RULES REGULATING SPECIALIZED GROUP FACILITIES

ISSUED BY:
DIVISION OF CHILD CARE
COLORADO DEPARTMENT OF HUMAN SERVICES

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The *General Rules for Child Care Facilities* (Commodity No. 615-82-14-0119) apply to all child care facilities licensed by the Division of Child Care, Colorado Department of Human Services.

The *General Rules*, as well as all the rules regulating child care facilities licensed by the Division of Child Care, may be purchased from the State Forms and Publications Center, 4999 Oakland Street, Denver, CO 80239, 303-370-2165.

The rules in this book are the same rules published in the *Colorado Code of Regulations*. A copy of the *Colorado Code* is available for inspection through the State Board of Human Services, Colorado Department of Human Services, 1575 Sherman Street, Denver, CO 80203, 303-866-5700.

The Official Rules can be found on the Secretary of State's website at http://www.sos.state.co.us/pubs/CCR/CCRHome.html. These printed rules have been created for your convenience.

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7.709 RULES AND REGULATIONS FOR SPECIALIZED GROUP FACILITIES [Eff. 11/1/2008]

All Specialized Group Facilities must comply with the "Quality Standards for 24-Hour Child Care", the "Rules Regulating Specialized Group Facilities" , the "General Rules For Child Care Facilities" , and the "Rules Regulating Special Activities" .

7.709.1 DEFINITIONS [Eff. 11/1/2008]

A. The "Specialized Group Facility" (SGF) is sponsored and supervised by a county department of social/human services henceforth to be known as the county) or a licensed child placement agency (henceforth to be known as the agency) for the purpose of providing 24 hour care for three (3) or more children, but fewer than 12 children from three years old to sixteen years old and for children from 16 to 18 years old and those persons 21 years old who are placed by court order prior to their eighteenth birthday whose special needs may best be met through the medium of the small group. The two types of specialized group facilities are the specialized group home and the specialized group center.

   1. A "specialized group home" is located in a house owned or otherwise controlled by the group home parents who are primarily responsible for the care of the children and reside therein.

   2. A "specialized group center" is located in a house owned or controlled by a governing body that hires the group center parents or personnel who are primarily responsible for the care of the children.

   3. The "sponsoring agency" is the county or agency that is responsible for supervising the SGF and providing support and evaluation of the facility every week by a qualified staff member.

   4. The "governing body" is the individual, partnership, corporation or association in whom the ultimate authority and legal responsibility is vested for the conduct of the specialized group center and the center's relationship with the supervising agency. The sponsoring agency and the governing body may be the same.

B. A specialized group facility may accept children five years old and over in an emergency for a short period of time. Special rules necessitated by the emergency placement regarding intake, records, placement planning and staffing are found at Section 7.709.26.

C. No more than two children less than five years old may be cared for in a specialized group facility at one time.

D. In specialized group facilities, the number of natural and relative children less than sixteen years old of the caretaker plus the foster children shall not exceed eleven children.

7.709.2 REQUIREMENTS OF A SPECIALIZED GROUP FACILITY [Rev. eff. 6/1/12]

7.709.21 Operation of Specialized Group Homes or Specialized Group Centers [Rev. eff. 6/1/12]

A. The specialized group facility shall be sponsored and supervised by a county or agency.

B. The supervisory responsibilities of the sponsoring agency are:

   1. To be knowledgeable with the Rules Regulating Specialized Group Facilities; and,

   2. Participate in the development and application process to include verifying that the original application submitted is complete with all required signatures and submitted in a timely manner; and,

   3. Ongoing assessment of the specialized group facility for quality of care issues; and,

   4. Annual evaluations of the governing body, unless the governing body and the sponsoring agency are the same agency.

C. The sponsoring agency shall be responsible to ensure that state rules are followed regarding:

   1. The hiring, training and scheduling staff; and,

2. Placement decisions including, but not limited to, appropriateness of placement and least restrictive environment; and,

3. Documentation, reporting and corrective action of critical incidents.

7.709.22 Personnel Qualifications and Role of a County Department of Social Services or a Licensed Child Placement Agency to Establish and Supervise a Specialized Group Home or Center [Eff. 11/1/2008]

A. The Specialized Group Home or Center shall be supervised by a paid staff member of the agency who holds a Master of Social Work degree or a master's degree in behavioral science with an emphasis in child development and/or family relations and a minimum of two years paid full time or equivalent part-time experience in social work; or if the staff member does not have the aforementioned education and experience, then he/she must have a bachelor's degree with a major in social work, sociology, psychology or closely related field and be directly supervised by an agency staff member holding the master degree and experience described above.

