioning system shall make fifty percent (50%) of all required windows operable for ventilation. Any openings used for ventilation shall be screened.

(5) Construction and Renovation. A person planning the construction of a new Center or planning any structural changes to an existing Center shall obtain approval from the Department, local zoning authorities, fire safety agencies and local building authorities. Construction and maintenance work shall take place only in areas that are not accessible to the children.

(6) Cubbies - Individual Storage Space. Each child's personal items shall be kept in individually labeled cubbies, lockers or racks separated from articles used by other children. The spaces shall be accessible to the children to whom they are assigned.

(7) Doors and Locks. Doors to rooms not approved for child care, other than the kitchen doors, shall be latched or locked so children cannot wander into those areas. Except in School-age Centers, interior Center door locks shall permit Personnel to open the locked room from outside of the room in an emergency.

(8) Electrical Outlets. Except in School-age Centers, all unused electrical outlets within reach of children shall have protective caps specifically designed to prohibit children from placing anything in the receptacle. Electrical outlets in use which the children can reach shall be made inaccessible to the children.

(9) Exclusion from Premises. The Center shall not allow any person to remain on the Center premises if the person does not have a legitimate reason for being on the premises.

(10) Fire Safety. A Center must be in 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.

(11) Flooring. Floor coverings shall be tight, smooth, free of odors and washable or cleanable.

(12) Heating and Cooling Equipment. Heating and cooling equipment shall be protected to prevent children from touching it. Fans, space heaters, etc. shall be positioned or installed so as to be inaccessible to the children.

(13) Indoor Storage Areas. Potentially hazardous equipment, materials and supplies shall be stored in a locked area inaccessible to children. Examples of items to be stored include non-food related products under pressure in aerosol dispensing cans, flammable and corrosive materials, cleaning supplies, poisons, insecticides, office supplies and industrial-sized or commercial buckets with a capacity of three gallons or more or any other similar device with rigid sides which would not tip over if a toddler fell into the container head first.

(14) Lighting. A Center shall be 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. A Center shall provide outside lighting at entrances and exits used by children when the Center provides evening or night-time care.

(15) Outside Storage Area. Any outside storage or equipment area shall be locked, separated from the children by a barrier or enclosure, and shall not be accessible to the children.

(16) Parking. Sufficient parking areas shall be provided to permit safe discharge and pick up of children.

(17) Plants and Shrubs. The Center premises shall be free of plants and shrubs which are poisonous or hazardous.

(18) Telephone. An operable telephone shall be readily available in the Center and the following emergency telephone numbers must be posted in a conspicuous place next to the telephone: physician or hospital; county health department; regional poison control Center; all emergency numbers or numbers of local ambulance service, fire and police departments.

(19) Unapproved Areas. The following areas shall not be used as activity areas for the children: basement area in excess of twenty-five linear feet from a window; rooms with floor levels lower than three (3) feet or more below ground level on all sides; and any area unapproved for use by authorities having jurisdiction.

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

(21) Windows. All floor level windows or full-length glass doors shall be constructed of safety glass with decals applied at the eye level of the children or such windows or doors shall have protective devices covering the glass designed to prevent the children from getting cut by the glass should it break for any reason. Except in School-age Centers, 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.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.25
Authority: O.C.G.A. § 20-1A-1 et seq.
History. Original Rule entitled "Physical Plant" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. May 26, 2017; eff. June 15, 2017.

Rule 591-1-1-.26. Playgrounds.

(1) Size.

(a) For Centers with a licensed capacity of 19 or more children first licensed after March 1, 1991, 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.

(b) For Centers with a licensed capacity of 18 or fewer children first licensed after April 21, 1991, 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 the center's licensed capacity for children.

(2) Playground Occupancy. At least one hundred (100) square feet shall be available for each child occupying the outside play area at any one time. Groups of children may be rotated if necessary so that one hundred (100) square feet per child is provided at all times.

(3) Location. Playgrounds shall be adjacent to the Center or in an area which can be reached by a safe route or method approved by the Department. Except in School-age Centers, the playground shall have shaded areas.

(4) Fence or Approved Barriers. Playgrounds shall be protected from traffic or other hazards by a four (4) foot or higher secure fence or other barrier approved by this Department. Fencing material shall not present a hazard to children and shall be maintained so as to prevent children from leaving the playground area by any means other than through an approved access route. Fence gates shall be kept closed except when persons are entering or exiting the area.

(5) Playground Surfaces. Except in School-age Centers, the playground shall have a surface suitable for varied activities. Hard surfaces, such as gravel, concrete, or paving shall not exceed one-fourth (1/4) of the total playground area.

(6) Equipment. Playground 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. All equipment shall be arranged so as not to obstruct supervision of children.

(7) Anchoring of Certain Equipment. Climbing and swinging equipment shall be anchored.

(8) Fall Zones and Surfacing. Climbing and swinging equipment shall have a resilient surface beneath the equipment and the fall zone from such equipment must be adequately maintained by the Center to assure continuing resiliency.

(9) Safety and Upkeep of Playground. Playgrounds shall be kept clean, free from litter and free of hazards, such as but not limited to rocks, exposed tree roots and exposed sharp edges of concrete.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.26
Authority: O.C.G.A. § 20-1A-1 et seq.
History. Original Rule entitled "Playgrounds" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.

Amended: F. May 26, 2017; eff. June 15, 2017.

Rule 591-1-1-.27. Posted Notices.

Each Center shall post in a designated area for public viewing near the front entrance the following: the Center's current License or Permit; a copy of these rules; a copy of the current communicable disease chart; a statement allowing Parent(s) access to all child care areas upon notifying any staff member of his or her presence; names of persons responsible for the administration of the Center in the administrator's absence; the dated current week's menu for meals and snacks; emergency plans for severe weather, fire, and other emergency situations; a statement requiring visitors to check in with Staff when entering the Center; no smoking signs; and a notice provided by the Department which advises Parents of their right to review a copy of the Center's most recent licensure evaluation report upon request to the Center Director. The Center shall provide any Parent with a copy of this evaluation report upon request.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.27
Authority: O.C.G.A. § 20-1A-1 et seq.
History. Original Rule entitled "Posted Notices" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. Sep. 26, 2016; eff. Oct. 16, 2016.
Amended: F. May 26, 2017; eff. June 15, 2017.

Rule 591-1-1-.28. Prohibited Substances.

(1) Alcohol and Illegal Drugs. Staff, chaperones and Students-in-Training shall not be under the influence of or consume alcohol, marijuana or other controlled substances on the Center premises during the hours of operation or at any other time or place where there are children present for whom the Center Staff is responsible.

(2) No Smoking. Smoking is prohibited on the premises of a Center during the hours of operation. Smoking is also prohibited in any vehicle used to transport children during the hours that the Center is in operation.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.28
Authority: O.C.G.A. § 20-1A-1 et seq.
History. Original Rule entitled "Prohibited Substances" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. May 26, 2017; eff. June 15, 2017.

Rule 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 Division 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) 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; 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).

(a) Availability of Records. The Center must make available all records related to any required report, to include but not be limited to, audio, video, photos, written documentation, social media posts, and other electronic information. The Department shall have the right to a photocopy or reproduction of any record maintained by or on behalf of the Center.

(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
Authority: O.C.G.A. § 20-1A-1 et seq., 42 U.S.C. § 9857 et seq.
History. Original Rule entitled "Required Reporting" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Repealed: New Rule of same title adopted. F. Aug. 7, 2009; eff. Aug. 27, 2009.

Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. May 26, 2017; eff. June 15, 2017.
Amended: F. Aug. 17, 2018; eff. Sep. 6, 2018.
Amended: F. Aug. 31, 2020; eff. Sep. 20, 2020.
Amended: F. Aug. 26, 2022; eff. Sep. 15, 2022.

Rule 591-1-1-.30. Safe Sleeping and Resting Requirements.

(1) Sleeping and Resting Equipment.

(a) Cribs. A crib that is safety approved in compliance with Consumer Product Safety Commission (CPSC) and American Society of Testing and Materials International (ASTM) safety standards shall be provided for each infant. ("Infant" refers to any child under the age of twelve (12) months or any child who is under eighteen (18) months of age who is not walking.)

1. Crib Construction. Cribs shall be in good repair and free of hazards. Stack cribs and cribs with drop sides shall not be used.

2. Crib Mattress. A mattress shall be provided for each crib and shall be firm, tight-fitting without gaps, at least two inches (2") thick and covered with waterproof, washable material. Before a change of occupant, each mattress shall be cleaned with a disinfectant.

3. Crib Sheet. Each crib shall have only an individual, tight-fitting sheet which is changed daily or more often as needed and prior to a change of occupant.

(b) Cots and Mats. Cots and mats shall be provided for each child who is two (2) years of age or older and who is required to take a nap and for each child under the age of two (2) years who can climb out of a crib.

1. Cot and Mat Construction. Cots and mats shall be of sound construction and of sufficient size to accommodate comfortably the size and weight of the child. Mats must be in good repair, washable, covered with waterproof material and at least two inches (2") thick.

2. Individual Use. Cots and mats must be used by the same child daily and marked for individual use.

3. Sheets. Sheets or similar coverings for cots or mats shall either be marked for individual use or laundered daily. If marked for individual use, they must be laundered weekly or more frequently if needed.

4. Covers. A light cover shall be available for each child's use on a cot or mat and shall be marked for individual use or laundered daily. If marked for individual use, they must be laundered weekly or more frequently if needed.

(c) Pillows. Pillows shall not be used by children under two (2) years of age. When used for children two (2) years of age or older, pillows shall be assigned for individual use and covered with pillow cases that are marked for individual use or covered with cases that are laundered daily. Pillow cases that are marked for individual use shall be laundered weekly or more frequently as needed.

(d) Arrangement of Sleeping and Resting Equipment. All sleeping and resting equipment shall be arranged to avoid obstructing access to exit doors, to provide the caregivers access to each child, and to prevent children's access to cords hanging from window treatments and other hazardous objects. To reduce the transfer of airborne diseases, sleeping and resting equipment shall be arranged as follows. There shall be a minimum of twenty-four inch (24") corridor between each row of sleeping or resting equipment. There shall be a minimum of twelve inches (12") between each piece of sleeping or resting equipment in each row of equipment. Children shall be placed on cots and mats so that one child's head is toward another child's feet in the same row.

(2) Sleeping and Resting Environment for Infants. A Center shall provide a safe sleep environment in accordance with American Academy of Pediatrics (AAP), Consumer Product Safety Commission (CPSC) and American Society for Testing and Materials (ASTM) recommendations as listed in these rules for all infants. Center Staff shall place an infant to sleep on the infant's back unless the Parent has provided a physician's written statement authorizing another sleep position for that particular infant that includes how the infant shall be placed to sleep and a time frame that the instructions are to be followed. When an infant can easily turn over from back to front and back again, Staff shall continue to put the infant to sleep initially on the infant's back but allow the infant to roll over into his or her preferred position and not re-position the infant. Sleepers, sleep sacks and wearable blankets that fit according to the commercial manufacturer's guidelines and will not slide up around the infant's face may be used when necessary for the comfort of the sleeping infant, however swaddling shall not be used unless the Center has been provided a physician's written statement authorizing its use for a particular infant that includes instructions and a time frame for swaddling the infant. Staff shall not place objects or allow objects to be placed in or on the crib with an infant such as but not limited to toys, pillows, quilts, comforters, bumper pads, sheepskins, stuffed toys, or other soft items and shall not attach objects or allow objects to be attached to a crib with a sleeping infant such as but not limited to crib gyms, toys, mirrors and mobiles.

(a) Center shall maintain the infant's sleeping area to be comfortable for a lightly clothed adult within a temperature range of sixty-five (65) to eighty-five (85) degrees depending upon the season. There shall be lighting adequate to see each sleeping infant's face to view the color of the infant's skin and check on the infant's breathing.

(b) Wedges, other infant positioning devices and monitors shall not be used unless the Parent provides a physician's written statement authorizing its use that includes

how to use the device and a time frame for using the device is provided for that particular infant.

(c) Infants shall not sleep in equipment other than safety-approved cribs, such as, but not limited to, a car safety seat, bouncy seat, highchair, or swing. Infants who arrive at the Center asleep or fall asleep in such equipment, on the floor or elsewhere, shall be transferred to a safety-approved crib.

(3) Night-time Care. For Centers that offer night-time care, each child, except infants who require individual cribs, shall be provided an individual bed with a four inch (4") mattress or a cot with a two inch (2") pad. Such equipment shall be arranged so that the children's sleep will not be unnecessarily interrupted by delivery and pick up of other children.

(4) Storage. If cots and mats are stored in the children's activity room or area, they shall be stored to prevent children's access to them and to allow maximum use of play space. When storage is available and used for the storage of cots and mats that allows the cots, mats and any bedding to be stored without touching any other cots, mats or bedding, the bedding may be left on the cot or mat. When such storage is not available for the cots and mats, each child's bedding shall be kept separate from other children's bedding and stored in containers marked for individual use, such as, but not limited to, bins, cubbies, or bags.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.30
Authority: O.C.G.A. § 20-1A-1 et seq.
History. Original Rule entitled "Sleeping and Resting Equipment" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: New title "Safe Sleeping and Resting Requirements." F. May 16, 2013; eff. June 5, 2013.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. May 26, 2017; eff. June 15, 2017.

Rule 591-1-1-.31. Staff.

(1) **Director**

(a) A Center must have a Director who is responsible for the supervision, operation and maintenance of the Center. The Director must be on the Center's premises. If the Director is absent from the Center at any time during the hours of the Center's operation, there shall be an officially designated person on the Center site to assume responsibility for the operation of the Center, and this person shall have full access to all records required to be maintained under these rules.

(b) Qualifications of Director. The Director must meet the minimum qualifications listed below.

1. Be at least twenty-one (21) years of age;

2. Possess at least one of the following sets of minimum academic requirements and qualifying child care experience:

   (i) Child Development Associate (CDA) credential issued by the Council for Professional Recognition; Child Development and Related Care diploma from a vocational institute accredited by the Commission on Colleges of the Southern Association of Colleges and Schools; or similar credential where the course of study includes an intensive practicum in child care as part of the curriculum and which is approved by the Department; and six (6) months of qualifying child care experience;

   (ii) Technical Certificate of Credit (TCC) in Early Childhood Education or Child Development and six (6) months of qualifying child care experience;

   (iii) Technical Certificate of Credit (TCC) in Infant and Toddler and six (6) months of qualifying child care experience;

   (iv) Technical Certificate of Credit (TCC) in Program Administration and six (6) months of qualifying child care experience;

   (v) Technical Certificate of Credit (TCC) in School Age and Youth Care and six (6) months of qualifying child care experience;

   (vi) Technical College Diploma (TCD) in Early Childhood Education or Child Development and six (6) months of qualifying child care experience;

   (vii) Forty-hour (40) director training course approved by the Department and has been employed for a minimum of five (5) years as an on-site Child Care Learning Center Director;

   (viii) Associate's degree in Early Childhood Education or Child Development and six (6) months of qualifying child care experience;

   (ix) Paraprofessional Certificate issued by the Georgia Professional Standards Commission and six (6) months of qualifying child care experience;

   (x) Twenty-five (25) quarter hours or fifteen (15) semester hours from an accredited college or university in Early Childhood Education or Child Development and six (6) months of qualifying child care experience;

(xi) Bachelor's degree from an accredited college or university in a field other than Early Childhood Education or Child Development and three (3) months of qualifying child care experience;

(xii) Bachelor's degree from an accredited college or university in Early Childhood Education or Child Development;

(xiii) Master's degree from an accredited college or university in Early Childhood Education or Child Development;

3. Participate in the orientation and training required by these rules;

4. Must be able to perform adequately the job duties of providing for the care and supervision of the children enrolled in the Center in accordance with these rules;

5. Never have been shown by credible evidence, e.g., a court or jury, a department investigation or other reliable evidence to have abused, neglected or deprived a child or adult or to have subjected any person to serious injury as a result of intentional or grossly negligent misconduct. The Department may request an oral or written statement to this effect at the time of application or at any other time. Upon said request, the Director or Staff shall provide this statement to the Department;

6. Not have made any material false statements concerning qualifications requirements either to the Department or to the proposed or current License Holder, Permit Holder or commission holder, and

7. Comply with the background check requirements as outlined in Rule 591-1-1-.09, Criminal Records and Comprehensive Background Checks.

