

Structural Rules for Child Care Centers, Out of School Time Programs, and Hourly Child Care Centers (7/13)

Following is a table of structural rules to assist in the building or remodeling of a child care facility.

100 rules apply to Child Care Centers

70 rules apply to Out of School Time Programs

60 rules apply to Hourly Child Care Centers

(Hourly Child Care Centers do not have to have an outdoor play area.)

Indoor Environment & Equipment	
Rule Numbers	Rule
100-4(1) 70-4(1) 60-4(1)	The licensee shall ensure that any building or playground structure constructed prior to 1978 which has peeling, flaking, chalking, or failing paint is tested for lead based paint. If lead based paint is found, the licensee shall contact the local health department and follow all required procedures for the remediation of the lead based paint.
100-4(2)	For preschoolers and toddlers who are toilet trained, there shall be one working toilet and one working sink for every fifteen children in the center, excluding diapered children. For school age children, there shall be one working toilet and one working sink for every 25 children in the center.
70-4(2)	There shall be at least two working toilets and two working sinks accessible to the children in care.
60-4(2)	For preschool and younger children, there shall be one working toilet and one working sink for every fifteen children in the center, excluding diapered children. For school age children, there shall be one working toilet and one working sink for every 25 children in the center.
70-4(3)	If there are more than 50 children in attendance, there shall be one additional working sink and one additional working toilet for each additional group of 1 to 25 children.
100-4(3) 70-4(4) 60-4(3)	School age children shall have privacy when using the bathroom.
100-4(4)	For buildings constructed after 1 July 1997 there shall be a working hand washing sink in each classroom.

100-4(5)	<p>Each area where infants or toddlers are cared for shall meet one of the following criteria:</p> <p>(a) There shall be two working sinks in the room. One sink shall be used exclusively for the preparation of food and bottles and hand washing prior to food preparation, and the other sink shall be used exclusively for hand washing after diapering and non-food activities.</p> <p>(b) There shall be one working sink in the room which is used exclusively for hand washing, and all bottle and food preparation shall be done in the kitchen and brought to the infant and toddler area by a non-diapering staff member.</p>
70-4(5)	For buildings newly licensed under this rule after 30 June 2010 there shall be a working hand washing sink in each classroom.
70-4(6)	In gymnasiums, and in classrooms in buildings licensed before 30 June 2010, hand sanitizer must be available to children in care if there is not a handwashing sink in the room.
100-4(6)	Infant and toddler areas shall not be used as access to other areas or rooms.
100-4(7) 60-4(4)	All rooms and occupied areas in the building shall be ventilated by windows that open and have screens or by mechanical ventilation.
70-4(7)	All rooms and occupied areas in the building shall be ventilated by mechanical ventilation or by windows that open and have screens.
100-4(10) 70-4(10)	Windows and glass doors within 36 inches from the floor or ground shall be made of safety glass, or have a protective guard.
100-4(11) 70-4(11) 60-4(7)	There shall be at least 35 square feet of indoor space for each child, including the licensee's and employees' children who are not counted in the caregiver to child ratios.
100-4(12) 70-4(12) 60-4(8)	<p>Indoor space per child may include floor space used for furniture, fixtures, or equipment if the furniture, fixture, or equipment is used:</p> <p>(a) by children;</p> <p>(b) for the care of children; or</p> <p>(c) to store classroom materials.</p>
100-4(13) 70-4(13) 60-4(9)	Bathrooms, closets, staff lockers, hallways, corridors, lobbies, kitchens, or staff offices are not included when calculating indoor space for children's use.
100-11(4)(6) 70-11(4)(5)(6) 60-11(3)(4)(7)	The licensee shall maintain the minimum caregiver to child ratios and group sizes.

