

**Cumberland County Board of Health  
Regulations Governing the Sanitation of Family Child Care Homes in  
Cumberland County, NC**

Be it ordained by the Cumberland County Board of Health, that the following regulations for the protection of the public health are hereby adopted pursuant to authority granted by: Article 2, 130A-39 of the General Statutes of North Carolina and shall apply throughout Cumberland County to the operation and use of family child care homes.

**Section I. Definitions**

- A. "Child Care" means a program or arrangement where three or more children less than 13 years old, who do not reside where the care is provided, receive care on a regular basis of at least once per week for more than four hours, but less than 24 hours per day from persons other than their guardians or full time custodians, or from persons not related to them by birth, marriage, or adoption. Child care does not include the following:
1. Arrangements operated in the home of any child receiving care if all of the children in care are related to each other and no more than two additional children are in care;
  2. Recreational programs operated for less than four consecutive months in a year;
  3. Specialized activities or instruction such as athletics, dance, art, music lessons, horseback riding, gymnastics, or organized clubs for children such as Boy Scouts, Girl Scouts, 4-H groups, or boys and girls clubs.
- B. "Child Care Facility" means child care centers, family child care homes, and any other child care arrangement not excluded by GS 110-86(2), that provides child care regardless of the time of day, wherever operated, and whether or not operated for profit.
- C. "Department" means the Cumberland County Department of Public Health. The term also means a representative of the department that is an authorized representative of the NC Department of Environment and Natural Resources.
- D. "Division of Child Development" means the child care licensing agency within the NC Department of Health and Human Services.
- E. "Emergency Medications" means medications where a delay of minutes could result in a serious negative outcome. A list of such medications is provided in a memo from Deborah W. Harris, Public Health Nursing Consultant to Local Environmental Health Supervisors, Directors, and Coordinators dated November 4, 2003.

- F. "Family Child Care Home" means a child care arrangement located in a residence where, at any one time, more than two children, but less than nine children receive child care.
- G. "Health Director" means the Cumberland County Health Director or his authorized agent who must also be an authorized agent of the NC Division of Environmental and Natural Resources.
- H. "License" means a permit issued by the Division of Child Development to any child care facility which meets the statutory standards established by GS 110-86.
- I. "Operator" means the owner, director, or other person having primary responsibility for operation of the family child care home.
- J. "Sleeping Arrangement" means an individual sleeping space such as a bed, crib, play pen, cot or mat.

## **Section II. Capacity**

Of the children present at any one time in a family child care home, no more than five children shall be preschool-aged, including the operator's own preschool age children.

## **Section III. Water Supply**

- A. The water supply shall meet the requirements of 15A NCAC 18A .1700 Protection of Water Supplies. In addition, any home using a groundwater supply that serves 25 or more people shall provide documentation from the Public Water Supply Section that the well meets the requirements of 15A NCAC 18C. A water sample shall be collected by the Department and submitted to a state certified laboratory for bacteriological analysis annually if the family child care home is not served by a community water supply. Other tests of water quality, as indicated by possible sources of contamination, may be collected by the Department.
- B. Hot and cold water under pressure shall be provided to meet the needs of cooking, cleaning, drinking, toilets, and outside uses in accordance with the North Carolina Plumbing Code.
- C. No cross-connections with an unapproved water supply shall exist. If the potential for backsiphonage or backflow conditions exist, an approved atmospheric vacuum breaker or backflow prevention device shall be installed in accordance with the North Carolina Plumbing Code.

## **Section IV. Wastewater**

All wastewater shall be disposed of in a publicly-owned wastewater treatment system or by an approved properly operating on-site wastewater system under 15A NCAC 18A .1900. Septic systems shall be sized to accommodate the resident family and anticipated child care children.