(c) Required Records. A copy and/or written verification of the credential or degree awarded to the Director listed in 591-1-1-.31(1)(b)2. (i) through (xiii) shall be maintained by the Center in the Director's file, and such documentation shall be available for inspection and provided to Department staff upon request.

(2) **Teacher/Lead Caregiver**

(a) A Center with a licensed capacity of 19 or more children must have a designated teacher/lead caregiver for each group of children.

(b) Qualifications of Teacher/Lead Caregiver. The teacher/lead caregiver must meet the minimum qualifications listed below.

1. Be at least eighteen (18) years of age;

2. Possess at least one of the following sets of minimum academic requirements and qualifying experience at the time of employment:

   (i) Child Development Associate (CDA) credential issued by the Council for Professional Recognition; Child Development and Related Care diploma from a vocational institute accredited by the Commission on Colleges of the Southern Association of Colleges and Schools; or similar credential where the course of study includes an intensive practicum in child care as part of the curriculum and which is approved by the Department;

   (ii) Technical Certificate of Credit (TCC) in Early Childhood Education or Child Development;

   (iii) Technical Certificate of Credit (TCC) in Infant and Toddler;

   (iv) Technical Certificate of Credit (TCC) in Program Administration;

   (v) Technical Certificate of Credit (TCC) in School Age and Youth Care;

   (vi) Technical College Diploma (TCD) in Early Childhood Education or Child Development;

   (vii) Associate's degree in Early Childhood Education or Child Development (AA, AAS, AAT);

   (viii) Paraprofessional Certificate issued by the Georgia Professional Standards Commission;

   (ix) Twenty-five (25) quarter hours or fifteen (15) semester hours from an accredited college or university in Early Childhood Education or Child Development;

   (x) Bachelor's degree from an accredited college or university in a field other than Early Childhood Education or Child Development and three (3) months of qualifying child care experience;

   (xi) Bachelor's degree from an accredited college or university in Early Childhood Education or Child Development;

   (xii) Master's degree from an accredited college or university in Early Childhood Education or Child Development.

3. If the newly hired lead teacher does not possess one of the educational and qualifying child care experience requirements listed in 591-1-1-.31(2)(b)2.

(i) through (xii), the Center may hire this individual as lead teacher if the following requirements are met:

(i) The lead teacher enrolls in a program of study to obtain one of the educational credentials and qualifying experience requirements listed in 591-1-1-.31(2)(b)2. (i) through (xii), within six (6) months after becoming employed at the Center and completes the credential or degree within eighteen (18) months after enrollment;

(ii) The Center prepares a written plan outlining the newly hired lead teacher's professional development in obtaining one of the credentials or degrees listed in 591-1-1-.31(2)(b)2. (i) through (xii). Such plan must include the following information:

(I) Individual's identifying information (name, address and telephone numbers);

(II) Technical college, university or school where enrolled (name, address and telephone number) or Department-approved trainer providing credential course work (name, address and telephone number);

(III) Credential or degree individual is seeking;

(IV) Content area of credential or degree;

(V) Anticipated date for completion of credential or degree;

(VI) Names and numbers of courses to be completed during the current year and ongoing updates of the names and numbers of courses to be completed for the following year(s);

(VII) Documentation of course work successfully completed throughout process (i.e., completion of quarter, semester or component of course work); and

(VIII) A copy of the credential or degree awarded by the technical college, university, school or Department-approved trainer for specified credential upon completion.

(iii) This professional development plan must be maintained in the lead teacher's file, and such plan shall be available for inspection and provided to Department staff upon request.

4. Participate in the orientation and training required by these rules;

5. Must be able to perform adequately the job duties of providing for the care and supervision of the children enrolled in the Center in accordance with these rules;

6. Never have been shown by credible evidence, e.g., a court or jury, a department investigation or other reliable evidence to have abused, neglected or deprived a child or adult or to have subjected any person to serious injury as a result of intentional or grossly negligent misconduct. The Department may request an oral or written statement to this effect at the time of application or at any other time. Upon said request, the teacher/lead caregiver or Staff shall provide this statement to the Department;

7. Not have made any material false statements concerning qualifications requirements either to the Department or to the proposed or current License Holder, Permit Holder or commission holder; and

8. Comply with the background check requirements as outlined in Rule 591-1-1-.09, Criminal Records and Comprehensive Background Checks.

(c) Required Records. A copy and/or written verification of the credential or degree awarded to the lead teacher listed in 591-1-1-.31(2)(b)2. (i) through (xii) shall be maintained by the Center in the lead teacher's file, and such documentation shall be available for inspection and provided to Department staff upon request.

(3) **Caregivers/Aides for a Center with Licensed Capacity of Nineteen (19) or More Children**

(a) A Center with a licensed capacity of nineteen (19) or more children may employ caregivers/aides to assist the teacher/lead caregiver in the care of children in any group within the Center. No caregiver/aide who is 16 or 17 years of age shall be solely responsible for children.

(b) Qualifications of Caregivers/Aides for a Center with Licensed Capacity of Nineteen (19) or More Children.

1. Be at least sixteen (16) years of age;

2. Participate in the orientation and training required by these rules;

3. Must be able to perform adequately the job duties of providing for the care and supervision of the children enrolled in the Center in accordance with these rules;

4. Never have been shown by credible evidence, e.g., a court or jury, a department investigation or other reliable evidence to have abused,

neglected or deprived a child or adult or to have subjected any person to serious injury as a result of intentional or grossly negligent misconduct. The Department may request an oral or written statement to this effect at the time of application or at any other time. Upon said request, the teacher/lead caregiver or Staff shall provide this statement to the Department;

5. Not have made any material false statements concerning qualifications requirements either to the Department or to the proposed or current License Holder, Permit Holder or commission holder; and

6. Comply with the background check requirements as outlined in Rule 591-1-1-.09, Criminal Records and Comprehensive Background Checks.

(4) **Caregivers/Aides for a Center with Licensed Capacity of Eighteen (18) or Fewer Children**

(a) A Center with a licensed capacity of eighteen (18) or fewer children may employ caregivers/aides to assist the Director in the care of children in any group within the Center.

(b) Qualifications of Caregivers/Aides for a Center with Licensed Capacity of Eighteen (18) or Fewer Children.

1. Be at least eighteen (18) years of age;

2. Participate in the orientation and training required by these rules;

3. Must be able to perform adequately the job duties of providing for the care and supervision of the children enrolled in the Center in accordance with these rules;

4. Never have been shown by credible evidence, e.g., a court or jury, a department investigation or other reliable evidence to have abused, neglected or deprived a child or adult or to have subjected any person to serious injury as a result of intentional or grossly negligent misconduct. The Department may request an oral or written statement to this effect at the time of application or at any other time. Upon said request, the teacher/lead caregiver or Staff shall provide this statement to the Department.

5. Not have made any material false statements concerning qualifications requirements either to the Department or to the proposed or current License Holder, Permit Holder or commission holder;

6. Have either a high school diploma or general education diploma (GED) or three (3) months qualifying child care experience as determined by the Department; and

7. Comply with the background check requirements as outlined in Rule 591-1-1-.09, Criminal Records and Comprehensive Background Checks.

(5) **Provisional Employees.** The Center may hire Provisional Employees. All Provisional Employees:

(a) Must comply with the background check requirements as outlined in Rule 591-1-1-.09, Criminal Records and Comprehensive Background Checks;

(b) Must be informed of the rules for Child Care Learning Centers and the Center's policies and procedures for the age group for which they will be providing care;

(c) Must be informed of the Center's policies and procedures necessary to the proper performance of their job duties in compliance with the rules for Child Care Learning Centers;

(d) Must participate in the orientation and training required by these rules;

(e) Must be able to perform adequately the job duties of providing for the care and supervision of the children enrolled in the Center in accordance with these rules;

(f) Must never have been shown by credible evidence, e.g., a court or jury, a department investigation or other reliable evidence to have abused, neglected or deprived a child or adult or to have subjected any person to serious injury as a result of intentional or grossly negligent misconduct. The Department may request an oral or written statement to this effect at the time of application or at any other time. Upon said request, the Provisional Employee shall provide this statement to the Department;

(g) Must not have made any material false statements concerning qualifications requirements either to the Department or to the proposed or current License Holder or commission holder;

(h) Must be supervised at all times by a Director or Employee with a valid and current satisfactory Comprehensive Records Check Determination; and

(i) May be hired as a permanent Employee by the Center only if the individual receives a satisfactory Comprehensive Records Check Determination by the Department and meets all other qualification requirements in these rules.

(6) **Independent Contractors.**A Center may have an independent contractor to offer supplemental educational or physical activities for children in care.

(a) Such an independent contractor is considered either an Employee or Provisional Employee of the Center for the purpose of these rules and must comply with the background check requirements as outlined in Rule 591-1-1-.09, Criminal Records and Comprehensive Background Checks; and

(b) Such an independent contractor is exempted from annual training and first-aid/CPR training requirements.

(7) **Parents.**The Center may have Parents occasionally assist in a classroom, chaperone or accompany a group of children from the Center on a field trip.

(a) A Parent that is this type of occasional assistant is not required to obtain a criminal records check determination; however, a staff member who is also a Parent of a child in care at the Center is considered either an Employee or Provisional Employee for purposes of these rules and must comply with the background check requirements as outlined in Rule 591-1-1-.09, Criminal Records and Comprehensive Background Checks; and

(b) No Parent shall be solely responsible for children other than their own and must be under continuous direct supervision of a Director or Employee with a valid and current satisfactory Comprehensive Records Check Determination while in the presence of children in care other than their own.

(8) **Volunteers.**The Center may have volunteers other than Parents help in a classroom, chaperone or accompany a group of children from the Center on a field trip.

(a) Volunteers that provide consistent services are considered either Employees or Provisional Employees for purposes of these rules and must comply with the background check requirements as outlined in Rule 591-1-1-.09, Criminal Records and Comprehensive Background Checks;

(b) No volunteer shall be solely responsible for children other than their own and must be under continuous direct supervision of a Director or Employee with a valid and current satisfactory Comprehensive Records Check Determination while in the presence of children other than their own; and

(c) Such volunteer is exempted from annual training and first-aid/CPR training requirements.

(9) **Students-in-Training.**The Center may have Students-in-Training at the Center.

(a) Students-in-Training are considered either Employees or Provisional Employees for purposes of these rules and must comply with the background check

requirements as outlined in Rule 591-1-1-.09, Criminal Records and Comprehensive Background Checks;

(b) No Student-In-Training shall be solely responsible for children other than their own and must be under continuous direct supervision of a Director or Employee with a valid and current satisfactory Comprehensive Records Check Determination while in the presence of children in care other than their own; and

(c) Such Students-in-Training are exempted from annual training and first-aid/CPR training requirements.

(10) **Staff for School-Age Centers.**

(a) After-school programs serving children ages five (5) years and older (school-age) that routinely operate a maximum of four (4) hours per day, Monday through Friday, whether the School-age Center is the only licensed program at that location or operates a full day Child Care Learning Center, shall comply with the following:

(b) A School-age Center must have at least one lead teacher/caregiver who is responsible for:

1. Day-to-day programming and

2. Supervision of the assistant caregivers/aides assigned to each classroom or group of School-age Children;

(c) If there is only one lead teacher/caregiver and more than one classroom or group of School-age Children, the Director of the School-age Center shall assign an assistant caregiver/aide who is at least 18 years of age to each classroom or group of children;

(d) If there is a lead teacher/caregiver assigned to each classroom or group of children, the assistant caregiver/aide may be 16 or 17 years of age; and

(e) Staff for School-Age Centers are considered Employees or Provisional Employees for purposes of these rules and must comply with the background check requirements as outlined in Rule 591-1-1-.09, Criminal Records and Comprehensive Background Checks.

(11) **Clerical, Housekeeping, Maintenance and Other Support Staff.** The Center shall have qualified and sufficient direct-care, clerical, housekeeping, maintenance and other support staff to ensure full compliance with these rules without neglecting the supervision of the children.

(a) Other Staff That May Have Direct Contact With Children in Care. A Center may have additional staff at the Center. Any staff member that has any personal contact with any child in care:

1. Is considered either an Employee or Provisional Employee for purposes of these rules and must comply with the background check requirements as outlined in Rule 591-1-1-.09, Criminal Records and Comprehensive Background Checks; and

2. May be exempted from annual training and first-aid/CPR training requirements.

(b) Other Staff That Must Not Have Direct Contact With Children in Care. The Center may have individuals at the Center to repair and/or maintain the facility while children are in care that have no personal contact with any child in care. These individuals:

1. Must have no contact with children in care;

2. May not be required to obtain a criminal records check determination, unless they have contact with children in care; and

3. May be exempted from annual training and first-aid/CPR training requirements.

(12) **Work Schedules.**Staff shall not regularly be scheduled to perform child care duties for more than twelve (12) hours within any twenty-four (24) hour period.

(13) **Compliance with Applicable Laws and Regulations.**Center Staff shall not commit any criminal act, as defined under Georgia law, in the presence of any child enrolled in the Center. Center staff shall comply with all applicable laws and regulations.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.31
Authority: O.C.G.A. § 20-1A-1*et seq.*, 42 U.S.C. § 9857*et seq.*
History. Original Rule entitled "Staff" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Amended: F. Apr. 17, 2009; eff. May 7, 2009.
Repealed: New Rule of same title adopted. F. Dec. 2, 2009; eff. Dec. 22, 2009.
Amended: F. Dec. 13, 2013; eff. Jan. 2, 2014.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. June 2, 2016; eff. June 22, 2016.
Amended: F. Sep. 26, 2016; eff. Oct. 16, 2016.
Amended: F. May 26, 2017; eff. June 15, 2017.
Amended: F. Aug. 17, 2018; eff. Sept. 6, 2018.
Amended: F. Aug. 28, 2019; eff. Sept. 17, 2019.

Rule 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:

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

* 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, 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 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.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.32
Authority: O.C.G.A. § 20-1A-1*et seq*.
History. Original Rule entitled "Staff: child Ratios and Supervision" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. May 26, 2017; eff. June 15, 2017.

Amended: F. Aug. 31, 2020; eff. Sept. 20, 2020.

Rule 591-1-1-.33. Staff Training.

(1) Center Orientation. Prior to assignment to children or task, all Employees (i.e., volunteers, students-in-training, independent contractors, etc.) and Provisional Employees must receive initial Center orientation.

(2) The initial Center orientation must include the following subjects:

(a) the Center's policies and procedures;

(b) the portions of these rules dealing with the care, health and safety of children;

(c) the Staff person's assigned duties and responsibilities;

(d) reporting requirements for suspected cases of child abuse, neglect or deprivation;

(e) communicable diseases and serious injuries;

(f) emergency weather plans;

(g) the program's emergency preparedness plan;

(h) childhood injury control;

(i) the administration of medicine;

(j) reducing the risk of Sudden Unexpected Infant Death (SUID), which includes Sudden Infant Death Syndrome (SIDS);

(k) hand washing;

(l) fire safety;

(m) water safety; and

(n) prevention of HIV/AIDS and blood borne pathogens.