100-12(7) 70-12(6) 60-12(6)	Hot water accessible to children shall not exceed 120 degrees Fahrenheit.
100-12(9)(a) 60-12(8)(a)	Indoor stationary gross motor play equipment, such as slides and climbers, accessible to children under age 3 shall not have a designated play surface that exceeds 3 feet in height. If such equipment has an elevated designated play surface less than 18 inches in height, it shall not be placed on a hard surface, such as wood, tile, linoleum, or concrete, and shall have a three foot use zone.
100-12(9)(b) 60-12(8)(b)	Indoor stationary gross motor play equipment, such as slides and climbers, accessible to children under age 3 shall not have a designated play surface that exceeds 3 feet in height. If such equipment has an elevated designated play surface that is 18 inches to 3 feet in height, it shall be surrounded by mats at least 2 inches thick, or cushioning that meets ASTM Standard F1292, in a three foot use zone.
100-12(10)(a) 60-12(9)(a)	Indoor stationary gross motor play equipment, such as slides and climbers, accessible to children age 3 and older shall not have a designated play surface that exceeds 5-1/2 feet in height. If such equipment has an elevated designated play surface less than 3 feet in height, it shall be surrounded by protective cushioning material, such as mats at least 1 inch thick, in a six foot use zone.
100-12(10)(b) 60-12(9)(b)	Indoor stationary gross motor play equipment, such as slides and climbers, accessible to children age 3 and older shall not have a designated play surface that exceeds 5-1/2 feet in height. If such equipment has an elevated designated play surface that is 3 feet to 5-1/2 feet in height, it shall be surrounded by cushioning that meets ASTM Standard F1292, in a six foot use zone.
70-12(7)	Indoor stationary gross motor play equipment, such as slides and climbers, shall not have a designated play surface that exceeds 5-1/2 feet in height. If such equipment has an elevated designated play surface that is 3 feet or higher it shall be surrounded by cushioning that meets ASTM Standard F1292, in a six foot use zone.
100-12(11) 70-12(8) 60-12(10)	There shall be no trampolines on the premises that are accessible to any child in care.
100-16(3) 70-16(3) 60-16(3)	Only single use towels from a covered dispenser or an electric hand-drying device may be used to dry hands.

100-16(4) 70-16(4) 60-16(4)	The provider shall ensure that toilet paper is accessible to children, and that it is kept on a dispenser.
100-18(1)	The center shall provide children with a daily opportunity for rest or sleep in an environment that provides subdued lighting, a low noise level, and freedom from distractions.
100-18(3) 60-18(2)	A separate crib, cot, or mat shall be used for each child during nap times.
100-18(4)	Mats and mattresses used for napping shall have a smooth, waterproof surface.
100-18(10) 60-18(6)	The provider shall space cribs, cots, and mats a minimum of 2 feet apart when in use, to allow for adequate ventilation, easy access, and ease of exiting.
100-22(7) 70-22(5) 60-22(6)	There shall be no animals or animal equipment in food preparation or eating areas.
100-23(1) 60-23(1)	Caregivers shall change children's diapers at a diaper changing station. Diapers shall not be changed on surfaces used for any other purpose.
100-23(2) 60-23(2)	Each diapering station shall be equipped with railings to prevent a child from falling when being diapered.
60-23(6)	There shall be a handwashing sink used exclusively for diapering and handwashing after diapering.
100-24(11)	Infants shall sleep in equipment designed for sleep such as a crib, bassinet, porta-crib or play pen. Infants shall not be placed to sleep on mats or cots, or in bouncers, swings, car seats, or other similar pieces of equipment.
100-24(12)	In addition to being in compliance with all federal rules and regulations, cribs must: <ul style="list-style-type: none"> (a) have tight fitting mattresses; (b) have slats spaced no more than 2-3/8 inches apart; (c) have at least 20 inches from the top of the mattress to the top of the crib rail; and (d) not have strings, cords, ropes, or other entanglement hazards strung across the crib rails.

Outdoor Environment & Equipment

Rule Numbers	Rule
100-4(1) 70-4(1) 60-4(1)	The licensee shall ensure that any building or playground structure constructed prior to 1978 which has peeling, flaking, chalking, or failing paint is tested for lead based paint. If lead based paint is found, the licensee shall contact the local health department and follow all required procedures for the remediation of the lead based paint.
100-4(10) 70-4(10)	Windows and glass doors within 36 inches from the floor or ground shall be made of safety glass, or have a protective guard.
100-6(1) 70-6(1) 60-6(1)	There shall be an outdoor play area for children that is safely accessible to children.
100-6(2) 70-6(2) 60-6(2)	The outdoor play area shall have at least 40 square feet of space for each child using the playground at the same time as other children.
100-6(3) 70-6(3)	The outdoor play area shall accommodate at least 33 percent of the licensed capacity at one time or shall be at least 1600 square feet.
100-6(4) 70-6(4) 60-6(3)	The outdoor play area shall be enclosed within a 4 foot high fence or wall, or a solid natural barrier that is at least 4 feet high.
100-6(5) 60-6(4)	There shall be no gaps in fences greater than 5 inches at any point, nor shall gaps between the bottom of the fence and the ground be more than 5 inches.
100-6(6) 70-6(5) 60-6(5)	There shall be no openings greater than 3-1/2 by 6-1/4 inches and less than 9 inches in diameter anywhere in the outdoor play area where children's feet cannot touch the ground.
100-6(8) 70-6(7) 60-6(7)	The outdoor play area shall have a shaded area to protect children from excessive sun and heat.
100-6(9) 60-6(8)	An outdoor source of drinking water, such as a drinking fountain, individually labeled water bottles, or a pitcher of water and individual cups that are taken outside, shall be available to children whenever the outside temperature is 75 degrees or higher.
70-6(8)	Children shall have unrestricted access to drinking water whenever the outside temperature is 75 degrees or higher.

