

**DPHHS Policy Manual: Child Care Licensing
Night Care**

- Purpose** The purpose of this policy is to provide a uniform and consistent procedure for Family, Group and Center facilities providing night care. Providers must be able to demonstrate compliance listed under ARM 37.95.619 and ARM 37.95.718 in order to provide for the personal safety and emotional and physical care of children away from their families at night.
- Definition** Night care means care provided for a child between the hours of 7 p.m. and 7 a.m. during which the parent(s) desire a child to sleep. (ARM 37.95.102.22)
- Procedure for Family/Group Day Care** Approval of night services requires the provider to submit a written plan demonstrating how the facility will comply with the regulations listed under **ARM 37.95.718**. This plan must be submitted to the local licensor. The plan must include at a minimum:
1. A schedule of activities;
 2. Description of how staff will provide transition into night care in order to meet the children's emotional needs;
 3. Description of the toys available for quiet time before bedtime;
 4. A plan of supervision which involves practices where no child is left alone and staff are awake and in the immediate vicinity and on the same floor level of sleeping children in order to adequately hear the children should they awake and to provide for the needs of children and respond to an emergency;
 5. A plan for assisting children during eating and pre-bedtime hours and when dressing;
 6. Description of how children will be provided bathing facilities, comfortable beds or cots and complete bedding;
 7. A menu which shall include dinner and/or breakfast and a bedtime snack;
 8. A schedule of working hours for each staff member. All caregivers must be approved by the department per Policy Section CCL-013 before providing direct unsupervised care to the children. An individual caregiver may not provide care consecutively day and night without at least one additional

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caregiver; and

9. No caregiver may have responsibility for the care and supervision of children for more than 12 consecutive hours in a 24 hour period.

**Procedure for
Child Care Center**

Approval of night care services requires the provider to submit a written plan demonstrating how the facility will comply with the regulations listed under **ARM 37.95.619**. This plan must be submitted to the local licensor. The plan must include at a minimum:

1. A schedule of activities;
2. Description of how staff will provide transition into night care in order to meet the children's emotional needs;
3. Description of the toys available for quiet time before bedtime;
4. A plan of supervision which involves practices where no child is left alone and staff are awake and in the immediate vicinity and on the same floor level of sleeping children in order to adequately hear the children should they awake and to provide for the needs of children and respond to an emergency;
5. A plan for assisting children with during eating and pre-bedtime hours and when dressing;
6. Description of how children will be provided bathing facilities, comfortable beds or cots and complete bedding;
7. A menu which shall include dinner and/or breakfast and a bedtime snack;
8. A schedule of working hours for each staff member. All caregivers must be approved by the department per Policy Section CCL-013 before providing direct unsupervised care to the children. An individual caregiver may not provide care consecutively day and night without at least one additional caregiver; and
9. No caregiver may have responsibility for the care and supervision of children for more than 12 consecutive hours in a 24 hour period. In addition, the director or a primary caregiver must be at the facility. An aide may not provide direct unsupervised care without being supervised by the director or a primary caregiver.

**Supervision
FDC/GDC/Centers**

An approved caregiver must supervise children at all times. Caregivers are to remain awake and on the same floor level during the hours the

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children are sleeping in order to provide for the needs of the children and respond to any emergency.

Failure to comply If the department is advised or has reason to believe the facility approved for night care is not complying with the requirements listed above, the department will conduct an investigation. Findings that the requirements for night care are not being met may result in removal of night care from the services provided, by the respective facility.

References 37.95.102(22) ARM; 37.95.619 ARM; 37.95.718 ARM; 37.95.172 ARM