(3) Health and Safety Orientation. Each staff member with direct care responsibilities shall complete health and safety orientation training within the first 90 days of employment. The state-approved training hours obtained will count toward required first year training hours. The training must address the following health and safety topics:

(a) prevention and control of infectious diseases (including immunization);

(b) prevention of sudden infant death syndrome and use of safe sleeping practices;

(c) administration of medication, consistent with standards for parental consent;

(d) prevention of and response to emergencies due to food and allergic reactions;

(e) building and physical premises safety, including identification of and protection from hazards that can cause bodily injury such as electrical hazards, bodies of water, and vehicular traffic;

(f) prevention of shaken baby syndrome, abusive head trauma and child maltreatment;

(g) emergency preparedness and response planning for emergencies resulting from a natural disaster or a human-caused event (such as violence at a child care facility);

(h) handling and storage of hazardous materials and the appropriate disposal of bio contaminants;

(i) precautions in transporting children;

(j) recognition and reporting of child abuse and neglect; and

(k) child development to include all major domains: cognitive; social and emotional; physical development and motor skills; communication, language, and literacy; and approaches to play and learning.

(4) Food Preparation and Nutrition Training. Within the first year of employment, the Director and the person primarily responsible for food preparation shall receive four (4) clock hours of training in food nutrition planning, preparation, serving, proper dish washing and food storage.

(5) Annual Training.

(a) Every calendar year after the first year of employment, all supervisory and caregiver Personnel, except independent contractors, Students-in-Training and volunteers, shall attend ten (10) clock hours of diverse training which is offered by an accredited college, university or vocational program or other Department-approved source.

(b) The annual ten (10) clock hours of training shall include the following:

1. At least two (2) hours in evidence based, developmentally appropriate language and literacy practices;

2. At least two (2) hours in on-going child development and health and safety related topics, which could include, but not be limited to:

(i) Child development (e.g., developmental domains (cognitive; social and emotional; physical development and motor skills;

communication, language, and literacy; approaches to play and learning), discipline and guidance techniques, children with special needs);

(ii) Health (e.g., nutrition and the support of breast feeding, physical activity, prevention and control of illnesses and infectious diseases, immunizations, prevention of and response to emergencies due to food and allergic reactions, cleanliness, sanitation, and the appropriate disposal of bio contaminants);

(iii) Safety (e.g., prevention of Sudden Unexpected Infant Death (SUID) which includes Sudden Infant Death Syndrome (SIDS) and the use of safe sleeping practices, medication administration, injury control and prevention, transportation, handling and storage of hazardous materials, identification of and protection from hazards that can cause bodily injury such as electrical hazards, bodies of water, and vehicular traffic, and emergency preparedness planning and response);

(iv) Child abuse and neglect (e.g., identification and reporting, meeting the needs of abused and/or neglected children, prevention of shaken baby syndrome, abusive head trauma and child maltreatment).

3. No more than two (2) of the required ten (10) hours in business-related topics (e.g., parental communication, recordkeeping, management, business planning).

(6) Documentation of Training. Evidence of orientation and training shall be documented and maintained in the Personnel file and/or Georgia's workforce registry and professional development system of each Staff member which shall be available to the Department for inspection.

(7) Exemptions from Training. Custodial, maintenance Personnel or volunteers who provide no direct care to children are not required to obtain health and safety orientation training or annual training.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.33
Authority: O.C.G.A. § 20-1A-1 et seq.
History. Original Rule entitled "Staff Training" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Amended: F. Aug. 25, 2008; eff. Sept. 14, 2008.
Amended: F. Dec. 13, 2013; eff. Jan. 2, 2014.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. Sep. 26, 2016; eff. Oct. 16, 2016.

Amended: F. May 26, 2017; eff. June 15, 2017
Amended: F. Aug. 28, 2019; eff. Sept. 17, 2019.
Amended: F. May 15, 2025; eff. June 4, 2025.

Rule 591-1-1-.34. Repealed.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.34
Authority: O.C.G.A. § 20-1A-1 et seq.
History. Original Rule entitled "Standards of Care" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Repealed: F. May 26, 2017; eff. June 15, 2017.

Rule 591-1-1-.35. Swimming Pools and Water-related Activities.

(1) Local Approval. When permanent swimming or wading pools are located on the center premises, applicable local regulations regarding the design, construction, operation and maintenance shall be followed.

(2) Accessibility of Pools. All swimming and wading pools shall be inaccessible to children except during supervised activities.

(3) Supervision of Children in Water Two (2) Feet Deep and Over. For water-related activity (such as swimming, fishing, boating or wading) in water two (2) feet deep and over, continuous supervision of children must be provided as follows:

Ages of Children	Staff:Child Ratio*
Under two and one-half (2 1/2) yrs.	1:2
Two and one-half (2 1/2) to four (4) yrs.	1:5
Four (4) yrs. and older who cannot swim a distance of fifteen (15) yards unassisted **	1:6
Four (4) yrs. and older who can swim a distance of fifteen (15) yards unassisted **	1:15

* At least one person must have current evidence of having completed successfully a training program in lifeguarding offered by a water-safety instructor certified by the American Red Cross or YMCA or YWCA or other recognized standard-setting agency for water safety instruction. Such person may be a Center Staff member or an employee of a water facility (e.g., local swimming pool).

** In lieu of requiring each child to take a swimming test to determine whether the child can swim a distance of fifteen (15) yards unassisted, Center Staff may accept copies of certificates or cards from a recognized water-safety instruction organization showing that

the child has successfully completed a swimming class which required the child to swim a distance of fifteen (15) yards unassisted.

(4) Supervision of Children in Water Less than Two (2) Feet Deep. For water-related activity (such as swimming, fishing, boating or wading) in water less than two (2) feet deep (such as a wading pool), continuous supervision must be provided in accordance with normal Staff:child ratios which are as follows:

Ages of Children	Staff:Child Ratio*
Infants less than one (1) year old or children under eighteen (18) months who are not walking	1:6
One (1) year olds who are walking	1:8
Two (2) year olds	1:10
Three (3) year olds	1:15
Four (4) year olds	1:18
Five (5) year olds	1:20
Six (6) years and older	1:25

(5) Additional Supervision. At least one (l) additional Staff member above the required Staff:child ratios for any water-related activity (such as swimming, fishing, boating, or wading) shall be available to rotate among the age groups as needed when any of the following circumstances are present: the majority of the children in a group are not accustomed to or are afraid of the water; the majority of the children in a group comprised of children who cannot swim a distance of 15 yards unassisted cannot touch the bottom of the water facility without submerging their heads; the water facility is particularly crowded; or the children have special needs which impact on their ability to participate safely in the water-related activity.

(6) Parental Permission. No child shall participate in a swimming activity without the Parents' written permission.

(7) Use of Wading Pools. Wading pools shall be cleaned and filled with clean water for each day's usage and emptied when not in use.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.35
Authority: O.C.G.A. § 20-1A-1 et seq.
History. Original Rule entitled "Swimming Pools and Water-related Activities" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. May 26, 2017; eff. June 15, 2017.
Amended: F. Sep. 2, 2026; eff. Sep. 22, 2026.

Rule 591-1-1-.36. Transportation.

(1) Transportation Requirements. The transportation requirements that follow apply to all transportation provided by the Center, including transportation provided by any person on behalf of the Center, regardless of whether the person is employed by the License Center and regardless of whether a fee is charged for this service. Non-routine transportation, such as a Parent requesting that their child be picked up at school due to the Parents' work schedule or other conflicts, is also covered by these requirements, regardless of whether a fee is charged for this service or not. (Possible scenarios include, but are not limited to: contract services hired by the Center to provide transportation or another licensed facility providing transportation on the Center's behalf.)

(2) Emergency Transportation. A Center shall have available at all times both a licensed driver and a vehicle that meets the safety requirements contained in these rules or must have a plan approved by the Department for alternative emergency transportation.

(3) Transportation Training. Child Care Learning Centers that provide any type of transportation shall obtain two (2) clock hours of state-approved or state-accepted transportation training, biannually, for the Director and for each Staff person responsible for or who participates in the transportation of children. The training shall include, but is not limited to, a review of the transportation rules, a review of approved transportation forms and procedures, and instruction on the usage and completion of the forms and procedures. This training may be counted as part of the annual training requirements for Staff.

(a) The Director and each Staff person who is responsible for or who participates in the transportation of children shall complete two (2) clock hours of state-approved or state-accepted transportation training on or before June 30, 2015 and at least every two years thereafter.

(b) Effective July 1, 2015, the Director and each Staff person who will be responsible for or participate in the transportation of children shall have completed two (2) clock hours of state-approved or state-accepted transportation training prior to assuming any duties related to the transportation of children and at least every two years thereafter.

(4) Vehicle Safety. Vehicles used for transporting children shall be maintained as follows:

(a) Annual Safety Check. Each vehicle shall have a satisfactory annual safety check, completed by a trained individual, of at least: tires, headlights, horn, taillights, turn signals, brake lights, brakes, suspension, exhaust system, steering, windows, windshields and windshield wipers. A copy of a standard inspection report used by the Department or an equivalent shall be kept in the Center or on the vehicle and should include evidence of any repairs and/or replacements that were identified as needed on the inspection report.

(b) Interior. Interior of a transportation vehicle must be clean and in safe repair and free of hazardous items, objects and/or other non-essential items which could

impede the children's access or egress from the vehicle or cause injury if the items were thrown about the vehicle as a result of a collision.

(c) Fire Extinguisher. Each vehicle shall be equipped with a fire extinguisher maintained in working order and kept inaccessible to children.

(d) Heater. Each vehicle must have a functioning heating system.

(e) Seats. Seats must be securely fastened to the body of the vehicle.

(f) Child Passenger Restraints

1. All children transported in a vehicle provided by or used by the Center shall be secured in a child passenger restraining system or seat safety belt in accordance with current state and federal laws and regulations. The child passenger restraining system and seat safety belts must be installed and used in accordance with the manufacturer's directions for such system and used in accordance with the manufacturer's directions with respect to restraining, seating or positioning the child being transported in the vehicle.

2. No vehicle used by the Center to transport children shall exceed the manufacturer's rated seating capacity for the vehicle. The Center shall maintain on file proof of the manufacturer's rated seating capacity for each vehicle used by the Center.

(g) Front Seat. There shall be no more than three (3) persons in the front seat of a transporting vehicle including the driver. Centers must follow applicable state and federal laws and regulations and the vehicle manufacturer's recommendations when children are allowed to sit in the front seat.

(h) Windows. No window, in a transporting vehicle, except that of the driver, shall be opened to more than fifty percent (50%) of its capacity at any time children are on board.

(5) Staffing Requirements for Transportation of Children

(a) Driver. Whenever the Center transports children for any reason, the driver of the vehicle shall be at least eighteen (18) years of age and possess a valid driver's license as required for the class of vehicle that the driver will be operating for the Center.

(b) Additional Staff. When the Center transports children for any reason, the following Staff:child ratios shall be maintained:

Driver + One (1) Staff Members [The additional Staff must be at least eighteen (18) years of age or older]	When transporting three (3) or more children under three years of age;

	When seven (7) or more children under five (5) years of age occupy vehicle; When eighteen (18) or more children five (5) years of age or older occupy the vehicle.
Driver + Two (2) Staff Members [One (1) of the additional Staff members must be at least eighteen (18) years of age]	When eight (8) or more children under three (3) years of age occupy the vehicle with other children; When more than twenty (20) children under five years of age occupy the vehicle with other children.

(c) Staffing Requirements When Transporting More Than Thirty-Six (36) Children.

1. When more than thirty-six (36) children under five (5) years of age occupy the vehicle, the Staff:child ratios as stated in Rules 591-1-1-.32(1) and 591-1-1-.32(2) shall be met.

2. When more than thirty-six (36) children five (5) years of age and older are transported with no children under the age of five (5) years, there shall be a minimum of two (2) Staff persons for the first thirty-six (36) children and there must be one additional Staff person for each additional twenty (20) children. This means a third Staff person would be required if transporting thirty-seven (37) to fifty-six (56) children five (5) years and older.

(6) Parental Authorization. For routine transportation provided by the Center or on behalf of the Center, the child's Parent(s) must provide written authorization for the transportation and specify routine pick-up location, routine pick-up time, routine delivery location, routine delivery time and the name of any person authorized to receive the child.

(7) Transportation Plan. For all transportation conducted by the Center or on behalf of the Center, the following requirements shall be met:

(a) Center and Passenger Information. Each vehicle used to transport children shall contain current information including the full names of all children to be transported and each child's pick-up location, pick-up time, delivery location, alternate delivery location if a Parent is not at home and name of person authorized to receive each child. In addition, the vehicle shall contain current information identifying the Center's name and telephone number and the name of the driver of the vehicle.

(b) Emergency Medical Information. An emergency medical information record must be maintained in the vehicle for each child being transported. The emergency medical information record for each child shall include a listing of the child's full

name, date of birth, allergies, special medical needs and conditions, current prescribed medications that the child is required to take on a daily basis for a chronic condition, the name and phone number of the child's doctor, the local medical facility that the Center uses in the area where the Center is located and the telephone numbers where the Parent(s) can be reached.

(c) Passenger Transportation Checklists. A passenger transportation checklist, provided by or in a format approved by the Department, shall be used to account for each child during transportation. A separate passenger checklist shall be used for each vehicle.

1. The first and last name of each child transported shall be documented on the passenger transportation checklist. Each child shall be listed individually; a sibling group shall not be listed as a single entry, for example, an entry of "Smith children" would be unacceptable.

2. The driver or other designated person shall immediately document in writing, with a check or other mark/symbol to account for each child listed on the passenger transportation checklist each time a child enters and exits the vehicle. The driver or other designated person shall document in writing with a different mark/symbol to account for each child listed on the passenger transportation checklist who was not present on the vehicle for any reason. An explanation shall be documented in writing whenever a child is transported to a field trip site but is not present on the return trip to the Center.

3. The driver or other designated Staff person shall also document in writing the dates and the departure/arrival times for all types of transportation on the passenger transportation checklist as follows: School Transportation - each time the vehicle departs from the Center, is loaded or unloaded at each school and when the vehicle returns to the Center. Home Transportation - each time the vehicle departs from the Center, arrives at the location where any child is picked up or dropped off and when the vehicle returns to the Center. Field Trip Transportation- each time the vehicle leaves the Center, arrives at a field trip destination, leaves a field trip destination, and returns to the Center.

4. The Staff person on the vehicle responsible for keeping the passenger transportation checklist shall give the completed passenger transportation checklist to the Director or the Director's designated Staff person at the Center as set forth below: immediately upon return to the Center at the completion of the trip once the vehicle has been checked or the next business day following the completion of the trip if the vehicle did not return to the Center at the end of the trip or if the Center was closed when the vehicle returned.

5. Passenger transportation checklists shall be maintained as Center records for one (1) year.

(d) Checking the Vehicle - To ensure that all children have been unloaded from transportation vehicles, regardless of whether the vehicle is equipped with a child safety alarm devices, the vehicle shall be thoroughly checked first by a designated Staff person who was present on the vehicle during the trip and then by a second designated Staff person, who may or may not have been present on the vehicle during the trip, to ensure that two checks of the vehicle have been completed.

1. The first check shall be conducted immediately upon unloading the last child at any location including, but not limited to, a field trip destination, arrival at the Center, and the last stop during transportation to home or school. The responsible person on the vehicle shall: physically walk through the entire vehicle; visually inspect all seat surfaces, under all seats and in all compartments or recesses in the vehicle's interior; sign the passenger transportation checklist(s), indicating all of the children have exited the vehicle; and give the passenger transportation checklist(s) to the second designated Staff person.