<p>100-6(10)(a)</p>	<p>All stationary play equipment used by infants and toddlers shall meet the following requirements:</p> <ul style="list-style-type: none"> (i) There shall be no designated play surface that exceeds 3 feet in height. (ii) If the height of a designated play surface or climbing bar on a piece of equipment, excluding swings, is greater than 18 inches, it shall have use zones that meet the following criteria: <ul style="list-style-type: none"> (A) The use zone shall extend a minimum of 3 feet in all directions from the perimeter of each piece of equipment. (B) Use zones may overlap if two pieces of equipment are positioned adjacent to one another, with a minimum of 3 feet between the perimeters of the two pieces of equipment. (C) The use zone in front of a slide may not overlap the use zone of any other piece of equipment. (iii) The use zone in the front and rear of all swings shall extend a minimum distance of twice the height from the swing seat to the pivot point of the swing, and shall not overlap the use zone of any other piece of equipment. (iv) The use zone for the sides of a single-axis swing shall extend a minimum of 3 feet from the perimeter of the structure, and may overlap the use zone of a separate adjacent piece of equipment. (v) The use zone of a multi-axis swing shall extend a minimum distance of 3 feet plus the length of the suspending members, and shall never overlap the use zone of another piece of equipment. (vi) The use zone for merry-go-rounds shall never overlap the use zone of another piece of equipment. (vii) The use zone for spring rockers shall extend a minimum of 3 feet from the at-rest perimeter of the equipment. (viii) Swings shall have enclosed seats.
<p>60-6(9)(a)</p>	<p>All stationary play equipment used by infants and toddlers shall meet the following requirements:</p> <ul style="list-style-type: none"> (i) There shall be no designated play surface that exceeds 3 feet in height. (ii) If the height of a designated play surface or climbing bar on a piece of equipment, excluding swings, is greater than 18 inches, it shall have use zones that extend a minimum of 3 feet in all directions from the perimeter of each piece of equipment.