## **Section V. Sanitation and Daily Operations**

### **A. Food and Food Protection**

1. All food shall come from approved sources with no spoilage and no adulteration.
2. All foods while being stored, prepared, served, and during transportation, shall be protected from contamination.
3. A metal stem type numerically scaled indicating product thermometer, accurate to 2° (+ or -) F shall be provided and used to assure the attainment and maintenance of proper internal cooking, holding, or refrigeration temperatures of all potentially hazardous foods.
4. All potentially hazardous food shall be maintained at 45°F or below, or at 135°F or above, except during necessary periods of preparing and serving.
5. The refrigerator shall be in good repair and maintain a temperature of 45°F or below.
6. A refrigerator thermometer is required to monitor the temperature.
7. Potentially hazardous frozen food shall be thawed:
  - a. in the refrigerator,
  - b. in a container, under running cold water,
  - c. as a part of the conventional cooking process, or
  - d. in a microwave oven only when the food will be immediately transferred to conventional cooking equipment as a part of a continuous cooking process or when the entire, uninterrupted cooking process takes place in the microwave oven.
8. Raw fruits and vegetables shall be washed thoroughly before use.
9. Potentially hazardous foods requiring cooking shall be cooked to heat all parts of the food to a temperature of at least:
  - a. Poultry, poultry stuffings, stuffed meats and stuffings containing meat—165°F.
  - b. Pork and any food containing pork—150°F.
  - c. Ground beef and foods containing ground beef—155°F.

- d. Roast beef shall be cooked to an internal temperature of at least 130°F.
- e. All others—140°F.

10. Individual portions of food once served shall not be served again.

11. Pets shall not be allowed in any room or area in which food is prepared or stored. Pets, unless caged and restricted from the immediate eating area, shall not be allowed in any room or area in which food is served.

#### B. Food Service Utensils and Equipment

1. All equipment and utensils shall be constructed so as to be easily cleaned and shall be kept clean and in good repair.
2. All multi-use eating and drinking utensils shall be thoroughly cleaned and sanitized after each use. Domestic dishwashers that have a sanitizing cycle may be used to clean and sanitize multi-use eating utensils. Utensils shall be air dried.
3. Single use utensils shall be used when a mechanical dishwasher with a sanitizing cycle is not provided. When single use utensils are required, sippy cups, bottles, bottle nipples, pacifiers, and infant spoons may be hand washed, rinsed, and sanitized in the home. The sanitization process shall be immersion for at least two minutes in a clean solution containing 50 to 200 parts per million (ppm) of chlorine at a temperature of at least 75°F. A testing method, used in accordance with the product manufacturer's instructions, shall be made available, convenient, and regularly used to test the strengths of the sanitizing solution to ensure the prescribed concentration is met. After sanitizing, utensils shall be air dried. Drying towels shall not be used. Single use or disposable items (example—forks, spoons, plates, and cups) shall not be reused.
4. Storage and Handling of Food Service Utensils and Equipment
  - a. All containers and sanitized utensils shall be stored in a clean place.
  - b. Containers and sanitized utensils shall be covered, inverted, stored in tight, clean cabinets or otherwise stored in such a manner as to prevent contamination.
  - c. Single use utensils shall be stored in a clean dry place until used and shall be handled in a sanitary manner.

#### C. Requirements for Milk, Juices, and Bottles

1. When milk, milk products, or fruit juices are provided by the operator, only pasteurized products or products which have undergone an equivalent process to pasteurization shall be used. Any formula which is prepared by the operator shall be prepared according to the instructions on the formula package or label, or according to written instructions from the child's health care provider.

2. All bottles shall be dated and labeled for each child, except where there is only one bottle fed child in care, in which case only the date is required. Sippy cups shall be labeled or coded for each child.

