

**10A NCAC 09 .1711      SUPERVISION OF CHILDREN IN A FAMILY CHILD CARE HOME**

(a) Children shall be adequately supervised at all times in a family child care home. "Adequate supervision" shall mean that:

- (1) For pre-school age children, the family child care home operator shall be positioned in the indoor and outdoor environment to maximize his or her ability to hear and see the children at all times and render immediate assistance;
- (2) For school-age children, the operator shall be positioned in the indoor and outdoor environment to maximize his or her ability to hear or see the children at all times and render immediate assistance;
- (3) The operator shall interact with the children while moving about the indoor or outdoor area; and
- (4) For children of all ages:
  - (A) the operator shall know where each child is located and be aware of children's activities at all times;
  - (B) the operator shall provide supervision according to the individual age, needs, and capabilities of each child;
  - (C) all of the conditions in this Paragraph shall apply except when emergencies necessitate that adequate supervision is impossible. Written documentation of emergencies stating the date, time, and reason shall be maintained and available for review by Division representatives upon request; and
  - (D) for children who are sleeping or napping, the operator shall not be required to visually supervise them, but shall be able to hear and respond without delay to them. Children shall not sleep or nap in a room with a closed door between the children and the operator. The operator shall be on the same level of the home where children are sleeping or napping.

(b) Nothing contained in this Rule shall be construed to preclude a "qualified person with a disability," as defined by G.S. 168A-3(9), or a "qualified individual," as defined by the Americans With Disabilities Act at 42 U.S.C. 12111(8), from working in a licensed child care facility.

*History Note:      Authority 110-85; 110-88; 143B-168.3;  
Eff. October 1, 2017.*