100-6(10)(b)	<p>All stationary play equipment used by preschoolers or school age children shall meet the following requirements for use zones:</p> <ul style="list-style-type: none"> (i) If the height of a designated play surface or climbing bar on a piece of equipment, excluding swings, is greater than 20 inches, it shall have use zones that meet the following criteria: <ul style="list-style-type: none"> (A) The use zone shall extend a minimum of 6 feet in all directions from the perimeter of each piece of equipment. (B) The use zones of two pieces of equipment that are positioned adjacent to one another may overlap if the designated play surfaces of each structure are no more than 30 inches above the protective surfacing underneath the equipment. In such cases, there shall be a minimum of 6 feet between the adjacent pieces of equipment. (C) There shall be a minimum use zone of 9 feet between adjacent pieces of equipment if the designated play surface of one or both pieces of equipment is more than 30 inches above the protective surfacing underneath the equipment. (ii) The use zone in the front and rear of a single-axis swing shall extend a minimum distance of twice the height of the pivot point of the swing, and may not overlap the use zone of any other piece of equipment. (iii) The use zone for the sides of a single-axis swing shall extend a minimum of 6 feet from the perimeter of the structure, and may overlap the use zone of a separate piece of equipment. (iv) The use zone of a multi-axis swing shall extend a minimum distance of 6 feet plus the length of the suspending members, and shall never overlap the use zone of another piece of equipment. (v) The use zone for merry-go-rounds shall never overlap the use zone of another piece of equipment. (vi) The use zone for spring rockers shall extend a minimum of 6 feet from the at-rest perimeter of the equipment.
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<p>70-6(9)(a)</p>	<p>All stationary play equipment used by children shall meet the following requirements for use zones:</p> <ul style="list-style-type: none"> (i) If the height of a designated play surface or climbing bar on a piece of equipment, excluding swings, is greater than 30 inches, it shall have use zones that meet the following criteria: <ul style="list-style-type: none"> (A) The use zone shall extend a minimum of 6 feet in all directions from the perimeter of each piece of equipment. (B) The use zones of two pieces of equipment that are positioned adjacent to one another may overlap if the designated play surfaces of each structure are no more than 30 inches above the protective surfacing underneath the equipment. In such cases, there shall be a minimum of 6 feet between the adjacent pieces of equipment. (C) There shall be a minimum use zone of 9 feet between adjacent pieces of equipment if the designated play surface of one or both pieces of equipment is more than 30 inches above the protective surfacing underneath the equipment. (ii) The use zone in the front and rear of a single-axis swing shall extend a minimum distance of twice the height of the pivot point of the swing, and may not overlap the use zone of any other piece of equipment. (iii) The use zone for the sides of a single-axis swing shall extend a minimum of 6 feet from the perimeter of the structure, and may overlap the use zone of a separate piece of equipment. (iv) The use zone of a multi-axis swing shall extend a minimum distance of 6 feet plus the length of the suspending members, and shall never overlap the use zone of another piece of equipment. (v) The use zone for merry-go-rounds shall never overlap the use zone of another piece of equipment. (vi) The use zone for spring rockers shall extend a minimum of 6 feet from the at-rest perimeter of the equipment.
<p>60-6(9)(b)</p>	<p>All stationary play equipment used by preschoolers or school age children shall meet the following requirements for use zones:</p> <ul style="list-style-type: none"> (i) If the height of a designated play surface or climbing bar on a piece of equipment is greater than 20 inches, it shall have use zones that extend a minimum of 6 feet in all directions from the perimeter of each piece of equipment.
<p>100-6(10)(d) 70-6(9)(b) 60-9(d)</p>	<p>Protective cushioning is required in all use zones.</p>

100-6(10)(j)	On stationary play equipment used by infants and toddlers, protective barriers shall be provided on all play equipment platforms that are over 18 inches above the ground. The bottom of the protective barrier shall be less than 3-1/2 inches above the surface of the platform, and there shall be no openings greater than 3-1/2 inches in the barrier. The top of the protective barrier shall be at least 24 inches above the surface of the platform.
100-6(10)(k)	On stationary play equipment used by preschoolers, protective barriers shall be provided on all play equipment platforms that are over 30 inches above the ground. The bottom of the protective barrier shall be less than 3-1/2 inches above the surface of the platform, and there shall be no openings greater than 3-1/2 inches in the barrier. The top of the protective barrier shall be at least 29 inches above the surface of the platform.
100-6(10)(l)	On stationary play equipment used by school age children, protective barriers shall be provided on all play equipment platforms that are over 48 inches above the ground. The bottom of the protective barrier shall be less than 3-1/2 inches above the surface of the platform, and there shall be no openings greater than 3-1/2 inches in the barrier. The top of the protective barrier shall be at least 38 inches above the surface of the platform.
70-6(9)(h)	Stationary play equipment shall have protective barriers on all play equipment platforms that are over 48 inches above the ground. The bottom of the protective barrier shall be less than 3-1/2 inches above the surface of the platform, and there shall be no openings greater than 3-1/2 inches in the barrier. The top of the protective barrier shall be at least 38 inches above the surface of the platform.
100-6(10)(m) 70-6(9)(i) 60-6(10)	There shall be no openings greater than 3-1/2 by 6-1/4 inches and less than 9 inches in diameter on any piece of stationary play equipment, or within or adjacent to the use zone of any piece of stationary play equipment.
100-6(10)(n) 70-6(9)(j) 60-6(11)	There shall be no strangulation hazards on, within the use zone of, or adjacent to the use zone of any piece of stationary play equipment.
100-6(10)(o) 70-6(9)(k) 60-6(12)	There shall be no crush, shearing, or sharp edge hazards on, within the use zone of, or adjacent to the use zone of any piece of stationary play equipment.
100-6(10)(p) 70-6(9)(l) 60-6(13)	There shall be no tripping hazards, such as concrete footings, tree stumps, tree roots, or rocks within the use zone of any piece of stationary play equipment.
100-12(11) 70-12(8) 60-12(10)	There shall be no trampolines on the premises that are accessible to any child in care.