#### D. Hand Washing, Diaper Changing, and Toilet Training

1. The operator shall wash his or her hands before and after handling food and feeding the children and ensure the child's hands are washed before and after the child is fed.
2. Provide sanitary toilet, diaper changing and hand washing facilities. Hand soap and single use towels shall be provided and used at each hand washing location.
3. Diaper changing areas shall be separate from food preparation areas.
4. Diapers shall be changed whenever they become soiled or wet. The operator shall:
  - a. Use an easily cleanable non-absorbent surface for diaper changing, which shall be cleaned after each use;
  - b. Wash his or her hands, before, as well as after, diapering each child;
  - c. Ensure the child's hands are washed after diapering the child (Note: if the child is unable to support his or her head, cleaning the child's hands with a disposable towelette or moistened paper towel, then drying the child's hand is acceptable); and
  - d. Place soiled diapers in a covered, leak proof container which is emptied and cleaned daily.

Note: The 11 step sanitary procedure for diapering is recommended and should be used whenever possible.

5. The operator shall wash his or her hands and ensure the child's hands are washed, after toileting or handling bodily fluids.
6. Potty chairs shall not be used. In lieu of potty chairs, child size seat adaptors are recommended.

#### E. Sleeping Arrangements

1. An individual sleeping arrangement with individual linens shall be provided for each pre-school aged child in care for four hours or more. If mats are used, they shall be at least two inches thick and covered with a nonabsorbent material. Linens shall be changed weekly or whenever they become soiled or wet.
2. Infants aged 12 months or younger:
  - a. Shall sleep in a crib, bassinet, or playpen with a firm padded surface.
  - b. Shall sleep in a room that does not exceed 75°F.

3. A bed, crib, or cot equipped with a firm waterproof mattress at least four inches thick shall be provided for each child who remains in the home overnight.
4. Sleeping arrangements shall be maintained clean and in good repair.

#### F. Smoking or Other Use of Tobacco Products

The operator shall not use tobacco products at any time while children are in care. Smoking or use of tobacco products shall not be permitted indoors while children are in care.

#### G. Sick Children

A quiet separate area which can be easily supervised for children too sick to remain with other children must be provided. Parents shall be notified immediately if their child becomes too sick to remain in care.

#### H. Floors, Walls, and Ceilings

1. Floors, walls, and ceilings of all rooms and areas shall be kept clean and in good repair.
2. Areas Accessible to Children shall be free of identified lead poisoning hazards under GS 130A-131.7(7).

#### I. Storage

1. All medicines shall be in locked storage. Locked storage includes those which are unlocked with a combination, electronic, or magnetic device or key. The unlocking devices shall be kept out of the reach of children and shall not be stored in the lock. Emergency medications shall be stored out of reach of children, but are not required to be in locked storage.
2. Non-prescription diaper creams and sunscreen shall be kept out of reach of children when not in use, but are not required to be in locked storage.
3. Hazardous cleaning supplies and other items that might be poisonous must be kept out of reach of children or in locked storage when children are in care.
4. Individual cubicles or coat hooks shall be provided for storage of coats, hats, or similar items. Coat hooks, not in individual cubicles or lockers, shall be spaced at least 12 horizontal inches apart. Toothbrushes shall be individually identified, allowed to air dry, and protected from contamination. When a tube of toothpaste is used for multiple children, the toothpaste shall be dispensed onto an intermediate surface such as waxed paper then dispensed to each brush.

J. Thermal Environment

Room temperature shall be maintained between 65°F and 85°F.

K. Toys

Indoor and outdoor toys and equipment shall be maintained clean and in good repair.

L. Premises, Solid Waste, and Vermin

1. The family child care home must be free of rodents and other vermin.
2. All windows and doors that are used for ventilation shall be screened.
3. Garbage shall be stored in waterproof containers with tight fitting lids and removed from the premises at least weekly.
4. Outdoor play areas shall be kept clean and free of storage and standing water.
5. Toys and equipment shall be maintained in good repair.
6. Any fencing in or at the play area shall be maintained in good repair.

M. Pets

1. All household pets shall be vaccinated with up to date vaccinations as required by NC law and local ordinances. Rabies vaccinations are required for cats and dogs and shall be kept on file for review by the department.
2. Reptiles shall not be permitted in any rooms or play area where children are allowed.