B. In establishing a new group home or center the agency shall, with the group home parents or governing body, complete a financial feasibility study reflecting actual and realistic cost factors as well as adequate resources to insure its ongoing operation.

C. A statement of purpose and function which includes a description of the characteristics of the youth population which is to be served by the facility shall be written by the agency and the group home parents or the group center governing body.

D. The agency and the group home or center parents or personnel shall develop and adhere to written policies and procedures regarding the care of children which shall be reviewed annually and shall include the following:

1. Provision for emergency procedures including illness, accident, fatality and fire.

2. Participation in special activities in compliance with Section 7.719.

E. The group home or center parents or personnel and the agency shall develop and adhere to written policies and procedures regarding personnel including: pay (when appropriate), provision of relief time and vacation time, annual performance evaluation, training opportunities, selection of personnel and maintenance of personnel records.

F. The agency staff member who supervises the group home or center shall obtain, provide and/or coordinate the following services for children in care:

1. Group and/or individual counseling for children and their families.

2. For each child, long range, intermediate and short term goals shall be established and a case plan written. The goals and case plan must include a plan for discharge and must be developed and evaluated pursuant to regulation Section 7.714.4, C,D. Goals and case plan for children three and four years old shall be evaluated monthly.

3. Records for the home or center as required in Section 7.709.27.

4. Psychiatric, psychological or developmental evaluations and consultations as required.

5. Specialized educational resources as required.

6. All necessary legal representation of child.

7. Consultation with the home or center parents or personnel about methods of work with the children.

8. Assessment of quality of care with the home or center parents or personnel.

G. The agency staff member shall meet in each specialized group facility with the primary caregivers and other personnel, if available, a minimum of two hours per week exclusive of counseling services, to discuss individual children, problems, program and/or special needs.

H. The agency shall ensure that adequate records be maintained about group home or center income and expenses, the provision of clothing, allowances, dental and medical services and medicine.

7.709.23 Character, Suitability and Qualifications of Group Home or Group Center Parents or Personnel [Eff. 11/1/2008]

A. The group home or group center parent's or personnel's own children shall not have been placed in foster care or a residential treatment facility under circumstances tending to show that the parent is unable or unwilling to care for his/her own children unless the placement was primarily for such reasons as the physical illness of the parent, physical or mental disability of the child or the relinquishment of an infant child for adoption.

B. The group home or group center parents or personnel shall be able to demonstrate through satisfactory past experience and references the ability to provide for the proper physical, mental and character development of children in care.

C. The group home or group center parents or personnel shall demonstrate stability in family or marital relationships, where applicable, within the home where the care is to be provided.

D. The group home or group center parents or personnel shall hold a high school diploma or General Equivalency Diploma (GED).

E. The group home or group center parents or personnel shall not be less than 21 years of age, shall be appropriate for the age of children in care and shall possess the adequate physical stamina to care for children. An individual such as the son or daughter of the group home or group center parents, who is well acquainted with the children in care and is between the ages of 18 and 21 years old may be a child care personnel and assist in the care of the children with the approval of the agency

F. Children of the group home parents or group center parents or personnel and any other persons not placed by the agency and living in the group home or group center shall obtain a physical examination annually or as required in writing by an approved health care professional.

G. The group home or group center parents or personnel shall include at least one primary caregiver who is a full-time employee of the facility, provides some direct care for children, supervises other child care personnel and holds major responsibility for child care.

H. The primary caregiver shall have had verifiable working experience with children of the age to be cared for in the group facility. Such experience shall be from one or more of the following:

1. One year of experience as a foster home parent.

2. Two thousand hours work experience with children of the age to be cared for in the group facility.

3. One year of experience as a child care worker in a residential facility for children; and,

4. The group home primary caregivers who have not previously received 12 hours of “core” training shall receive 12 hours of training within the first twelve (12) months following the submission of the applications.