2. The second designated Staff person shall conduct a check of the vehicle immediately upon the completion of the first check of the vehicle. The responsible person shall: physically walk through the entire vehicle; visually inspect all seat surfaces, under all seats and in all compartments or recesses in the vehicle's interior; and sign the passenger transportation checklist(s), indicating all of the children have exited the vehicle. There shall be continuous watchful oversight of the vehicle between the first check and second check.

3. If a second designated Staff person is not available to conduct a second check of the vehicle, the driver shall check the vehicle as follows: physically walk through the entire vehicle; visually inspect all seat surfaces, under all seats and in all compartments or recesses in the vehicle's interior; and sign the passenger transportation checklist(s), indicating all of the children have exited the vehicle, and then report by phone to the Director or designated Staff person that the check has been completed and no children remain on the vehicle. (Possible circumstances include, but are not limited to: the Center has closed when the driver returns with the vehicle; the driver is the only Staff person on the vehicle at the last destination during home, school or field trip transportation; the driver takes the vehicle home at the end of the day.) The time and verification of such telephone contact shall be immediately documented and signed on the passenger transportation checklist(s) by the driver.

(8) Travel Restriction. Unless accompanied by his or her Parent, no child shall be required to travel more than forty-five (45) minutes on each trip between the Center and destination point, excluding field trips.

(9) Center Responsibility. The Center is responsible for the child from the time and place the child is picked up until the child is delivered to his or her Parent(s) or the responsible person designated by his or her Parent(s). A child shall not be dropped off at any location if there is no one present authorized to receive the child.

(10) Supervision of Vehicles. A child shall never be left unattended in a vehicle.

(11) Prohibited Methods of Transportation. Children shall not be transported in vehicles, or parts thereof, which are not designed for the purpose of transporting people, such as but not limited to: truck beds, campers or any trailers attached-to a motor vehicle.

(12) Transporting vehicles shall be parked or stopped so that no child will have to cross the street in order to meet the vehicle or arrive at a destination.

(13) The motor shall be turned off, the brake set and the keys removed whenever the driver leaves the vehicle.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.36
Authority: O.C.G.A. § 20-1A-1*et seq.*
History. Original Rule entitled "Transportation" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Repealed: New Rule of same title adopted. F. Aug. 7, 2009; eff. Aug. 27, 2009.
Amended: ER. 591-1-1-0.3-.36 entitled "Transportation" adopted. F. July 20, 2011; eff. July 21, 2011, as specified by the Agency.
Repealed: ER. 591-1-1-0.3-.36 of the same title adopted. F. Nov. 18, 2011; eff. Nov. 18, 2011 the date of the adoption, to remain in effect for a period of 120 days or until the effective date of a permanent Rule covering the sane subject matter superseding this ER is adopted, as specified by the Agency.
Repealed: Permanent Rule of the same title adopted. F. Dec. 12, 2011; eff. Jan. 1, 2012.
Amended: F. Feb. 24, 2014; eff. Mar. 16, 2014.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. May 26, 2017; eff. June 15, 2017.
Amended: F. Aug. 29, 2023; eff. Sep. 18, 2023.

Rule 591-1-1-.37. Inspections and Investigations.

The Department is authorized and empowered to conduct on-site inspections and investigations of Centers.

(a) Inspections and Investigations. The Department may conduct inspections and investigations in the following instances:

1. At regular intervals as the Department may determine or at the expiration of the current License or Permit;

2. Upon receiving a report alleging child abuse, neglect or deprivation which occurred while the child was in the care of the Center Director, Provisional Employees or Employees;

3. Upon receiving a complaint concerning the Center which could endanger the health, safety or welfare of the children in care;

4. Upon receipt and review of a request for an amended License where the Department determines that an on-site inspection is advisable;

5. Upon the Department or its duly authorized representative being made aware of any flagrant abuses, derelictions or deficiencies during the course of the inspection or at any other time. The Department shall immediately investigate such matters and may make an on-site inspection so as to take such actions as conditions may require;

6. Subsequent to the receipt of a Plan of Correction, as determined necessary by the Department to monitor whether the Plan of Correction is being complied with by the Center Personnel.

(b) Consent to Entry. An application for a License or Permit to operate a Center or issuance of a License or Permit by the Department constitutes consent by the applicant, the proposed holder of the License or Permit and the owner of the premises for the Department's representative, after displaying identification to any Center Staff, to enter the premises at any time during operating hours for the purpose of inspecting the facility, including both scheduled and unscheduled inspections and includes consent for meaningful access to all Staff, all parts of the premises, all children present and all records, to include but not be limited to, audio, video, photos, written documentation, social media posts, and other electronic information. The Department shall have the right to a photocopy or reproduction of any record maintained by or on behalf of the Center as needed for any inspection or investigation.

(c) Failure to Allow Access. Failure to allow access of the Department's representative to the Center, Center Staff, the children receiving care at the Center or the records, maintained by or on behalf of the Center, to include but not be limited to, audio, video, photos, written documentation, social media posts, and other electronic information shall constitute good cause for the denial, restriction, revocation or suspension of a License, Permit or commission.

(d) Failure to Cooperate. The proposed and current License Holder, Permit Holder or commission holder and Staff shall cooperate with any inspection or investigation by responding truthfully to any legitimate departmental inquiry. Failure to cooperate with a

Department inspection or investigation shall constitute good cause for the denial, restriction, revocation or suspension of a License, Permit or commission.

(e) False or Misleading Statements. No License Holder, Permit Holder or commission holder shall make or condone any Staff making false or misleading statements to the Department in connection with any authorized investigation or inspection being conducted by the Department.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.37
Authority: O.C.G.A. § 20-1A-1 et seq.
History. Original Rule entitled "Inspections and Investigations" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. May 26, 2017; eff. June 15, 2017.
Amended: F. Aug. 26, 2022; eff. Sep. 15, 2022.

Rule 591-1-1-.38. Enforcement and Adverse Actions.

(1) **Enforcement and Adverse Actions.** Under Georgia law, the Department, after considering the seriousness of the violation(s), including but not limited to the circumstances, extent and gravity of the prohibited act(s), the severity of the rule violation, the duration of non-compliance, the License Holder's prior Licensure or history, the voluntary reporting of the violation(s) for which an Adverse Action is being imposed and the hazard(s) or potential hazard(s) to the health or safety of the public, may take any of the following actions when a Center, Permit Applicant or License Applicant violates any of the rules for Child Care Learning Centers:

(a) Refuse to grant a License or Permit;

(b) Administer a public reprimand;

(c) Suspend any License or Permit;

(d) Prohibit any License Applicant, License Holder, Permit Applicant or Permit Holder from allowing a person who previously was involved in the management or control of any program which has had its License or Permit revoked or denied within the past 12 months to be involved in the management or control of such program;

(e) Revoke any License or Permit;

(f) Impose a fine, not to exceed a total of $25,000, of up to $500 per day for each violation of the law, rule, regulation or formal order related to the initial or ongoing licensing requirement of any program. If any violation is a continuing

one, each day of such violation will constitute a separate violation for the purpose of computing the applicable enforcement fine;

(g) Impose a late fee of up to $250 for failure of a program to pay the annual License fee within 30 days of the due date;

(h) Limit or restrict any License or Permit, including but not limited to, restricting some or all services of or admissions, into a Center;

(i) Seek an injunction against an early care and education program operating without a License or Permit or in willful violation of these rules;

(j) Make application for an inspection warrant to a court of competent jurisdiction to gain entry into a Center that is believed to be subject to licensure;

(k) Order the emergency placement of a monitor or monitors in a Center at the expense of the Center; and

(l) Order the emergency closure of a Center.

(2) **Adverse Actions Subject to the Compliance and Enforcement Chart**. In the majority of cases when a rule violation is found, the Department will determine the appropriate action in accordance with the Compliance and Enforcement Chart below. A Center will receive points based on the frequency and severity of citations and will land in the corresponding box. Accordingly, Prevention, Intermediate or Closure Actions will be imposed as outlined in the Enforcement Categories, Levels and Action chart below. The Department will consider mitigating and aggravating factors to determine which action is appropriate and will have sole discretion in making this determination. The guidelines for determining the Violation History Level and Violation Class shall be posted on the Department website and updated as needed. Note that if a rule violation is not found, the chart will not be applied, and no citations will be issued.

COMPLIANCE AND ENFORCEMENT CHART

V I O L	**Incident results in or could result in:**	**VIOLATION HISTORY LEVEL**			
		I **0 Points**	**II** **1-3 Points**	**III** **4-9 Points**	**IV** **10 + Points**
	D **Extreme Harm or Risk of Harm Imminent Danger**	**I3-C** D D			

ACTIONCLASS	**C** **High Harm or Risk of Harm**	**I1-I2** CI GS	**I1-I3** CII S	**I2-C** CIII D	**I3-C** CIV D
	B **Medium Harm or Risk of Harm**	**N/A**	**P2-P3** BII GS	**I1-I2** BIII S	**I2-C** BIV D
	A **Low Harm or Risk of Harm**	**P1-P2** AI GS	**P1-P3** AII GS	**P2-P3** AIII GS	**I1-I2** AIV S

ENFORCEMENT CATEGORIES, LEVELS AND ACTIONS		
PREVENTION ACTION CATEGORY (P)	**INTERMEDIATE ACTION CATEGORY (I)** **(Includes Citation and Prevention Actions)**	**CLOSURE ACTION CATEGORY (C)** **(Includes Citation and Prevention and/or Intermediate Actions)**
Prevention 1 (P1)	**Intermediate 1 (I1)**	**Closure (C)**
Technical Assistance	Fine	Suspension of License (More than 1 week)
Prevention 2 (P2)	**Intermediate 2 (I2)**	Revocation of License
Citation	Per Rule Fine	Emergency Closure
Prevention 3 (P3)	Per Day Fine	
Formal Notice Letter	**Intermediate 3 (I3)**	
Office Conference	Public Reprimand	
	Fine and Restrictions	
	Restricted License	
	Restricted License & Per Rule/Per Day Fine	
	Emergency Monitor & Per Rule/Per Day Fine	

	Short-term Suspension (Less than 1 week)	

(3) **Adverse Actions Not Subject to the Compliance and Enforcement Chart.** In the event that any of the rule violations described below are identified, the Department will not apply the Compliance and Enforcement Chart, but will take Adverse Action as follows:

(a) The Department shall refuse to issue a License or shall otherwise restrict a License or Permit for any applicant who has had a License denied, suspended or revoked within one year of the date of the application.

(b) The Department shall refuse to issue a License or shall otherwise restrict a License for any applicant, alter ego or agent of the applicant who has transferred ownership or governing authority of a program when such transfer was made in order to avert payment of an enforcement fine, denial, revocation or suspension of such License.

(c) The Department shall refuse to issue a License upon a showing of non-compliance with rules and regulations, flagrant and continued operation of an unlicensed facility, or failure to pay the License fee.

(d) The Department shall refuse to issue a License or Permit if the applicant or the operation or management of a Center knowingly or intentionally makes or causes another to make any false statement of material information in connection with the application for a License or Permit, or in statements made, or on documents submitted to the Department as part of an inspection, survey, or investigation, or in the alteration or falsification of records maintained by the early care and education program.

(e) The Department shall refuse to issue a License or Permit if the applicant or Center fails to provide the Department with information pertinent to an investigation, or the initial or continued licensing of a program within the time specified by the formal notice provided by the Department.

(f) The Department shall refuse to issue a License or Permit if a Center repeatedly fails or refuses to allow the Department access to the Center for the purpose of determining whether the Center is in compliance with these rules.

(g) The Department shall refuse to issue a License or Permit if a Center knows or should reasonably know that any actual or potential Director, Employee (including Independent Contractors, Students-in-Training, and Volunteers) or Provisional Employee has a Criminal Record, an unsatisfactory Fingerprint Records Check Determination or an unsatisfactory Comprehensive Records Check Determination and allows such individual to either reside at the Center or be present at the Center while any Child is present for care.

(h) The Department may revoke a License or Permit if a Center displays a multi-year pattern of failure to correct a Correctable Abuse, Dereliction or Deficiency in the operation or management of a Center within a reasonable time after having received notice from the Department.

(i) The Department shall revoke a License or Permit if a Non-correctable Abuse, Dereliction or Deficiency exists in the operation or management of the Center.

(j) The Department shall revoke a License if a Center fails to pay the annual License fee within a reasonable time after the Department provides formal notice of such fee.

(k) The Department shall revoke a License or Permit if a Center knows or should reasonably know that any actual or potential Director, Employee (including Independent Contractors, Students-in-Training, and Volunteers) or Provisional Employee has a Criminal Record, an unsatisfactory Fingerprint Records Check Determination or an unsatisfactory Comprehensive Records Check Determination and allows such individual to either reside at the Center or be present at the Center while any Child is present for care.

(l) The Department shall revoke a License or Permit if a Center knowingly or intentionally violates other provisions relating to Criminal Records or Comprehensive Background Checks.

(m) The Department shall revoke a License if a Center fails to pay an enforcement fine within the time specified by the formal notice provided by the Department.

(n) The Department shall revoke a License or Permit if the operation or management of a Center knowingly or intentionally makes or causes another to make any false statement of material information in connection with the application for a License or Permit, or in statements made, or on documents submitted to the Department as part of an inspection, survey, or investigation, or in the alteration or falsification of records maintained by the early care and education program.

(o) The Department shall revoke a License or Permit if a Center fails to provide the Department with information pertinent to an investigation, or the initial or continued licensing of a program within the time specified by the formal notice provided by the Department.

(p) The Department shall revoke a License or Permit if a Center repeatedly fails or refuses to allow the Department access to the Center for the purpose of determining whether the Center is in compliance with these rules.

(4) **Rights and Responsibilities of a License Holder or Permit Holder**

(a) A License Holder or Permit Holder has the right to submit a written statement within ten (10) days of the receipt of notice of the Departmental intent to impose an Adverse Action as to why the Department should not take the Adverse Action. If the licensee submits a written statement, it will be placed in the facility's state file.

(b) The imposition of any Enforcement Action by the Department shall not preclude the Department from taking any additional action authorized by law or regulation.

(c) Right to a Hearing. The Department's Enforcement Actions shall be preceded by a notice and opportunity for a hearing and shall constitute a contested case in accordance with the Georgia Administrative Procedure Act, O.C.G.A. § 50-13-1*et seq.*, except that only thirty (30) days' notice in writing from the Commissioner's designee shall be required prior to License or Permit revocation except that the hearing held relating to such action by the Department may be closed to the public if the hearing officer determines that an open hearing would be detrimental to the physical or mental health of any child who will testify at that hearing.

(d) The notice of revocation, suspension or restriction of a License or Permit becomes effective thirty (30) days from the day of notice unless the License Holder or Permit Holder requests a hearing. A request for a hearing must be made in writing within ten (10) days of receipt of the notice of revocation, suspension or restriction.

(e) Payment of an enforcement fine must be made within thirty (30) days of receipt of the notice, unless otherwise specified in writing by the Department.

(f) The notice of the emergency closure of a Center becomes effective upon delivery of the order, unless otherwise provided in the order. A request for a hearing must be made in writing within 48 hours, excluding weekends and holidays, from the receipt of the emergency order.

(g) When the Department issues a revocation or emergency order that is based upon health and safety rule violations, the following actions shall be taken:

1. the Department shall both hand-deliver and send the formal notice to the Center by certified or registered mail;

2. the Center shall post the formal notice in an area that is visible to the Parents and others whose children attend the Center;

3. the Department shall provide a brief notice of revocation or emergency action to the Center; and

4. the Center shall distribute the brief notice to all Parents or persons authorized to pick up children from care for the Parents.

(h) When the Department issues a revocation or emergency order that is not based upon health and safety rule violations, the Department shall either hand-deliver or send the formal notice or both to the Center by certified or registered mail.

