

6. No Child Care Facility shall care for more Children than the license allows. Child Care Facilities must only care for Children within the age range of the license issued and within the proper staff-Child ratios for those age ranges.
 - a. Changes in capacity or age range may be made at the discretion of the Department, and when necessary, with the approval of the local code enforcement and the State Fire Marshal's Office.
 - b. The license may be amended or reissued to increase or decrease the number of Children allowed or to change the age range of Children that may be cared for by the Child Care Facility.

B. Qualifications of the Applicant and Director. The Applicant and proposed Director must demonstrate their willingness and ability to operate and manage the Child Care Facility with mature judgment, compassionate regard for the best interests of Children and consistent compliance with these regulations and all relevant laws. In making this determination, the Department shall consider each of the following factors to the extent that they are relevant to the proposed Applicant and Director of the Child Care Facility:

1. Record and reputation of honest and lawful conduct in business and personal affairs, including but not limited to:
 - a. Arrests, indictments or convictions;
 - b. Investigation by Child Protective Services or the Out-of-Home Investigation Unit of the Department;
 - c. The removal of Children from the Applicant's or Director's care or custody by court order;
 - d. Any protection from abuse order or any other order that makes a finding of domestic abuse or family violence; and/or
 - e. Any prior licensing investigations, conditional licenses, license suspensions, application denials, fines and/or revocations regarding a Child care license or approval issued to the Applicant or Director.
2. Conduct which demonstrates an understanding of, and compliance with this rule;
3. Information which relates to the ability or willingness to comply with all applicable laws and rules;
4. Any information reasonably related to the ability to provide safe and developmentally appropriate Child care;
5. Relevant experience, including the capacity to manage the financial operations and staff of the Child Care Facility for which the license is sought; experience in the field of Child care, Child development or areas related to the provision of Child care services.
6. The applicant must authorize the Department to review the records of the following entities to determine compliance with this rule, as part of the license application and renewal processes: criminal history and driving record, when applicable; court records; Maine and national sex offender registries; Child Protective Services, and Out of Home Investigations.