I. Other child care personnel in the group center or group home shall be supervised by a primary caregiver.

J. The group home or group center parents or personnel who are the primary caregivers shall be evaluated by a board-eligible psychiatrist, a certified psychologist or a Licensed Clinical Social Worker, and shall obtain a statement from the evaluator which evaluates the persons.

1. Psychosocial history to include family of origin style under which they were parented; relationships with parents and siblings; and,
2. Child abuse and neglect assessment to include prior history of physical emotional, verbal, sexual abuse or neglect; and,

3. Relationships with extended family, significant romantic relationships, marriages, engagements, failed relationships and estrangements; and,

4. Work history and reason for wanting to work with children in a specialized group facility; and,

5. Assessment of finances; and,

6. Children, both biological and adopted, and relationships with children, including adult children; and,

7. Support systems available to the primary caregiver; and,

8. Areas of interest, hobbies, and activities; and,

9. Tolerance and intolerance to include stressors, coping skills, expectations, negative experiences, survival of crisis in their life experiences and religious issues; and,

10. Health history and medication history to include substance abuse, drugs, alcohol history and issues and current medication; and,

11. Previous or current psychological issues including the history of the issues or therapy; and,

12. Previous child care responsibilities and experiences; and,

13. Legal and criminal background and/or history; and,

14. Involvement or experiences with child protective services of a county department of social/human services as a child or as an adult; and,

15. Education and training; and,

16. Any existing condition which may jeopardize the health or well-being of children or impair the care of the children.

K. The licensing or certifying authority must receive at least three statements which describe the primary caregiver's character and ability to provide care for children from references, provided by the primary caregiver, who are not related to the caregiver and have known the caregiver one year or longer. References need not be residents of Colorado.

L. References shall be obtained by the group home or center for other personnel. References shall be kept on file at the facility or the agency.

7.709.24 Physical Requirements for a Safe and Adequate Specialized Group Facility [Rev. eff. 6/1/12]

A. The following shall be required of each specialized group care facility:

1. In facilities licensed after May 1, 1984, all furnaces shall be separated from living areas by one-hour fire resistive material, provided with adequate outside combustion air, installed and maintained with safety devices to prevent fire, explosions and other hazards. The space around the furnace shall not be used for storage.

2. Electrical wiring systems throughout the facility shall be in good repair. There shall be no three-way plugs or extension cords in use. There shall be no exposed wiring.

3. Household materials which may be dangerous to children, such as matches, plastic bags, cleaning and laundry supplies as well as household tools and equipment which may present a danger to children, shall be stored out of their reach when appropriate.
4. In each facility licensed after May 1, 1984, there shall be at least two approved, alternate, widely separated means of egress from each floor of the building to safe and Open space at the ground level.

5. No lock or fastening to prevent free escape from the inside of any room or building used by the children shall be permitted. Exit door hardware shall be of the single-action type.

6. Exit doors shall be obvious, and where this is not so, exit signs shall be installed.

7. The local fire department shall determine the adequacy of exits and other measures for life safety in accordance with the requirements of the Uniform Building Code and the National Fire Protection Codes. In cases of practical difficulty or unnecessary hardship, the local fire department may grant exceptions from the Uniform Building Codes or the National Fire Protection Codes, but only when it is clearly evident that reasonable safety is thereby secured.

8. In new facilities licensed after May 1, 1984, any accessible areas beneath stairways shall be enclosed with one-hour fire-resistant material.

B. Living areas for children in a specialized group home or center shall include:

1. Separate sleeping rooms for boys and girls. In sleeping rooms that accommodate two to four children, 60 square feet of floor space per child shall be provided. There shall be no more than four children in any bedroom. Each room for single occupancy shall have a minimum of 80 square feet of floor space. Closet space and drawer space for personal items sufficient for the occupants in each sleeping room shall be provided.