(i) The Department may post any notice of any Adverse Action on the Department's website.

(j) The Department may share any notice of any Adverse Action and any information pertaining thereto with any other agencies which may have an interest in the welfare of the children in care at the Center.

(k) When the Department has issued a notice of revocation or emergency order required to be posted in accordance with these rules, the Center shall ensure that the notice continues to be visible to the Parents and others throughout the pendency of the revocation or emergency action, including throughout any appeal period.

(l) When the Center transports children in care to and from the Center and Parents do not come to the Center on a regular basis, the Center shall send home copies of the brief notice of the revocation or emergency action with the children on the day that it is delivered by Department.

(m) When the Department has issued a notice of revocation or emergency order required to be posted in accordance with these rules, the Center shall post any inspection reports that are prepared by the Department during the pendency of any revocation or emergency action in an area that is readily visible to the Parents and others.

(n) A Center shall not permit the removal or obliteration of any notices of revocation, emergency action, resolution, or inspection survey report posted on the premises of the Center during the pendency of any revocation or emergency action.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.38
Authority: O.C.G.A. § 20-1A-1 et seq., 42 U.S.C. § 9857 et seq.
History. Original Rule entitled "Enforcement and Penalties" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Repealed: New Rule of same title adopted. F. Dec. 2, 2009; eff. Dec. 22, 2009.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: New title "Enforcement and Adverse Actions." F. June 2, 2016; eff. June 22, 2016.
Amended: F. May 26, 2017; eff. June 15, 2017.
Amended: F. Aug. 17, 2018; eff. Sep. 6, 2018.
Amended: F. Aug. 26, 2022; eff. Sep. 15, 2022.

Rule 591-1-1-.39. Waivers and Variances.

The Department may, at its discretion, grant waivers and variances of specific rules upon application or petition being filed on forms provided by the Department. The Department may establish conditions which must be met by the Center in order to operate under the waiver or variance granted. Waivers and variances may be granted in accordance with the following considerations:

(a) Variance. A variance may be granted upon a showing by the applicant or petitioner that the particular rule or regulation that is the subject of the variance request should not be applied as written because strict application of the rule would cause undue hardship. The applicant or petitioner must also show that adequate standards affording protection for the health, safety and care of the children exist and will be met in lieu of the exact requirements of the rule or regulation in question.

(b) Waiver. The Department may dispense entirely with the enforcement of a rule or regulation by granting a waiver upon a showing by the applicant or petitioner that the purpose of the rule or regulation is met through equivalent standards affording equivalent protection for the health, safety and care of the children.

(c) Experimental Variance or Waiver. The Department may grant waivers and variances to allow experimentation and demonstration of new and innovative approaches to delivery of services upon a showing by the applicant or petitioner that the intended protections afforded by the rule or regulation which is the subject of the request are met and that the innovative approach has the potential to improve service delivery.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.39
Authority: O.C.G.A. § 20-1A-1 et seq.
History. Original Rule entitled "Waivers and Variances" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Amended: F. May 26, 2017; eff. June 15, 2017.

Rule 591-1-1-.40. Severability.

In the event that any rule, sentence, clause or phrase of any of these rules and regulations may be construed by a court of competent jurisdiction to be invalid, illegal, unconstitutional or otherwise unenforceable, such determination or adjudication shall in no manner affect the remaining rules or portions thereof. The remaining rules or portions thereof shall remain in full force and effect as if such rule or portions thereof so determined, declared or adjudged invalid or unconstitutional were not originally a part of these rules.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.40
Authority: O.C.G.A. Sec. 20-1A-1.
History. Original Rule entitled "Severability" adopted. F. Dec. 23, 1997; eff. Mar. 1, 1998, as specified by the Agency.

Rule 591-1-1-.41. Repealed.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.41
Authority: O.C.G.A. § 20-1A-1*et seq.*
History. Original Rule entitled "Notice of Revocation or Emergency Suspension Actions to Parents, Guardians, and Others" adopted. F. Dec. 13, 2002; eff. Jan. 2, 2003.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Amended: New title "Notice of Revocation or Emergency Suspension Actions." F. Dec. 4, 2015; eff. Dec. 24, 2015.
Repealed: F. June 2, 2016; eff. June 22, 2016.

Rule 591-1-1-.42. Repealed.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.42
Authority: O.C.G.A. § 20-1A-1*et seq.*
History. Original Rule entitled "Posting and Distribution of Notices of Revocation and Emergency Suspension Actions" adopted. F. Dec. 13, 2002; eff. Jan. 2, 2003.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Repealed: F. June 2, 2016; eff. June 22, 2016.

Rule 591-1-1-.43. Repealed.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.43
Authority: O.C.G.A. § 20-1A-1*et seq.*
History. Original Rule entitled "Posting of Inspection Results" adopted. F. Dec. 13, 2002; eff. Jan. 2, 2003.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Repealed: F. June 2, 2016; eff. June 22, 2016.

Rule 591-1-1-.44. Repealed.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.44
Authority: O.C.G.A. § 20-1A-1*et seq.*
History. Original Rule entitled "Removal of Notices and Survey Reports Prohibited" adopted. F. Dec. 13, 2002; eff. Jan. 2, 2003.
Amended: F. Jan. 12, 2005; eff. Feb. 1, 2005.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Repealed: F. June 2, 2016; eff. June 22, 2016.

Rule 591-1-1-.45. Repealed.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.45
Authority: O.C.G.A. § 20-1A-1.
History. Original Rule entitled "Infant-Sleeping Safety Requirements" adopted. F. Dec. 13, 2002; eff. Jan. 2, 2003.
Repealed: F. May 16, 2013; eff. June 5, 2013.

Rule 591-1-1-.46. Exemptions.

(1) All programs providing group care for children shall obtain either a License, Permit or a commission for an early care and education program or an exemption from the Department, as applicable. Any person or entity operating or planning to operate a program that meets the criteria for exemption from licensure, as listed below, shall either apply to the Department for exemption by submitting the Department's online application for exemption or complete an online self-assessment through the Department, whichever is applicable.

(a) Requirements for Exemption Applications

1. The following exemption categories are required to complete an online application for an exemption through the Department: Category (1) - Government Owned and Operated, if receiving Childcare and Parent Services (CAPS), Category (5) - Licensed Faith Based Accredited or Religious Schools, and Category (7) - Day Camp Programs or School Breaks for School-Aged Children, if receiving Childcare and Parent Services (CAPS). The application for exemption shall include the following:

   (i) A valid and current e-mail address.

   (ii) A written description of services, fees, ages of children to be served, months, days, and hours of operation and location.

   (iii) Verification documentation of ownership type (e.g., Inc. or LLC, board sponsored, individual owner, etc.).

   (iv) Copies of written policies, advertisements, parental agreement forms, and other materials to support the criteria for exemption as determined by the Department.

   (v) A sworn statement that the information provided to the Department is accurate and truthful.

2. The exemptions granted by the Department are exemptions from licensure, and do not affect the authority of local, regional or state health department officials, the state fire marshal, local fire prevention officials, local or regional building officials or zoning officials to inspect and approve facilities and locations. Programs operated in a residence are not eligible for exemption. Additionally, the exemption is only valid at the address listed on the application.

3. A program granted an exemption shall post in a prominent place near the front entrance of the facility both a copy of the exemption approval letter issued by the Department and a notice provided by the Department that will notify a Parent that the program is not licensed and is not required to be

licensed by the state. The notice shall be at least 1/2 inch letters and shall contain the Department's telephone number and website address.

4. A program approved for an exemption shall maintain attendance records for children. When a Parent initially registers a child with an exempt program, the Parent shall sign a form indicating the Parent has been advised and understands that the program is not licensed and is not required to be licensed by the state. The program must maintain the attendance records and parental notification forms during the time the child is enrolled in the program and for one year after the child no longer attends the program. All records shall be made available to any authorized representative of the Department upon request.

5. Any program granted an exemption from licensure that subsequently loses accreditation, closes and/or ceases operation shall notify the Department in writing within five (5) business days of such a change. A program granted an exemption that has subsequent material changes in the operation of their program, such as, but not limited to, a change of physical location, a change in operating months, days, and/or hours, or a change in the ages served shall be required to submit an amendment or a new application for exemption to the Department.

6. Programs granted an exemption may be required to periodically update the Department on the status of their exemption and operating information such as but not limited to submitting an annual report that would contain information related to the exemption approval.

7. The Department may rescind an approval for exemption when one or more of the following is determined by the department:

   (i) The program no longer meets the criteria for the exemption.

   (ii) The program provided false information during the exemption request process or during an investigation.

   (iii) The program failed to comply with local, regional, or state health department, fire marshal, fire prevention, or building/zoning guidelines/requirements.

   (iv) The program failed to provide the Department with a valid and current e-mail address or with other information requested by the department, such as but not limited to, the months, days, and hours of operation, ages of children served or operating address.

8. A program granted an exemption from licensure that receives funding under the Childcare and Parent Services (CAPS) program must comply with the background check requirements as outlined in Rule 591-1-1-.09, Criminal Records and Comprehensive Background Checks.

(b) Requirements for Exemption Self-Assessments

1. The following exemption categories shall complete an online self-assessment through the Department: Category (2) - National Membership School Aged, Category (3) - Private Schools, and Category (4) - Short Term Care. In addition, Category (1) - Government Owned and Operated and Category (7) - Day Camp Programs or School Breaks for School-Aged Children that will not participate in the Childcare and Parent Services (CAPS) program, shall also complete a self-assessment.

2. Programs that self-assess, do not affect the authority of local, regional, or state health department officials, the state fire marshal, local fire prevention officials, local or regional building officials or zoning officials to inspect and approve facilities and locations. Programs operated in a residence are not eligible for self-assessment. Additionally, the self-assessment is only valid at the address listed and for the services indicated.

3. A program that completes a self-assessment and deems itself exempt but has subsequent material changes in the operation of the program, such as, but not limited to, a change of physical location, a change in operating months, days, and/or hours, or a change in the ages served, shall complete a new self-assessment.

(c) Exemption Categories. The following types of programs shall be exempt from licensure:

1. Category (1) - Government Owned and Operated. Programs which are owned and operated by any department or agency of state, county, or municipal government. This includes, but is not limited to, the customary school day, as defined in Georgia law, and before- and/or after- school programs in public schools operated by the public school system and staffed with school system employees, recreation programs operated by city or county parks and recreation departments and staffed with city or county employees, and charter schools that operate under the terms of a charter or contract, with an authorizer, such as the state and local boards of education in accordance with the Charter Schools Act, O.C.G.A. § 20-2-2060*et seq*, and is recognized by the State Charter Schools Commission of Georgia.

2. Category (2) - National Membership School-Aged. Any program or facility providing care for school-aged children that is operated by, or in affiliation

with a national membership non-profit organization that was created for the purpose of providing youth services and youth development, that charges a membership fee for children and may receive monthly, weekly, or daily fees for services. Such program or facility holds membership in good standing and is certified by its national association as complying with the association's purposes, procedures, minimum standards, and mandatory requirements.

3. Category (3) - Private Schools. Private school programs that meet one or more of the following:

   (i) A private, either accredited or non-accredited, educational program which provides education in any grades from kindergarten through 12th grade, that operates during the school term for the customary school day, as defined by Georgia law, but that does not provide care before, after, or both before and after the customary school day.

   (ii) A non-accredited private educational program which provides education in any grades from kindergarten through 12th grade, and which provides care before, after, or both before and after the customary school day, as defined in Georgia law, to its students as an auxiliary service.

   (iii) An accredited private educational program with an established curriculum for four-year-old children for the customary school day, as defined in Georgia law, that are not part of a full day Child Care Learning Center and are an integral part of an accredited private educational program that provides elementary or secondary instruction or both, providing the accreditation specifically covers these ages; any before and/or after school hours for four-year-old children who attend such a program as described above, provided the children do not leave the premises of the accredited private educational program and the program is staffed with employees of that private school.

4. Category (4) - Short Term Care. A program serving children for no more than four (4) hours a day, excluding before and after school care. This may include part-time preschool, parent's morning or night out, short-term educational or recreational classes, or single skill activities.

5. Category (5) - Licensed Faith Based Accredited or Religious Schools. A Center that is licensed by the Department may request an exemption from licensure if the Center's program is an integral part of an established religious congregation or religious school that conducts regularly scheduled classes, courses of study, or educational programs and is a member of, or

accredited or certified by a state, regional, or national accrediting agency for religious educational instruction or a state, regional, or national accrediting agency for educational instruction as recognized and approved by the Department if such accrediting entity uses standards that are substantially similar to those established by the Department. In addition to the requirements listed above applicable to all exemptions, the following additional requirements shall apply to Centers seeking an exemption under this provision:

(i) A Center seeking such exemption from licensure shall be required to submit to the Department documentation of certification or accreditation, including a copy of its most recent certification or accreditation inspection report, and any other pertinent documentation as requested by the Department, such as non-profit tax-exempt verification. The accrediting agency must conduct regularly scheduled visits to the program while such program remains accredited.

(ii) If such exemption is granted, the program shall submit documentation to the Department verifying its continued certification or accreditation, including a copy of its most recent certification or accreditation inspection report, and other pertinent documentation as may be requested by the Department.

(iii) Such exemptions granted by the Department are valid as long as the program remains certified or accredited for all ages in which the certification or accreditation is approved. The program shall provide the Department written notice within five (5) business days of the program's loss of certification or accreditation, including a copy of such notification from the certifying or accrediting entity. The Department shall rescind the program's exemption granted herein upon notification of the loss of certification or accreditation.

(iv) Any Center seeking such exemption shall comply with all applicable requirements for background checks for Directors, Provisional Employees and Employees as required in O.C.G.A. § 20-1A-30*et seq*., Chapter 591-1-1, Rules for Child Care Learning Centers, Department policies, as well as applicable local, regional, and state health department, state fire marshal, and local fire prevention guidelines/requirements while such exemption is in effect. The Department retains jurisdiction over programs granted such exemption to conduct unannounced periodic background check audits and to conduct complaint investigations regarding compliance with background check requirements, as well as compliance with

local, regional, and state health department, state fire marshal, and local fire prevention guidelines/requirements.

(v) The Department may rescind such exemption for a program's failure to comply with the requirements for background checks for directors/employees pursuant to O.C.G.A. § 20-1A-30*et seq*., Chapter 591-1-1, Rules for Child Care Learning Centers, and Department policies.

(vi) Any Center applying for such exemption that is owned and/or under the legal control/direction of the certifying or accrediting entity shall not be approved by the Department.

(vii) A Center seeking such exemption shall adopt and comply with the minimum standards of its certifying or accrediting entity for the operation of the Center's program. Such minimum standards adopted by the Center shall be published and made available to Parents of enrolled or prospective children upon request.

(viii) A program granted such exemption shall comply with the requirements regarding notification to Parents of enrolled children if the program does not carry liability insurance.

6. Category (6) - Reserved.

7. Category (7) - Day Camp Programs or School Breaks for School-Aged Children. Any program whose primary purpose is to provide organized recreational, religious, or instructional activities for children five (5) years and older that is operated during summer and other school breaks for no more than twelve (12) hours per day.

Cite as Ga. Comp. R. & Regs. R. 591-1-1-.46
Authority: O.C.G.A. § 20-1A-1*et seq*., 42 U.S.C. § 9857*et seq*.
History. New Rule entitled "Exemptions" adopted. F. Nov. 16, 2012; eff. Dec. 6, 2012.
Amended: F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. Aug. 17, 2018; eff. Sept. 6, 2018.
Amended: F. Sept. 4, 2024; eff. Sept. 24, 2024.

Chapter 591-2. .

Subject 591-2-1. GRANT DESCRIPTIONS.

Rule 591-2-1-.01. Georgia's Pre-K Program.

