

## **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. (Note: The educational and qualifying child care experience requirements contained in 591-1-1-.31(1)(b)2.(i) through (v) will remain in effect through November 30, 2012. These requirements will change effective December 1, 2012, and the new educational and qualifying experience requirements for directors are listed in 591-1-1-.31(1)(b)3.(i) through (xiii) 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 at the time of employment:

(i) High school diploma or general education diploma (G.E.D.) and one (1) year of qualifying child care experience;

(ii) Child Development Associate (CDA) credential; 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;

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

(iv) 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;

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

3. Effective December 1, 2012, the educational and qualifying child care experience requirements for directors, listed in 591-1-1-.31(1)(b)2.(i) through (v) above, will no longer be valid. Effective December 1, 2012, and thereafter, all directors must possess at least one of the following sets of minimum academic requirements and qualifying child care 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; 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 or as an on-site group day care home administrator/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;
4. Have current evidence of successful completion of a biennial training program in cardiopulmonary resuscitation (CPR) and a triennial training program in first aid provided by certified or licensed health care professionals and which covers the provision of emergency care to infants and children;
  5. Participate in the orientation and training required by these rules;
  6. Not be suffering from any physical handicap or mental health disorder that would interfere with the applicant's ability 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;
  7. 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;
  8. Not have a criminal record; and
  9. Not have made any material false statements concerning qualifications requirements either to the Department or to the proposed or current licensee or commission holder.
- (c) Required Records. Effective December 1, 2012, a copy and/or written verification of the credential or degree awarded to the director by the technical college, university, school or Department-approved trainer listed in 591-1-1-.31(1)(b)3.(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 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. (Note: The educational and qualifying child care experience requirements contained in 591-1-1-.31(2)(b)2. will remain in effect through November 30, 2012. These requirements will change effective December 1, 2012, and the new educational and qualifying child care experience requirements for teachers/lead caregivers are listed in 591-1-1-.31(2)(b)3.(i) through (xii) below.):

1. Be at least eighteen (18) years of age;
2. Have either a high school diploma or a general education diploma (G.E.D.) or one (1) year of qualifying child care experience if hired after the effective date of these rules;
3. Effective December 1, 2012, the qualifications listed in 591-1-1-.31(2)(b)2. above will no longer be valid. Effective December 1, 2012, and thereafter, all teachers/lead caregivers must 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.

4. Have current evidence of successful completion of a biennial training program in cardiopulmonary resuscitation (CPR) and a triennial training program in first aid provided by certified or licensed health care professionals and which covers the provision of emergency care to infants and children if the caregiver is to be counted as part of the

fifty percent (50%) of the child care staff with the required current evidence of CPR and first aid training;

5. Participate in the orientation and training required by these rules;
6. Not be suffering from any physical handicap or mental health disorder that would interfere with the person's ability to perform assigned job duties adequately and in accordance with these rules;
7. 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.
8. Not have a criminal record; and
9. Not have made any material false statements concerning qualifications requirements either to the Department or to the proposed or current licensee or commission holder.

(c) Required Records. Effective December 1, 2012, a copy and/or written verification of the credential or degree awarded to the lead teacher by the technical college, university, school or Department-approved trainer listed in 591-1-1-.31(2)(b)3.(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) Qualifications of Teacher/Lead Caregiver Hired After November 30, 2012.

(a) The teacher/lead caregiver must meet the minimum qualifications, educational and qualifying child care experience requirements contained in 591-1-1-.31(2)(b)1. through 9.

(b) 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)3.(i) through (xii), the center may hire this individual as lead teacher if the following requirements are met:

1. 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)3.(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;
2. 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)3.(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 coursework (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.

3. 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) Caregivers/Aides.

(a) A center 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.

1. Be at least sixteen (16) years of age;
2. Have current evidence of successful completion of a biennial training program in cardiopulmonary resuscitation (CPR) and a triennial training program in first aid provided by certified or licensed health care professionals and which covers the provision of emergency care to infants and children if the caregiver is to be counted as part of the fifty percent (50%) of the child care staff with the required current evidence of CPR and first aid training;
3. Participate in the orientation and training required by these rules;
4. Not be suffering from any physical handicap or mental health disorder that would interfere with the person's ability to perform assigned job duties adequately and 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 caregiver/aide or staff shall provide this statement to the Department.
6. Not have a criminal record; and
7. Not have made any material false statements concerning qualifications requirements either to the Department or to the proposed or current licensee or commission holder.

(5) Other Staff.

The center shall have qualified and sufficient direct-care, clerical, housekeeping and maintenance employees to ensure full compliance with these rules without neglecting the supervision of the children. Staff shall supervise all independent contractors, volunteers, chaperons and students in training whenever they are in the presence of the children.

(6) Substitute Employees.

The center shall provide for substitute staff when regular staff is absent from work. All substitute employees shall be at least eighteen (18) years of age. Substitute caregiver staff shall be informed of these rules and the center's policies and procedures for the age group for which they will be providing care. Substitute service staff shall be informed of the center's policies and procedures necessary to the proper performance of their job duties in compliance with these rules. A substitute employee must have a satisfactory criminal records check determination and receive orientation training. If any substitute serves in any one (1) position longer than six (6) months, the substitute so employed must meet all staffing requirements for that position.

(7) Students in Training.

The center may employ students in training, meaning students enrolled in an educational course of study which requires or permits them to observe and participate in the care of children at a child care learning center during a limited period of time, i.e., one (1)

quarter, one (1) trimester or one (1) semester. Such students must be under the direct supervision of center personnel at all times.

(8) Staff for School-Age Programs.

(a) Effective December 1, 2012, 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 program 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 program 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 program 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.

(9) 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.

(10) First Aid and CPR.

At least fifty percent (50%) of the caregiver staff shall have current evidence of first aid training and cardiopulmonary resuscitation. There must always be an employee with current evidence of first aid training and CPR on the center premises whenever children are present and on any center-sponsored field trip.

(11) Compliance with Applicable Laws and Regulations. Center staff shall comply with all applicable laws and regulations.

Authority O.C.G.A. Sec. 20-1A-1 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.