N. Swimming and Wading Pools

Swimming and wading pools shall be approved and operated according to 15A NCAC 18A.2500 Rules Governing Public Swimming Pools; therefore, portable wading pools, natural bodies of water, and other unfiltered, non-disinfected containments of water shall not be used for recreational activities.

**Section VI. Compliance Inspections and Reports**

- A. When requested by a family child care home operator or the Division of Child Development, a sanitation inspection shall be conducted by the local health department within 30 days.

- B. Unannounced inspections of family child care homes shall be made by the Department at least once each six-month period. The evaluation shall be completed on the Sanitation Standards Evaluation Form for Family Child Care Homes. An original and two copies of the form shall be completed by the Department. The family child care home operator and the department shall retain a copy.
- C. The Department shall indicate on the Sanitation Standards Evaluation Form for Family Child Care Homes whether the classification is superior, approved, provisional, or disapproved.
- D. A Sanitation Classification placard shall be posted and remain in the home in plain view where parents can see it as designated by the Department. The classification of a family child care home is based on the home's compliance with these rules.
- E. A classification of disapproved shall be issued and forwarded to the Division of Child Development when the right-of-entry to inspect is denied or when an inspection is discontinued at the request of the operator or administrator unless the decision to discontinue the inspection is mutual. A classification of disapproved shall also be issued and forwarded to the Division of Child Development when a water sample is confirmed positive for fecal coliform, total coliform, or other chemical constituents in accordance with 15A NCAC 18A .1725.
- F. When an inspection is requested and conducted for the purpose of issuing a license to a new operator, a Sanitation Standards Evaluation Form for Family Child Care Homes shall be forwarded to the Division of Child Development only when the family child care home can be granted a superior classification.
- G. Classification
  - 1. A family child care home shall be classified as superior if the demerit score does not exceed 15 and no 6-point demerit item is violated.
  - 2. A family child care home shall be classified as approved if the demerit score is more than 15 and does not exceed 30, and no 6-point demerit item is violated.
  - 3. A family child care home shall be classified as provisional if any 6-point demerit item is violated or if the total demerit score is more than 30 but does not exceed 45. The provisional classification period shall not exceed seven days unless construction or renovation is necessary to correct any violation, in which case the Department may specify a longer provisional classification period.



4. A family child care home shall be classified as disapproved if the demerit score is more than 45, or if conditions which resulted in a provisional classification have not been corrected in the time period specified by the Department. If the family child care home receives a disapproved classification, the Department shall immediately notify the Division of Child Development by faxing a copy of the inspection form.
- H. The Sanitation Classification placard shall not be removed except by or upon the instruction of the Department.
  - I. If the Department determines that conditions found at the family child care home at the time of any inspection or visit are dangerous to the health of the children, the Department shall immediately notify the Division of Child Development by verbal contact. The original inspection report or other documentation of the dangerous conditions shall be send to the Division of Child Development within two working days following the inspection.
  - J. The Department may conduct an inspection of any family child care home as frequently as necessary in order to ensure compliance with the Rules in this Section.
  - K. The Department shall use the Sanitation Standards Evaluation Form to document demerits for violations of the rules. A written explanation and corrective action for each violation shall be documented on a comment addendum form.
  - L. In filling out the inspection form, demerits may be assessed only once for a single occurrence or condition existing within or outside the family child care home. Demerits shall be assessed based on actual violations of the Rules of this Section observed during the inspection.

#### **Section VII. Saving Clause**

If any provision of these regulations or the application thereof to any person or circumstance is held invalid, the remainder of these regulations, or the application of such provision to other persons or circumstances shall not be affected thereby.

#### **Section VIII. Effective Date**

These Regulations governing the operation of family child care homes in Cumberland County, NC adopted by the Cumberland County Board of Health,

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