(1) **General Scope and Purpose:** This program is designed to provide grant funding to license or government childcare centers, local school systems, and Head Start organizations. Providers are to conduct a full day (6 1/2 hours of instructional services), 180 days per year of appropriate educational/instructional services for four-year-old children and eligible five year old children (five year old children who did not previously participate in Georgia's Pre-K Program).

(2) Georgia's Pre-K Program will also offer a Summer Transition Programs. These programs operate a full day (6 1/2 hours of instructional services), five days a week for 6 weeks and provides appropriate educational/instructional services for all eligible children. Eligible children are those who meet Childcare and Parent Service minimum qualifications, who are age eligible. Rising Pre-K STP eligibility is for dual language learners age eligible for Pre-K services. Rising kindergarten STP is for students who did not attend a Georgia's Pre-K program or who attended a Pre-K Program but need additional instruction to prepare them for Kindergarten and are age eligible for kindergarten.

(3) **General Terms and Conditions:** Contract recipients agree to use the awarded funds to provide a developmentally appropriate educational program for the children. The funds may be used to provide salaries and benefits for lead teachers, assistant teachers, and limited support staff; materials and equipment to support an appropriate early education program; Category 1 eligible child transportation costs; staff travel to required training; and the purchase of other materials and services necessary to implement the program. Providers may also be granted funds to coordinate comprehensive services for the family. These same conditions apply to the Georgia's Pre-K Summer Transition Program.

(4) **Eligible Recipients:** Any legal educational or licensed childcare entity, such as a local school system, a public or private not-for-profit [501c(3)] agency, or a private for-profit agency. Each private site must have a room with licensed space for a minimum of 22 children.

(5) **Application Process:** If funding is available, applications are available during an annual application period and can be downloaded from the agency website (www.decal.ga.gov). Interested entities must complete a detailed application, which includes vendor TIN verification, licensing information, description of the program curriculum choice, and assurances. A competitive application process is made available for the Georgia's Pre-K Program. Programs must demonstrate need by providing data about unserved children.

(6) **Approximate time to apply:** If funding is available, the application period for Georgia's Pre-K Program generally runs from February through April, for the following school year. If funding is available, the application for the Summer Transition Program is generally available January through April, for the program beginning in June. The exact due date is published each year in the Application Information Package.

(7) **Criteria for Grant Award:** Grant Agreements are awarded to Georgia's Pre-K and Summer Transition Program providers through a competitive process, subject to funding availability, previous program compliance (for continuation programs), and identified

regional population needs. DECAL shall contract with both public and private providers for Pre-K services. Licensed applicants must have a history of compliance with regulations.

(8) **Calculation of Payment:** For Georgia's Pre-K Program, each Pre-K provider must submit detailed class rosters four times during the school year, which include teacher's name, Social Security Number and teaching credential information. The roster also includes all Pre-K students' names, Social Security Numbers, gender, race/ethnicity, socio-economic status, English language proficiency and dates of birth. The enrollment and teacher credentials reported are applied to the Pre-K rate model to determine the amount of the monthly Pre-K payment. Payments for the Summer Transition Programs must submit attendance reports during the six week program detailing program attendance in the program. Additional documentation may also be collected outlined by the Child and Parent Service Program requirements including parent education/ work participation and parent education attendance participation. The teacher credentials and CAPS attendance reported are applied to the Summer Transition Program rate models to determine the amount of bi-weekly payments.

(9) Length of Award: For Pre-K grants, awards are valid for one school year only, and are in effect from July 1 through June 30. For Summer Transition Programs, awards are valid from mid- May to mid/ late August depending on the program calendar.

(10) **Authority:** O.C.G.A. 20-1A-1; 20-1A-4; 50-27-2; 50-27-3.

Cite as Ga. Comp. R. & Regs. R. 591-2-1-.01
Authority: O.C.G.A. Secs. 20-1A-1, 28-5-122, 50-27-2, 50-27-9.
History. Original grant description entitled "Georgia Pre-K Program" submitted May 5, 1999.
Submitted: Dec. 28, 2000.
Submitted: Dec. 20, 2001.
Submitted: Dec. 17, 2002.
Submitted: Grant description entitled "Georgia's Pre-K Program" received Nov. 18, 2003.
Submitted: Dec. 16, 2004.
Submitted: Dec. 16, 2005.
Submitted: Dec. 15, 2006.
Submitted: Dec. 12, 2007.
Submitted: Dec. 8, 2008.
Submitted: Dec. 22, 2009.
Submitted: Dec. 17, 2010.
Submitted: Dec. 21, 2011.
Submitted: Dec. 27, 2012.
Submitted: Dec. 20, 2013.
Submitted: Dec. 23, 2014.

Rule 591-2-1-.02. Child and Adult Care Food Program (CACFP).

(1) **General Scope and Purpose:** To reimburse providers for nutritious meals served to children or eligible adults in a day care environment. The program provides

reimbursement to childcare centers, adult care centers, family day care homes, after-school programs, and emergency shelters with children for the costs associated with providing meals to children or adults in their care.

(2) **General Terms and Conditions:** The children in this program must be 12 years of age or younger. Children participating in the At Risk After-School Care Meals and Snack Program may be claimed for reimbursement through the age of 18 and for those children who turn 19 during the school year as long as they are participating in an eligible after-school care program. The adults served in the program must be either functionally impaired or 60 years of age or older participating in adult day care services. Childcare centers, adult care centers, after-school programs or emergency shelters may contract directly with Bright from the Start: Georgia Department of Early Care and Learning or with a program sponsor that is approved by Bright from the Start to evaluate and determine a center's eligibility for participation in the program. Daycare homes may participate in the CACFP program through a Bright from the Start approved sponsor. Sponsors assist sponsored centers and homes in the preparation of program paperwork, provide training on program rules and regulations, and monitor all sponsored centers and homes for compliance with program rules and regulations.

(3) **Eligible Recipients:** Private non-profit [501©(3)] organizations, including churches or faith based organizations, or public non-profit organizations are eligible to participate. Private non-profit organizations must be tax-exempt under the IRS Code of 1986. Private for-profit organizations may participate if at least 25% of the children enrolled in the center receive Title XX funds or are eligible for free or reduced meals. Centers participating in the At Risk after School Meals and Snack Program must be private or public non-profit and located in a geographical area served by a school in which 50 percent or more of the children enrolled are eligible for free and/or reduced price meals.

(4) **Application Process:** Applicants wishing to apply for the program are required to attend an Orientation and Program training session. Upon attending the training session, applicants will receive access to complete their application. Applicants are required to submit the completed application to Bright from the Start: Georgia Department of Early Care and Learning, Attention: Application Specialist, 2 Martin Luther King Jr., Drive, SE, Suite 670 East Tower, Atlanta, Georgia, 30334. Complete applications will be processed within 30days of receipt. Requests for missing information will be made within 15 days of receipt. A pre-operational visit is also conducted on all new participants. All participants are required to complete annual training and submit annual requirements online.

(5) **Approximate Time to Apply:** Applications may be submitted year-round. However, new applicants must have attended the Orientation and Program training and submit a complete application within six months of attending training. Approved institutions enter into a permanent agreement and must complete annual requirements each year no later than November 30th.

(6) **Criteria for Grant Awards:** Applications are evaluated according to the eligibility requirement listed in the "Eligible Recipients" section, and in accordance with USDA Federal Program Guidelines

(7) **Calculation of Payments:** Program participants submit claims on a monthly basis to Bright From the Start to report the number of children/adults enrolled in the center by category (i.e., free, reduced, paid), number of meals served, and actual costs incurred. Participants are reimbursed for the meals served using a calculation that takes into account the claiming percentage for the children/adults in each category (free, reduced or paid). Family Day Care Home Sponsors are reimbursed for the meals served to children in each payment category (Tier I, Tier II high, or Tier II low) and also receive an administrative reimbursement based on the number of homes sponsored by the organization. The administrative reimbursement is limited to the administrative rate multiplied by the number of homes claimed.

(8) **Length of Award:** Agreement shall be in effect on the date specified at the beginning of this agreement and shall remain in force and effect, contingent upon the receipt of federal funds and/or unless otherwise terminated. Either party may, in accordance with federal regulations and state policies, terminate this agreement.

(9) **Authority**: Federal Code Title 7 USDA: CFR Chapter 11 part 226; O.C.G.A. 20-1A-4.

Cite as Ga. Comp. R. & Regs. R. 591-2-1-.02
Authority: CFR7 Sec. 226.6, O.C.G.A. Sec. 28.-5-122.
History. Original grant description entitled "Child and Adult Care Food Program (CACFP)" submitted May 5, 1999.
Submitted: Dec. 28, 2000.
Submitted: Dec. 20, 2001.
Submitted: Dec. 17, 2002.
Submitted: Nov. 18, 2003.
Submitted: Dec. 16, 2004.
Submitted: Dec. 16, 2005.
Submitted: Dec. 15, 2006.
Submitted: Dec. 12, 2007.
Submitted: Dec. 8, 2008.
Submitted: Dec. 22, 2009.
Submitted: Dec. 17, 2010.
Submitted: Dec. 21, 2011.
Submitted: Dec. 27, 2012.
Submitted: Dec. 20, 2013.
Submitted: Dec. 23, 2014.

Rule 591-2-1-.03. Summer Food Service Program (SFSP).

(1) **General Scope and Purpose**: The SFSP is a USDA Child Nutrition Program designed to feed nutritious meals to children from needy areas during periods when schools are closed for vacation. The program operates through Bright from the Start approved sponsors that

administer the approved sites that feed children free of charge. Bright from the Start reimburses approved sponsors for serving meals that meet federal nutritional guidelines.

(2) **General Terms and Conditions**: Each sponsoring organization is required to attend training and re-apply for the program each year. The vast majority of approved sponsors operate the program during the summer months. The program also allows for the service of meals in year-round schools during breaks. The school must be closed for a minimum of fifteen days to be eligible to serve meals during these breaks or to provide meals during times of emergency when the school is closed.

(3) **Eligible Recipients**: Organizations wishing to participate in the SFSP must be public or private non-profit organizations, including churches or faith based organizations, government entities, colleges/universities, school systems or National Youth Sports Programs (NYSP). Private non-profit organizations must be tax-exempt under the IRS Code of 1986. SFSP sites may be located in a school, community center, park, or summer camp. The children served in this program must be 18 years of age or younger. A person 19 years of age and over who has a mental or physical impairment and who participates in a public or private non-profit school program during the year may also be served by this program.

(4) **Application Process**: Applications are available upon completion of the required training. Interested organizations must contact Bright from the Start: Georgia Department of Early Care and Learning (DECAL), Bright from the Start: Georgia Department of Early Care and Learning, Attention: Application Specialist, 2 Martin Luther King Jr., Drive, SE, Suite 670 East Tower, Atlanta, Georgia, 30334. Interested organizations can contact 404-657-1779 for information on training registration. All accurately completed applications will be processed by Bright from the Start within thirty days of receipt.

(5) **Approximate Time to Apply**: Applications are generally available in the late winter and early spring, from January 1st to April 16th. Programs generally operate during the months of May through August.

(6) **Criteria for Grant Award**: The approval process includes the determination of eligibility for both the sponsor and its intended sites. Sites should be located in low income areas where 50% or more of the children residing in the area are eligible for free or reduced price school meals. Once sites have been determined eligible, Bright from the Start must review and approve the submitted budget based on the organization's operational capacity and financial capability. This approval process may require an onsite visit to determine the sponsor's ability to successfully operate the program and the validity of anticipated number of meals to be served.

(7) **Calculation of Payments**: Sponsors submit claims on a monthly basis to report the number of meals served during the month. Sponsors will be reimbursed for meals served during the month at a rate established by the U.S. Department of Agriculture each year.

(8) **Length of Award**: Grants are for the school vacation period or the duration of the sponsoring organization's program time frame. Generally SFSP programs operate for three months.

(9) **Authority**: Federal Code Title 7 USDA: CFR Chapter 11 part 225; O.C.G.A. 20-1A-4

Cite as Ga. Comp. R. & Regs. R. 591-2-1-.03
Authority: CFR7 Sec. 225, 226.6, O.C.G.A. Sec. 28.-5-122.
History. Original grant description entitled "Summer Food Service Program (SFSP)" submitted May 5, 1999.
Submitted: Dec. 28, 2000.
Submitted: Dec. 20, 2001.
Submitted: Dec. 17, 2002.
Submitted: Nov. 18, 2003.
Submitted: Dec. 16, 2004.
Submitted: Dec. 16, 2005.
Submitted: Dec. 15, 2006.
Submitted: Dec. 12, 2007.
Submitted: Dec. 8, 2008.
Submitted: Dec. 22, 2009.
Submitted: Dec .17, 2010.
Submitted: Dec .21, 2011.
Submitted: Dec. 27, 2012.
Submitted: Dec. 20, 2013.
Submitted: Dec. 23, 2014.

Rule 591-2-1-.04. Team Nutrition Training Grant (TN).

(1) **General Scope and Purpose:** To provide training, technical assistance, and sub-grant funding to support the implementation of wellness policies in child care centers and day care homes through a program called Caregivers Promoting Healthy Habits (CPHH). Bright from the Start contends that by adopting a wellness policy and related activities, child care providers will improve early childhood environments by providing nutritious meals and education on healthy eating patterns and physical activity. A *Farm to Preschool* component was also included for child care centers to participate in. This program will focus on healthy eating through activities such as edible gardens, taste tests, and local food procurement. Bright from the Start will support this program through training, technical assistance, and sub-grant funding. A 2013 USDA Team Nutrition grant was awarded to cover the time period of October 1, 2013- September 30, 2015.

(2) **General Terms and Conditions:** A maximum of $1,000 sub-grant is awarded for the day care homes, and a maximum of $3,000 sub-grant is awarded for the child care centers funded by the USDA 2014 grant Caregivers Promoting Healthy Habits program. Sub-grants are awarded to enable day care homes and child care centers to implement needed nutrition and physical activity programs and/or activities. A maximum of $2000 sub-grant is awarded to child care centers to participate in the *Farm to Preschool* program. Sub-grant funds are awarded to enable child care centers to implement their *Farm to Preschool* activities. Sub-grant funding must support one or more of the United States

Department of Agriculture (USDA) Team Nutrition strategies and deliver USDA Team Nutrition messages of healthy eating and physical activity. Sub-grant funds are intended to target the birth through five population.

(3) **Eligible Recipients:** Eligible Caregivers Promoting Healthy Habits recipients must be state licensed or federally approved child care centers or day care homes, and a Child and Adult Care Food Program (CACFP) participant. For the 2014-2015 Caregivers Promoting Health Habits funding cycle, eligibility is limited to Appling, Brantley, Bryan, Bulloch, Camden, Chatham, Effingham, Evans, Glynn, Jeff Davis, Liberty, Long, McIntosh, Montgomery, Tattnall, Toombs, and Wayne counties. *Farm to Preschool* recipients must be state licensed or federally approved child care learning centers, a Child and Adult Care Food Program (CACFP) participant, and located in Barrow, Clarke, Clayton, Cobb, DeKalb, Fulton, Gwinnet, Jackson, Newton, Rockdale, or Walton county.

(4) **Application Process:** Caregivers Promoting Healthy Habits applicants must complete a request for applications, including an application cover page, self-assessment checklist, wellness policy checklist, project narrative, budget description chart and budget narrative. *Farm to Preschool* applicants must complete a request for applications, including an application cover page, project narrative, budget description chart, and budget narrative.

(5) **Approximate Time to Apply:** Applications for Caregivers Promoting Healthy Habits will be released in December 2013 and due January 31, 2014 by 5:00pm EST. Applications for the *Farm to Preschool* program will be released in July 2014 and due September 10, 2014.