2. Each child shall be provided suitable sleeping facilities consisting of individual beds or bunks complete with mattresses in good repair and constructed so as to facilitate cleaning while in use by residents, and upon each change of occupancy. Single beds shall be spaced not closer than 36 inches laterally or end to end. Triple-deck bunk facilities are prohibited. Beds being used by children shall have a mattress cover, clean sheets, pillows and pillowcases and blankets as appropriate.

3. Sleeping rooms above or below the floor of exit travel shall not be used for sleeping purposes for children who have physical handicaps which limit mobility. Children less than eight years old shall sleep on the same floor as the group home or center parents or personnel. Children under 12 years of age shall not be permitted to sleep in a detached structure unless a responsible person sleeps in the same structure.

4. Bedrooms, separate from those used by children, shall be provided for the group home or center parents or personnel who sleep at the facility.

5. Facilities shall provide living areas of no less than 35 square feet per occupant of usable indoor space exclusive of halls, baths and sleeping areas which shall be available for such things as dining, recreation, reading, visiting. Interior walls and ceilings shall be constructed of solid material and shall be in good repair.

6. There shall be a ratio of at least one toilet, lavatory and bathtub or shower for every six foster children living in the home or center. Toilet, lavatory and bath or shower facilities shall be in the same building(s) as the children's sleeping quarters and shall be accessible from the inside of the building.

7. There shall be a towel rack for each child in residence in bathroom or bedrooms.

C. The group home or center's kitchen shall be equipped with the following:

1. Adequate space for receiving, storage and refrigeration of food.

2. Adequate space for eating in kitchen or adjacent room for all children to eat at the same time.

D. The facility must have laundry facilities with adequate storage for linens.

E. The group home or center, if located in the same building as or immediately adjacent to other residential facilities such as another group home or center, an adult treatment center or a nursing home, shall be so arranged that the care and activities of the children residing in the group home can be completely separate and independent from the other residential facility. No group home or center shall be used for purposes of a rooming or boarding house. A specialized group facility may not be operated adjacent to or on the premises of a business of a nature which might be hazardous to the health, safety, morals or welfare of children and the operation of the specialized group facility. The group home or center shall house only unrelated children of the ages mentioned on the license or certificate and of the type described in the statement of purpose. The facility shall not also be used by unrelated adults.

F. Mobile homes shall not be used for group homes or centers.

G. When a swimming pool is provided, it shall meet the requirements of the Colorado Department of Public Health and Environment or its local unit. Safety precautions shall include protective fencing, a nonskid surface of at least four feet adjoining poolsides, and winter coverage which shall exclude plastic or inflatable-type domes. A certified lifeguard shall be in attendance at all times when the pool is in use.

7.709.25 Care of Children [Rev. eff. 7/1/12]

A. Group home or group center parents or personnel shall provide supervision and care appropriate to each child's age, level of development, ability to accept independence and responsibility, and according to the group home or group center's policies, procedures and the child's case plan.

1. The group home or group center parents or personnel shall know the intended whereabouts of each child in care at all times.

2. Children less than 14 years old shall not be left without adult supervision in the home or center. Children over 14 years old may be allowed to stay alone occasionally for short periods of time in the home or center pursuant to a case plan and the facility policy.

3. Children who are less than 16 years old who are sleeping away from the group home or center, such as during a camping trip or a slumber party, must have adult supervision.

4. When all the children are away from the group home or center, the adult parent or personnel on duty may be away from the home or center for short periods of time.

B. The following staff pattern shall be maintained:

1. If the primary caregiver is married, one spouse may be working full time outside the home or center. The spouse or one child care personnel shall assist the primary caregiver during times when the number and/or needs of the children require additional supervision as determined by tie group facility and the supervising agency; or,

2. If the primary caregiver is single, she/he must be at the home or center full time. There shall be one child care personnel assisting the primary caregiver during times when the number and/or needs of children require additional supervision as determined by the group home and the supervising agency; and,

3. A relief staff member who is knowledgeable about the policies and practices of the home or center shall be available to provide child care when the primary caretaker is gone from the home and as determined by the group home or center and supervising agency. An adult shall be available in the event of an emergency; or,

4. If the group center has rotating staff, there shall be at least one child care personnel on duty during each shift. The primary caregiver shall work together with the other child care personnel to provide modeling and supervision for at least 16 hours a week during the hours the children are at the facility.

