

DEPARTMENT OF HEALTH



PROPOSED CHANGES TO REGULATIONS.

CHILD CARE FACILITIES LICENSING.

7 AAC 57. Child Care Facilities Licensing.



PUBLIC REVIEW DRAFT
May 14, 2024.

COMMENT PERIOD ENDS: June 24, 2024.

**Please see the public notice for details about how to
comment on these proposed changes.**

Notes to the reader:

- 1. Except as discussed in note 2, new text that amends an existing regulation is **bolded and underlined**.
- 2. If the lead-in line above the text of each section of the regulations states that a new section, subsection, paragraph, or subparagraph is being added, or that an existing section, subsection, paragraph, or subparagraph is being repealed and readopted (replaced), *the new or replaced text is not bolded or underlined*.
- 3. [ALL-CAPS TEXT WITHIN BRACKETS] indicates text that is to be deleted.
- 4. When the word "including" is used, Alaska Statutes provide that it means "including, but not limited to."
- 5. Only the text that is being changed within a section of the current regulations is included in this draft. Refer to the text of that whole section, published in the current Alaska Administrative Code, to determine how a proposed change relates within the context of the whole section and the whole chapter.

Title 7. Health and Social Services.

Chapter 57. Child Care Facilities Licensing.

Article 1. Licensing Process.

7 AAC 57.015(a) is amended by adding a new paragraph to read:

(12) a facility approved by the Office of Child Care and a tribal lead agency in accordance with the Child Care and Development Fund requirements under 45 C.F.R. Part 98 Subpart I - Indian Tribes of the United States Department of Health and Human Services, Administration for Children and Families.

(Eff. 6/23/2006, Register 178; am 2/9/2007, Register 181; am 6/29/2017, Register 222; am ____/____/_____, Register _____)

Authority: AS 44.29.020 AS 47.32.010 AS 47.32.030
AS 47.05.340 AS 47.32.020

Article 2. Administration.

7 AAC 57.210(b) is amended to read:

(b) During **a period** [PERIODS] when the administrator is absent from the facility **for 30 or fewer consecutive days**, the governing body, [OR] owner, **or administrator** of a child care facility with one or more employees shall designate an onsite adult caregiver **to act on the administrator's behalf during the administrator's absence** who meets the age and qualification requirements of 7 AAC 57.300(a) and **7 AAC 57.300(b)(1) - (3)** [7 AAC 57.300(b),] and has at least one year of child care experience [, TO ACT ON BEHALF OF THE ADMINISTRATOR IN THE ADMINISTRATOR'S ABSENCE. THE DESIGNATED CAREGIVER MAY BE A CHILD CARE ASSOCIATE QUALIFIED UNDER 7 AAC 57.330].

If the administrator is absent for **more than 30 consecutive days** [THREE CONSECUTIVE DAYS OR LONGER], the child care facility governing body, [OR] owner, **or administrator** shall designate **an administrator designee** [A CHILD CARE ASSOCIATE] **who is** qualified under **7 AAC 57.300** [7 AAC 57.330] to act on behalf of the administrator.

The introductory language of 7 AAC 57.210(c) is amended to read:

(c) **The** [UNLESS THE GOVERNING BODY OR OWNER OF A CHILD CARE FACILITY HAS PREVIOUSLY DESIGNATED AN ONSITE CHILD CARE ASSOCIATE WHO IS QUALIFIED UNDER 7 AAC 57.330, THE] administrator may **not** be responsible for [NO] more than two child care facilities and must be onsite during daytime hours while the facility is providing child care as follows:

...

(Eff. 6/23/2006, Register 178; am ____/____/_____, Register _____)

Authority: AS 44.29.020 AS 47.32.010 AS 47.32.030

7 AAC 57.220(b)(2) is amended to read:

(2) in a child care center, schedule work hours so that an administrator, designated onsite adult caregiver, or the administrator's designee is on-site and available to staff, parents, and children while children are present at the facility [; IN A CHILD CARE CENTER THAT SERVES FEWER THAN 30 CHILDREN, THE GOVERNING BODY OR OWNER OF A CHILD CARE FACILITY SHALL, EITHER DIRECTLY OR BY DELEGATION TO THE ADMINISTRATOR, SCHEDULE WORK SO THAT EITHER AN ADMINISTRATOR OR CHILD CARE ASSOCIATE IS ON-SITE AND AVAILABLE TO STAFF, PARENTS, AND CHILDREN WHILE CHILDREN ARE PRESENT AT THE FACILITY];

(Eff. 6/23/2006, Register 178; am 2/9/2007, Register 181; am 5/15/2016, Register 218; am ____/____/_____, Register _____)

Authority: AS 44.29.020 AS 47.05.330 AS 47.32.010
AS 47.05.310 AS 47.05.340 AS 47.32.030
AS 47.05.320

Article 3. Personnel.