(6) **Criteria for Grant Awards:** Program applications for both Caregivers Promoting Healthy Habits and *Farm to Preschool* are reviewed by neutral, qualified, professionals. The review panel is tasked with reading and scoring each application, and making recommendations for awards. The final decision on awards rests solely with Bright from the Start based on scores from the evaluation criteria, and in accordance with USDA Federal Guidelines.

(7) **Calculation of Payments:** Program participants submit finance reports on a monthly basis to Bright from the Start to report costs incurred for activities related to their approved wellness policy or *Farm to Preschool* programs. Participants in Caregivers Promoting Healthy Habits are reimbursed for allowable costs, not to exceed $1,000 or $3,000 for day care homes and child care centers, respectively, incurred within the program timeframe, in addition to mileage to and from required quarterly training. Participants in *Farm to Preschool* are reimbursed for allowable costs, not to exceed $2000, in addition to mileage to and from required training, incurred within the program timeframe.

(8) **Length of Award:** Program participation in Caregivers Promoting Healthy Habits is for one year, unless otherwise terminated. For the 2014-2015 funding cycle, awardees will participate from March 1, 2014-February 28, 2015. Program participation in *Farm to*

Preschool is for nine months, unless otherwise terminated. For the 2014-2015 funding cycle, awardees will participate from October 1, 2014- June 30, 2015.

(9) **Authority**: The awardee must comply with applicable state and federal rules and regulations, (i.e. Rules and Regulations for Child Care Learning Centers 591-1-1, Rules and Regulations from Group Day Care Homes 290-2-1, Rules and Regulations from Family Day Care Homes 290-2-3, 7 Code of Federal Regulations (CFR) Part 226, Child and Adult Care Food Program, federal administrative requirements, and cost principles (CFR 225 and OMB Circulars A-87 and A-122) and Drug Free Workplace Act of 1988.

Cite as Ga. Comp. R. & Regs. R. 591-2-1-.04
Authority: O.C.G.A. Secs. 20-1A-1, 20-1A-4, 28-5-122, 50-27-2, 50-27-3.
History. Original grant description entitled "Standards of Care (SOC)" submitted May 5, 1999.
Submitted: Dec. 28, 2000.
Submitted: Dec. 20, 2001.
Submitted: Dec. 17, 2002.
Submitted: Nov. 18, 2003.
Submitted: Dec. 16, 2004.
Submitted: Dec. 16, 2005.
Submitted: Dec. 15, 2006.
Submitted: Dec. 12, 2007.
Submitted: Dec. 8, 2008.
Submitted: Grant description entitled "Team Nutrition Training Grant (TN)" submitted Dec. 17, 2010.
Submitted: Dec. 21, 2011.
Submitted: Dec. 27, 2012.
Submitted: Dec. 20, 2013.
Submitted: Dec. 23, 2014.

Rule 591-2-1-.05. Head Start.

(1) **General Scope and Purpose**: The Head Start State Collaboration grant establishes a state-level office (The Georgia Head Start State Collaboration Office) for Head Start programs in Georgia, for the purpose of building collaborative partnerships between federally funded Head Start programs and state-funded early childhood programs to improve the quality of services to low-income children and their families in Georgia. The Head Start grant coordinates federal initiatives for children and families with Pre-K programs and other state-funded child and family programs across the state. These coordinated efforts are intended to assist in building seamless, comprehensive early childhood systems and access to services and support for all low-income children. The Head Start grant also facilitates the involvement of Head Start in the development of state policies and initiatives affecting the Head Start target population and other low-income families.

To accomplish its purpose, the Head Start State Collaboration grant provides contracts for activities that support the collaboration of early care and education programs, including extended services to local Head Start programs to ensure that Head Start and Pre-K

service delivery models are compatible in local communities across the state. Local Head Start programs submit proposals for collaborative activities for "at-risk" children and their families. These proposals are reviewed and decisions are made, in consultation with the state Head Start Association and the federal Administration for Children and Families.

(2) **General Terms and Conditions**: The state agency that receives funding for the Head Start State Collaboration grant shall appoint an individual to serve as the State Liaison between the appropriate Regional Office of the Administration of Children and Families and agencies and individuals charged with the responsibility of administering Head Start programs in the state. The state agency that administers the Head Start State Collaboration grant musts adhere to the Department of Health and Human Services' regulations that govern federal Head Start programs. The state agency must ensure that the collaboration described in Section (1) involves coordination of Head Start services with health care, welfare, child care education and community service activities, family literacy services, activities relating to children disabilities, including coordination of services with those State officials who are responsible for administering Part C and Section 619 of the Individuals with Disabilities Education Act (20 U.S.C. 1431 - 1445, 1419) and services for homeless children.

(3) **Eligible Recipients**: The eligible recipient for the Head Start State Collaboration grant is any state education or human services agency that is responsible for providing services to low-income children and families within the state. Eligible recipients for collaborative contracts are any legal educational or childcare entity, such as a local school system, a public or private not-for-profit [501©(3)] agency, or a private for-profit agency as described in 591-2-1-.01.

(4) **Application Process**: Interested applicants for collaborative contracts must contact the Head Start State Collaboration Office, housed within Bright from the Start: Georgia Department of Early Care and Learning, 2 Martin Luther King Jr. Drive, Suite 754 East Tower, Atlanta, Georgia 30334. Interested applicants must submit a one-page concept paper that includes detailed information regarding the scope of services to be provided under the contract.

(5) **Approximate time to apply**: Applicants must submit the one-page concept paper in July of each year, prior to the beginning of the school year in August. Contracts are for the current school year only, and are in effect from August 1 through June 30 of each year.

(6) **Criteria for Grant Award**: Bright from the Start: Georgia Department of Early Care and Learning has been selected by the Governor's Office in Georgia as the recipient of the State Head Start Collaboration grant. The grant, which is received from the U.S. Department of Health and Human Services, is for a five-year period, coinciding with the federal fiscal year. Contracts administered by the State Head Start Collaboration Office are subject to funding availability, previous program compliance and identified needs of local programs, Bright from the Start, the Georgia Head Start Association and the federal Administration for Children and Families, within the U.S. Department of Health and Human Services.

(7) **Calculation of Payment**: The federal Head Start State Collaboration grant budget is for $175,000 per year for a five-year period. The Department of Early Care and Learning and the U.S. Department of Health and Human Services review budgets for contracts administered by the Head Start Collaboration Office for appropriateness. Collaborative contracts are calculated based on the number of children to be served.

(8) **Length of Award**: The federal Head Start State Collaboration grant is awarded to Bright from the Start: Georgia Department of Early Care and Learning for a five-year period. At the end of each five-year period, a full application for renewal must be submitted to the U.S. Department of Health and Human Services. Collaborative contracts are awarded each fiscal year.

(9) **Authority**: The Head Start Act, as amended, 45 CFR (A). Administered by the U.S. Department of Health and Human Services; O.C.G.A. 20-1A-4; 50-27-2; 50-27-3., O.C.G.A. Sec. 28-5-122.

Cite as Ga. Comp. R. & Regs. R. 591-2-1-.05
Authority: O.C.G.A. Sec. 28-5-122.
History. Original grant description entitled "Head Start" submitted May 5, 1999.
Submitted: Dec. 28, 2000.
Submitted: Dec. 20, 2001.
Submitted: Dec. 17, 2002.
Submitted: Nov. 18, 2003.
Submitted: Dec. 16, 2004.
Submitted: Dec. 16, 2005.
Submitted: Dec. 15, 2006.
Submitted: Dec. 12, 2007.
Submitted: Dec. 8, 2008.
Submitted: Dec. 22, 2009.
Submitted: Dec. 17, 2010.
Submitted: Dec. 21, 2011.
Submitted: Dec. 27, 2012.
Submitted: Dec. 20, 2013.
Submitted: Dec. 23, 2014.

Rule 591-2-1-.06. Child Care Development Fund Grant (CCDF).

(1) **General Scope and Purpose:** Bright from the Start: Georgia Department of Early Care and Learning is designated by legislation and by the Governor, as the lead agency for administrating the federal Child Care and Development Fund (CCDF) at the state level. The funds are used to increase the accessibility, affordability and quality of early childhood education and school-age child care for Georgia's children and families. The focus is on providing child care assistance to low income families and increasing and sustaining quality early childhood education programs for all families.

(2) **General Terms and Conditions:** All grantees and/or contractees are required to operate in accordance with the policies and procedures outlined in the following documents: The

Child Care Resource and Referral Handbook the Department of Early Care and Learning contract and/or grant requirements, all federal regulations covering CCDF funding, and any other state and/or federal state statutes and regulations.

(3) **Funding:** Grant and/or contract funds must be spent within one year. A cost-reimbursement grant and/or contract must be based on an agreed upon budget that is in effect. All grantees and/or contractees are monitored based upon meeting the goals and objectives in their grant and/or contract and must spend the allocated funds to meet the specified goals and objectives. Grantees and/or contractees must submit monthly expenditure and programmatic reports to the Department..

(4) **Eligible Recipients:** Child care learning centers, school-age programs, family day care homes, group day care homes, child care resource & referral agencies, and organizations and/or individuals with a quality initiative that will improve the quality, affordability, and/or accessibility of child care in Georgia are eligible. These programs and agencies may be non-profit, for-profit, faith-based, public or government.

(5) **Application Process:** Request for Proposals (RFPs) are distributed statewide identifying areas of targeted need in regards to improving quality, affordability and or accessibility. Proposals received are reviewed and rated through a competitive selection process put in place by the Department. Grantees and/or contractees are required to attend an orientation to review the requirements of the grants and/or contracts.

(6) **Approximate Time to Apply:** When funding is available, RFPs are posted on the departments' web site at www.decal.ga.gov or posted on the Department of Administrative Services Team Georgia Marketplace web site at www.doas.ga.gov.

(7) **Criteria for Grant Award:** Grantees and/or contractees are selected based on criteria put in place by the Department that address population, need, sustainability, indicators, outcomes, and cost effectiveness.

(8) **Calculation of Payments:** Cost reimbursement payments.

(9) **Length of Award:** Grants and/or contracts are awarded for a one-year period. The RFP will stipulate if there is a potential renewal option for an additional one-year period. Renewal options may be exercised at the sole discretion of the State and are contingent on performance in meeting the grant and/or contract deliverables.

(10) **Authority:** O.C.G.A. Chapter 20-1A, and Public Law 104-193, Title VI.

Cite as Ga. Comp. R. & Regs. R. 591-2-1-.06
Authority: O.C.G.A. Ch. 20-1A, O.C.G.A. Secs. 20-1A-1, 20-1A-4, Public Law 104-193.
History. Original grant description entitled "Quality Initiatives Child Care and Development" submitted December 16, 2004.
Submitted: Dec. 16, 2005.
Submitted: Dec. 15, 2006.
Submitted: Dec. 12, 2007.
Submitted: Dec. 8, 2008.

Submitted: Dec. 22, 2009.
Submitted: Dec. 17, 2010.
Submitted: Dec. 21, 2011.
Submitted: Dec. 27, 2012.
Submitted: Dec. 20, 2013.
Submitted: Dec. 23, 2014.

Rule 591-2-1-.07. Race to the Top - Early Learning Challenge Grant.

(1) **General Scope and Purpose:** The Georgia Department of Early Care and Learning is designated by the Governor as the state lead agency to administer the federal Race to the Top - Early Learning Challenge Grant. Jointly managed by the U.S. Department of Education and the U.S. Department of Health and Human Services, the Race to the Top Early Learning Challenge Grant (CFDA Number 84.412A) was awarded to Georgia through a competitive grant process. The purpose of the Race to the Top - Early Learning Challenge program is to improve the quality of early learning and development and close the educational gaps for children with high needs. This program focuses on improving early learning and development for young children by supporting states' efforts to increase the number of low-income and disadvantaged children in each age group of infants, toddlers, and preschoolers who are enrolled in high-quality early learning and development programs. The program also supports states' efforts to design and implement an integrated system of high-quality early learning and development programs and services.

(2) **General Terms and Conditions:** As stipulated in the grant application, the state will complete projects and activities to meet the established goals. There are several projects which include the provision of grants for eligible recipients. Grantees are required to operate in accordance with the policies and procedures outlined in the following documents: the Department of Early Care and Learning contract requirements, all of the terms of the Race to the Top-Early Learning Challenge Grant; applicable federal and state laws and regulations, including laws and regulations applicable to the Race to the Top - Early Learning Challenge program; the applicable provisions of EDGAR (34 CFR Parts 75, 77, 79, 80, 82, 84, 86, 97, 98, and 99); the suspension and debarment regulations in 2 CFR Part 3485 ; the Child Care and Development Fund State Plan for Georgia; the Childcare and Parent Services Policy Manual, and the Grantee's Handbook. Contracts with grantees are based on an agreed upon budget. Grant funds must be spent within the specified time period. All grantees are monitored based upon meeting the goals and objectives in their contract and spending the allocated funds to meet the specified goals and objectives. Grantees must submit periodic expenditure and programmatic reports to the Department.

(3) **Eligible Recipients:** Child care learning centers, Georgia's Pre-K programs, family day care homes, group day care homes, child care resource & referral agencies, and organizations and/or individuals with a quality initiative that will improve the quality, affordability, and/or accessibility of early childhood education in Georgia are eligible.

These programs and agencies may be non-profit, for-profit, faith-based, public or government.

(4) **Application Process:** Request for Proposals (RFPs) are distributed identifying areas of targeted need in regards to improving quality, affordability or accessibility. Proposals received are reviewed and rated through a selections process put in place by the Department.

(5) **Approximate Time to Apply:** When funding is available, RFPs are posted on the web site www.decal.ga.gov or posted on the Department of Administrative Services Team Georgia Marketplace web site.

(6) **Criteria for Grant Award:** Grantees are selected based on criteria established by the Department that address population, need, sustainability, indicators and outcomes, and cost effectiveness.

(7) **Calculation of Payments:** Cost reimbursement payments.

(8) **Length of Award:** Contracts are awarded for a one-year period. The RFP stipulates if there is a potential renewal option for an additional one-year period(s). Renewal options may be exercised at the sole discretion of the State and are contingent on performance in meeting the contract deliverables.

(9) **Authority:** O.C.G.A. Chapter 20-1A and the American Recovery and Reinvestment Act of 2009, P.L. 111-5., as amended.

Cite as Ga. Comp. R. & Regs. R. 591-2-1-.07
Authority: O.C.G.A. Sec. 28-5-122.
History. Original grant description entitled "Even Start Family Literacy Program" submitted December 16, 2005.
Submitted: Dec. 15, 2006.
Submitted: Dec. 12, 2007.
Submitted: Dec. 8, 2008.
Submitted: Dec. 22, 2009.
Submitted: Dec. 17, 2010.
Submitted: Dec. 21, 2011.
Repealed: January 29, 2013.
Submitted: Grant description entitled "Race to the Top - Early Learning Challenge Grant" submitted Dec. 23, 2014.

Chapter 591-3. .

Subject 591-3-1. RULES AND REGULATIONS FOR SUPPORT CENTERS.

Rule 591-3-1-.01. Legal Authority.

These rules are adopted and published pursuant to the Official Code of Georgia Annotated (O.C.G.A.) Sec. 20-1A-1*et seq.*

Cite as Ga. Comp. R. & Regs. R. 591-3-1-.01
Authority: O.C.G.A. § 20-1A-1*et seq.*
History. Original Rule entitled "Legal Authority" adopted. F. Dec. 4, 2015; eff. Dec. 24, 2015.

Rule 591-3-1-.02. Title and Purpose.

These rules shall be known as the Rules and Regulations for Support Centers.

The purpose of these rules is to provide for the registration of Support Centers within Georgia to allow such entities to initiate the criminal records check process for those individuals eligible to provide services to applicable programs for the care of children.