5. If the group home or center and supervising agency determine that additional personnel are necessary, a mutually agreed upon written plan for staffing the group home shall be followed.

C. Health Care, Hygiene, Meals, Safety

1. There shall be a written agreement with a health care facility or medical personnel who has agreed to provide emergency medical care to children in the group home or center.

2. Necessary medical care shall be obtained pursuant to the policy and procedures of the group home or center.

3. Menus shall be kept for at least a two-week period, and there shall be a documented review periodically by a qualified nutritional consultant.

4. One group home or center parent or personnel shall be responsible for meal planning, and a parent or personnel shall be assigned responsibility for food preparation for each meal. Children may help when appropriate.

5. Only pets permitted by local codes are acceptable at the group facility. Pets shall be housed, cared for and vaccinated according to health department regulations and other local codes. Precautions shall be taken as required to ensure both safety and good hygiene. Children shall not be permitted to mistreat animals. Animals shall not be permitted to eat in kitchen or eat from dishes in which food is prepared, served, stored or from which it is eaten.

6. An evacuation plan shall be posted in a conspicuous place.

D. School and Recreation

1. Regular school attendance is required for each child according to school attendance laws. A suitable, quiet, well-lighted place for study shall be provided together with necessary books, papers, pencils and other equipment which is reasonably required by school-age children.

2. Outdoor and indoor recreational equipment and materials shall be provided in sufficient variety and quantity to offer some choice of activities. Games, toys, equipment and arts and craft materials shall be selected according to age, number of children, and with consideration of the needs of children to engage in both active and quiet play. All equipment and materials shall be of quality to assure safety, and shall be of a type which allows for imaginative play and creativeness.

E. Participation in Community Activities

Participation in community activities shall be encouraged, supported, a vital part of each foster child's life and choice, and authorized by the custodial county department of human/social services. Along with the requirements in Section 7.714.7 (12 CCR 2509-8), group home or group center providers shall with the consent and authorization of the custodial county department of human/social services, make reasonable efforts to allow children and youth to participate in extracurricular, cultural, educational, work-related, and personal enrichment activities that assist to transition toward independence, build life skills, and strengthen opportunities to make positive connections. When considering an activity, the following factors shall be considered, but are not limited to:

1. Adequate information about the youth;

2. Behavioral and/or mental health stability of the child or youth;

3. Appropriateness of the activity; and,

4. Lack of foreseeable harm regarding the activity.

7.709.26 Required Records [Eff. 11/1/2008]

There shall be a personnel file maintained for each parent or personnel by the facility or the agency. The file shall include identifying information, references, statement from physician or qualified nurse practitioner, name and telephone number of person to contact in emergency, and verification of education and experience. The personnel file for the primary caregiver shall include a statement from a psychiatrist, a certified psychologist or a Licensed Social Worker II. The personnel records shall be maintained pursuant to the personnel policy and procedures. If personnel records are at the agency office, there shall be maintained at the facility the address, local phone number and name, address, and phone number of persons to call in an emergency.

7.709.27 Special Rules for Emergency Placement and Care of Children [Eff. 11/1/2008]

A. Emergency placement indicates that due to circumstances beyond the agency's control a child needs placement, yet pre-placement admission requirements have not been completed. The acceptance of a child in such an emergency status shall only be done if it is a part of the admission policy and procedures of the facility.

B. During placement at the facility as much evaluation of the child shall be completed as possible and as is necessary for future planning for the child. As much data as possible shall be collected pursuant to the admission record.

C. A specialized group facility which accepts only children by emergency admission shall have on duty one child care personnel for each six children or fraction thereof at the facility during the daytime and swing shift. One child care staff member will be sufficient during sleeping hours.

D. Information gathered at the time of emergency placement and during placement shall become part of the child's file. The file shall also include the date the child was discharged from the facility, to whom the child was released, and a description of the physical condition of the child at the time of discharge.

E. A specialized group facility operating as a shelter care facility or which accepts only children by emergency admission shall make every effort to assure that emergency placements do not exceed sixty days. Exceptional circumstances must be documented in the case file for any placement lasting over 60 days. Reimbursement at the shelter care rate shall not exceed 90 days.