

The Office of Child Care's statutes are found in Chapter 329A and may be broken down into several main categories. Broadly, those statutory categories include the Central Background Registry (CBR), child care facilities (certified and registered), and discipline/enforcement, including civil penalties. These key statutes are attached for your convenience but are also summarized below.

- I. **Central Background Registry (CBR)** includes all subject individuals (persons over age 18 who provide child care or who may have access to child care children)
 - a. All applicants are fingerprinted and OCC conducts criminal and child abuse and neglect background checks upon the individuals
 - b. The applicant must have a clean record, or dealt with past issues sufficiently, prior to enrollment in the CBR
- II. **Child care facilities fall into two major categories (licensed and exempt)**
 - a. **Licensed facilities include:**
 - i. **Registered facilities:** set within the provider's home
 1. Limited to no more than 10 children
 2. Generally referred to as Registered Family (RF)
 - ii. **Certified facilities:** may be a certified family home (CF) or a certified center (CC)
 1. CF is limited to no more than 16 children and must be in a building constructed as single family dwelling
 2. CC may have more than 16 children, depending upon the facility's floor plan, staffing and available outdoor play space
 3. Staff must be of good moral character, physically and mentally capable of providing care and the certified facility adequately staffed by educated and qualified persons who provide child care
 - b. **Exempt facilities include:**
 - i. Recorded programs, single enrichment programs less than eight hours per week, athletic or social clubs, parent coops, and
 - ii. Facilities operated by school districts, political subdivisions of the state or governmental agencies
- III. **Discipline and Enforcement**
 - a. An individual's enrollment in the CBR or their facility registration or certification may be revoked or suspended; or, their initial application or renewal may be denied
 - b. In all instances the agency affords due process rights to the aggrieved individual under the Administrative Procedures Act (APA), in the form of a contested case hearing
 - c. Injunctions may be used to enjoin the operation of a facility that is operating in violation of OCC statutes or rules
 - d. **Civil Penalties:**
 - i. May be issued for violations of rule or statutes
 - ii. Limited to \$100 maximum for first violation, and no more than \$100 increase for subsequent violations, not to exceed \$500 per violation or \$1,000 per quarter
 1. Maximum fines of \$100 for a registered family (RF) home
 2. Maximum fines of \$200 for a certified family (CF) facility
 3. Maximum fines of \$500 for a certified center (CC)