Cite as Ga. Comp. R. & Regs. R. 591-3-1-.02
Authority: O.C.G.A. § 20-1A-1*et seq.*
History. Original Rule entitled "Title and Purpose" adopted. F. Dec. 4, 2015; eff. Dec. 24, 2015.

Rule 591-3-1-.03. Definitions.

In these rules, unless the context otherwise requires, the words and phrases set forth herein shall mean the following:

(a) "Adult" means any competent individual eighteen (18) years of age or older.

(b) "Child" or "Children" means any person(s) under 18 years of age for whom child care service(s) is (are) provided in an Early Care and Learning Program.

(c) "Child Care Learning Center" or "Center" means any place operated by an individual or business entity authorized under Georgia law wherein are received for pay for group care for less than 24 hours per day, without transfer of legal custody, seven or more children under 18 years of age and which is required to be licensed.

(d) "Comprehensive Records Check Determination" means a satisfactory or unsatisfactory determination by the Department, based upon a Federal Bureau of Investigation fingerprint based criminal record check, a search of appropriate sex offender registries, repositories, or data bases, compliance with relevant state and federal law, and a search of the following registries, repositories or databases in the state where the actual or potential employee or director resides and in each state where such individual resided during the preceding five years: criminal registry or repository; state sex offender registry or repository; and state based child abuse and neglect registry and database.

(e) "Crime" means

1. Any felony pursuant to O.C.G.A. § 20-1A-30 and in accordance with 42 U.S.C. § 9858f(c)(1)(E);

2. A violation of O.C.G.A. § 16-5-23, relating to simple battery, where the victim is a minor;

3. A violation of O.C.G.A. § 16-5-23.1, relating to battery, where the victim is a minor;

4. A violation of O.C.G.A. § 16-12-1, relating to contributing to the delinquency of a minor;

5. A violation of O.C.G.A. § 16-6-1*et seq.* relating to sexual offenses;

6. A violation of O.C.G.A. § 16-5-29, relating to battery of an unborn child;

7. A violation of O.C.G.A. § 16-5-60, relating to reckless conduct causing harm when the victim is a minor;

8. A violation of O.C.G.A. § 16-5-70, relating to cruelty to children;

9. A violation of O.C.G.A. § 16-12-1.1, relating to child care facility operators being prohibited from employing or allowing to reside or be domiciled persons with certain past criminal violations;

10. A violation of O.C.G.A. §§ 16-12-100, 16-12-100.1, 16-12-100.2, 16-12-100.3, relating to obscenity and related offenses where the victim is a minor;

11. A violation of O.C.G.A. § 40-6-391, relating to endangering a child while driving under the influence of alcohol or drugs;

12. A violation of O.C.G.A. § 19-7-5, relating to a failing to report if mandated to do so by law;

13. Child pornography, in accordance with 42 U.S.C. § 9858f(c)(1)(E);

14. Abuse of, endangerment of, or sexual assault against a child by an adult, in accordance with 42 U.S.C. § 9858f(c)(1)(E);

15. Any other violent misdemeanor against a child by an adult, in accordance with 42 U.S.C. § 9858f(c)(1)(E);

16. A violation of O.C.G.A. § 16-4-1, relating to criminal attempt when the crime attempted is any of the crimes specified by this paragraph; or

17. Any other offenses committed in another jurisdiction which, if committed in this state, would be one of the enumerated crimes listed in this paragraph.

(f) "Criminal Record" means:

1. Conviction of a crime; or

2. Arrest, charge, and sentencing for a crime where:

   i. A plea of nolo contendere was entered to the charge; or

   ii. First offender treatment without adjudication of guilt pursuant to the charge was granted; provided, however, that this division shall not apply to a violation of O.C.G.A. § 16-13-1*et seq.*, relating to controlled substances, or any other offense committed in another jurisdiction which, if it were committed in this state, would be a violation of O.C.G.A. § 16-13-1*et seq.* if such violation or offense constituted only simple possession; or

   iii. Adjudication or sentence was otherwise withheld or not entered on the charge; provided, however, that this division shall not apply to a violation of O.C.G.A. § 16-13-1*et seq.* relating to controlled substances, or any other offense committed in another jurisdiction which, if it were committed in this state, would be a violation of Chapter 13 of Title 16 if such violation or offense constituted only simple possession; or

3. Arrest and being charged for a crime if the charge is pending, unless the time for prosecuting such crime has expired pursuant to O.C.G.A. § 17-3-1*et seq.*

(g) "Department" means Bright from the Start: Georgia Department of Early Care and Learning.

(h) "Early Care and Education Program" or "Program" means any Family Child Care Learning Home, Child Care Learning Center or Support Center.

(i) "Eligible Employee" means any person who is a potential director, employee, volunteer, or independent contractor with a satisfactory Comprehensive Records Check Determination or a Student-in-Training with either a satisfactory Fingerprint Records Check Determination or a satisfactory Comprehensive Records Check Determination through a Support Center.

(j) "Family Child Care Learning Home" or "Home" means a private residence operated by any person who receives therein for pay for supervision and care fewer than 24 hours per day, without transfer of legal custody, at least three but not more than six children under 13 years of age who are not Related to such persons and whose Parent(s) or guardians are not residents in the same private residence as the Provider; provided, however, that the total number of unrelated Children cared for in such Home, for pay and not for pay, may not exceed six Children under 13 years of age at one time, except that a Provider may care for two additional children three years of age or older for two designated one hour periods daily upon approval by the Department.

(k) "Fingerprint" means an inked fingerprint card or an electronic image of a person's fingerprint.

(l) "Fingerprint Records Check Determination" means a satisfactory or unsatisfactory determination made by the Department that is based upon national criminal history record information obtained by the use of Fingerprints.

(m) "Records Check Application" means a document created by the Department to be completed and submitted to the Department by every actual and potential Director, Employee and Provisional Employee of the Center that indicates such information as the Department deems appropriate and which authorizes the Department to receive any sex offender registry, child abuse and neglect registry and criminal history record information pertaining to the individual from any local, state or national agency of appropriate jurisdiction and render a Fingerprint Records Check Determination or Comprehensive Records Check Determination.

(n) "Registration" means a certificate issued by the Department to a Support Center applicant granting the applicant permission to operate a Support Center in accordance with these rules.

(o) "Student-in-Training" means a student currently enrolled in either a high school recognized by the Department of Education or an early education curriculum through an accredited school of higher education which requires or permits the student to observe and participate in the care of children at a Center during a limited period of time, i.e., one quarter, one trimester or one semester, provided that they are under the direct supervision of Center Personnel at all times.

(p) "Support Center" means any business entity, including but not limited to temporary staffing agencies, universities, and independent contractors, that receives no children for care and that is granted a Registration by the Department for the purpose of initiating the criminal records check process for an Eligible Employee of any licensed, commissioned or permitted Early Care and Education Program.

(q) "Valid Evidence" means electronic proof of a satisfactory Fingerprint Records Check Determination or a satisfactory Comprehensive Records Check Determination as follows:

1. Eligible Employees other than a Student-in-Training - a valid and current satisfactory Comprehensive Records Check Determination letter issued by the Department with a Records Check Clearance Date that is within the immediate preceding 12 months of the date of hire, and provided that the Eligible Employee has not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer; and

2. Students-in-Training - a valid and current satisfactory Fingerprint Records Check Determination or a valid and current satisfactory Comprehensive Records Check Determination letter issued by the Department with a Records Check Clearance Date that is within the immediate preceding 12 months of the date of hire, and

provided that the Eligible Employee has not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer.

Cite as Ga. Comp. R. & Regs. R. 591-3-1-.03
Authority: O.C.G.A. § 20-1A-1 et seq., 42 U.S.C. § 9857 et seq.
History. Original Rule entitled "Definitions" adopted. F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. Aug. 17, 2018; eff. Sept. 6, 2018.
Amended: F. Sep. 2, 2026; eff. Sep. 22, 2026.

Rule 591-3-1-.04. Support Center Requirements and Registration Applications.

(1) Support Center Requirements

(a) No person or business entity authorized under Georgia law shall operate a Support Center unless a Registration has been obtained from the Department.

(b) A Registration to operate a Support Center is not transferable in any way. A change of business ownership or address requires a new Registration to be issued by the Department. Each Registration shall become invalid immediately upon the final sale or closure of the Support Center, or upon the suspension, revocation, or restriction of the Registration.

(c) The Registration shall be automatically renewed each year unless the Registration is voluntarily surrendered by the holder or suspended or revoked by the Department.

(d) A Support Center shall not knowingly make any false statement in connection with a Records Check Application or change of ownership.

(e) A Support Center shall report to the Department any known arrest for a Crime or change in the Fingerprint Records Check Determination or Comprehensive Records Check Determination or Criminal Record of any Eligible Employee within twenty-four (24) hours or the next work day.

(f) A Support Center may submit Records Check Applications for Eligible Employees to the Department in accordance with guidelines set forth by the Department.

(g) A Support Center must ensure that every Eligible Employee submits both a Records Check Application to the Department and Fingerprints to an authorized fingerprinting site.

(h) A Support Center must ensure that every Eligible Employee has a valid and current satisfactory Fingerprint Records Check Determination or Comprehensive

Records Check Determination on file prior to being present at the Early Care and Education Program while any child is present for care or before an individual age 17 or older resides in the Early Care and Education Program.

(i) Valid Evidence of a satisfactory Fingerprint Records Check Determination or a satisfactory Comprehensive Records Check Determination must be maintained at the Support Center for each Eligible Employee for the duration of employment or residency plus one year, and such electronic evidence must be made immediately available to the Department upon request.

(j) The Support Center must ensure that every Eligible Employee requests child abuse and neglect registry information and criminal history documents from any U.S. state, territory or tribal land other than Georgia in which they have resided in the preceding five years and submit such documents to the Department in a timely manner. Failure to request out-of-state information will result in the issuance of an unsatisfactory Comprehensive Records Check Determination.

(k) Portability for Eligible Employees excluding Students-in-Training. Only the most recently issued determination letter is eligible for portability and must be ported electronically. A Center or Home may accept a satisfactory Comprehensive Records Check Determination letter issued by the Department if the individual's Records Check Clearance Date is within the preceding 12 months from the hire date, the individual has not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer, and the Support Center, Center or Home does not know or reasonably should not know that the individual's satisfactory status has changed.

(l) Portability for Students-in-Training. Only the most recently issued determination letter is eligible for portability and must be ported electronically. A Center or Home may accept a satisfactory Comprehensive Records Check Determination letter issued by the Department for a Student-in-Training if the individual's Records Check Clearance Date is within the preceding 24 months from the hire date, the Center or Home has verified and maintains evidence on file that the Student-in-Training is currently enrolled in a high school recognized by the Department of Education or an early education curriculum through an accredited school of higher education, the individual has not had a lapse of employment from the child care industry that lasted for 180 days (6 months) or longer, and the Support Center, Center or Home does not know or reasonably should not know that the individual's satisfactory status has changed.

(m) Recheck Required. The Support Center must immediately require that every Eligible Employee submit to the Comprehensive Records Check Determination process at the following times:

1. When the Support Center knows or reasonably should know that an Eligible Employee has been arrested or charged for any covered crime;

2. When there is a lapse of employment from the child care industry that lasted for 180 calendar days (6 months) or longer;

3. At least once every five years; and

4. When the Department so requests.

(n) A Support Center applicant shall comply with all applicable laws and regulations.

(2) Registration Applications

(a) An application for a Registration to operate a Support Center shall be submitted to the Department on forms provided by the Department.

(b) A Registration may be issued upon presentation of evidence satisfactory to the Department that the Support Center applicant is in compliance with applicable statutes and these rules.

(c) A Registration applicant shall not knowingly make any false statement in connection with the application for a Registration or change of ownership.

(d) A Registration applicant shall comply with these rules and regulations and Georgia law.

(e) A Registration applicant shall provide the Department access to the Support Center and to information pertinent to the initial Registration of the Support Center.

(f) A person or business entity authorized under Georgia law may not register with the Department as a Support Center within one (1) year of a prior license, permit or Registration denial, revocation or suspension.

Cite as Ga. Comp. R. & Regs. R. 591-3-1-.04
Authority: O.C.G.A. § 20-1A-1 et seq., 42 U.S.C. § 9857 et seq.
History. Original Rule entitled "Support Center Requirements and Registration Applications" adopted. F. Dec. 4, 2015; eff. Dec. 24, 2015.
Amended: F. Aug. 17, 2018; eff. Sept. 6, 2018.
Amended: F. Sep. 2, 2026; eff. Sep. 22, 2026.

Rule 591-3-1-.05. Enforcement and Penalties.

No Support Center shall operate in the State without a Registration that has been issued by the Department. A Registration for a Support Center may be denied, revoked, restricted or suspended, if applicable, in accordance with the following:

(a) Refusal of a Registration. The Department shall refuse to issue a Registration in the following instances:

1. Where a Registration applicant submits a Registration application within one (1) year of a prior license, permit or Registration denial, revocation or suspension; or

2. Where a Registration applicant who has transferred ownership or governing authority of a program subject to regulation by the Department within one (1) year of the date of a new application when such transfer was made in order to avert denial, revocation or suspension of such license or Registration; or

3. Where a Registration applicant knowingly makes any false statement of material information in connection with an application or on any documents submitted to the Department or in the alteration or falsification of records maintained by the Support Center; or

4. Where a Registration applicant fails to meet the Registration requirements prescribed under these rules or Georgia law within a reasonable amount of time.

(b) Revocation of a Registration. The Department may revoke a Registration in the following instances:

1. Where a Support Center fails to report a known arrest or change in the Satisfactory Records Check Determination of any Eligible Employee; or

2. Where the Department determines that a non-correctable deficiency, abuse or dereliction exists in the operation or management of the Support Center; or

3. Where the Department determines that a correctable abuse, dereliction or deficiency in the operation or management of the Support Center has not been corrected within a reasonable time.

(c) Suspension of a Registration. The Department may suspend the Registration to operate a Support Center for a definite period or for an indefinite period in connection with any condition which may be attached to the restoration of the Registration.

Cite as Ga. Comp. R. & Regs. R. 591-3-1-.05
Authority: O.C.G.A. § 20-1A-1*et seq.*
History. Original Rule entitled "Enforcement and Penalties" adopted. F. Dec. 4, 2015; eff. Dec. 24, 2015.

Rule 591-3-1-.06. Severability.

In the event that any rule, sentence, clause or phrase of any of these rules and regulations may be construed by any court of competent jurisdiction to be invalid, illegal, unconstitutional, or otherwise unenforceable, such determination or adjudication shall in no manner affect the remaining rules or portions thereof. The remaining rules or portions thereof shall remain in full

force and effect, as if such rule or portions thereof so determined, declared or adjudged invalid or unconstitutional were not originally a part of these rules.

Cite as Ga. Comp. R. & Regs. R. 591-3-1-.06
Authority: O.C.G.A. § 20-1A-1*et seq.*
History. Original Rule entitled "Severability" adopted. F. Dec. 4, 2015; eff. Dec. 24, 2015.

Rule 591-3-1-.07. E-Mail Contact Information.

Each Support Center registered in the state of Georgia shall provide the Department with e-mail contact information so that this agency may contact the Support Center and send information to the Support Center via email. It shall be the responsibility of the Support Center 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 Support Centers, to said e-mail address shall be considered valid so long as the Department does not receive a failure to deliver message.

(a) All applicants for Registration shall submit a valid e-mail address to the Department at the time of application on forms provided by the Department.

Cite as Ga. Comp. R. & Regs. R. 591-3-1-.07
Authority: O.C.G.A. § 20-1A-1*et seq.*
History. Original Rule entitled "E-Mail Contact Information" adopted. F. Dec. 4, 2015; eff. Dec. 24, 2015