7 AAC 57.300(d) is amended to read:

(d) The administrator of a child care center [MUST] **shall provide proof of education that is appropriate to the age and development of the children in care. The education requirement in this section includes**

(1) a System for Early Education Development (SEED) career ladder level 7 certificate or higher; [HAVE]

(2) at least 12 semester hours of college credit in early childhood development, child development, child psychology, elementary education, or the equivalent; however, college credit in management may substitute for three of the 12 required hours; [, OR MUST HOLD EITHER]

(3) a current child development associate (CDA) credential from the Council for Early Childhood Professional Recognition; [OR]

(4) a Montessori certificate issued by a program accredited by the Montessori Accreditation Commission for Teacher Education;

(5) a school age child care education certificate or child youth care credential; or

(6) another early childhood education certificate or credential approved by the Department. [COLLEGE CREDIT IN MANAGEMENT MAY SUBSTITUTE FOR THREE OF THE 12 REQUIRED HOURS. THE ADMINISTRATOR OF A CHILD CARE CENTER FOR SCHOOL-AGE CHILDREN MAY SUBSTITUTE RELEVANT COLLEGE COURSES, EXCEPT THAT AT LEAST THREE SEMESTER HOURS OF COLLEGE CREDIT IN CHILD DEVELOPMENT ARE REQUIRED.]

7 AAC 57.300(e) is amended to read:

(e) An administrator with a bachelor's degree in early child development, child development, child psychology, elementary education, or the equivalent shall meet the training requirements under 7 AAC 57.350(f). An administrator without a bachelor's degree in early child

development, child development, child psychology, **elementary education**, or the equivalent, in addition to the qualifying education under (d) of this section, shall participate in continuing education by obtaining at least three semester hours of college credit in courses relevant to child care and development every two years. The training hours under 7 AAC 57.350(f) may substitute for the three semester hours required for an administrator without a bachelor's degree in early child development, child development, child psychology, **elementary education**, or the equivalent.

(Eff. 6/23/2006, Register 178; am 5/15/2016, Register 218; am 9/30/2018, Register 227; am ____/____/_____, Register _____)

Authority:	AS 44.29.020	AS 47.05.330	AS 47.32.030
	AS 47.05.310	AS 47.32.010	AS 47.32.200

7 AAC 57.330 is repealed:

7 AAC 57.330. Additional employee qualifications for child care centers. Repealed.

(Eff. 6/23/2006, Register 178; am 5/15/2016, Register 218; repealed ____/____/_____, Register _____)

7 AAC 57.350(f) is amended to read:

(f) Except as provided in the training requirements of 7 AAC 57.300 for the administrator, [AND OF 7 AAC 57.330 FOR A CHILD CARE ASSOCIATE,] a child care center, child care group home, or child care home shall ensure that each administrator [, CHILD CARE ASSOCIATE,] and caregiver receives at least 24 hours of annual training relevant to child care and development. **At** [, at] least one hour of **annual training** [WHICH] must **address**

a [BE ON ONE OF THE] health and safety training **topic** [TOPICS IDENTIFIED] in (a)(4) of this section [,] based on the individual's hire date with the facility. Except as provided in (j) of this section, the 24 hours **of annual training** must be in addition to the orientation and training required under (a) of this section and the training in first aid and CPR required under (e) of this section. **An administrator or caregiver may satisfy the** [THE] annual training requirements of this subsection [MAY BE SATISFIED EACH YEAR] by obtaining college credit relevant to child care and development if **the department approves the credit** [APPROVED BY THE DEPARTMENT]. Approved coursework must include at least one of the health and safety training topics identified in (a)(4) of this section.

7 AAC 57.350(j) is amended to read:

(j) An administrator [, CHILD CARE ASSOCIATE,] or caregiver may count up to six hours of the orientation and pre-service training hours required under 7 AAC 57.030(a) for the first year's training hours required under (f) of this section. (Eff. 6/23/2006, Register 178; am 5/15/2016, Register 218; am 9/30/2018, Register 227; am 2/6/2020, Register 233; am ____/____/_____, Register _____)

Authority: AS 44.29.020 AS 47.32.010 AS 47.32.030

7 AAC 57.990(a)(5) is repealed:

(5) repealed ____/____/_____;

7 AAC 57.990(b) is amended by adding a new paragraph to read:

(6) "administrator designee" means an adult caregiver who meets the age and

qualification requirements of 7 AAC 57.300, and has at least one year of child care experience, who is authorized to act on behalf of the administrator in the event of the administrator's absence for more than 30 days. (Eff. 6/23/2006, Register 178; am 2/9/2007, Register 181; am 5/15/2016, Register 218; am ____/____/_____, Register _____)

Authority: AS 44.29.020 AS 47.32.030

((Publisher, please change the period at the end of 7 AAC 57.990(b)(5) to a semicolon.)))