

~~(4) -- "TODDLER" MEANS AN INDIVIDUAL AT LEAST 18 MONTHS OLD AND UNDER THE AGE OF 2 YEARS.~~

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(a) ~~For~~ purposes of this Part V of this subtitle, a day care provider's own children under the age of 2 years shall be counted as children served.

~~(b) At any given time, a day care provider WHO CARES FOR AN INFANT OR TODDLER, INCLUDING THE DAY CARE PROVIDER'S OWN INFANT OR TODDLER, may not care for:~~

~~(1) more than 2 children under the age of 2 years; INFANTS; or~~

~~(2) more than 6 children, of whom no more than 2 may be under the age of 2 years.~~

~~(3) MORE THAN 1 TODDLER IF THE DAY CARE PROVIDER CARES FOR 2 INFANTS;~~

~~(4) MORE THAN 2 TODDLERS IF THE DAY CARE PROVIDER CARES FOR 1 INFANT; AND~~

~~(5) MORE THAN 3 TODDLERS IF THE DAY CARE PROVIDER DOES NOT CARE FOR ANY INFANTS.~~

~~(b) UNLESS AT LEAST 2 OF THE CHILDREN ARE ENROLLED IN A FULL-DAY KINDERGARTEN OR HIGHER SCHOOL GRADE, AT ANY GIVEN TIME, A DAY CARE PROVIDER WHO DOES NOT CARE FOR AN INFANT OR TODDLER MAY NOT CARE FOR MORE THAN 6 CHILDREN, INCLUDING THE DAY CARE PROVIDER'S OWN CHILDREN UNDER THE AGE OF 8.~~

(c) If the Department determines that the group size provisions of ~~subsection~~ SUBSECTIONS (A) OR (b) of this section are unsuitable for a particular family day care home, the Department may decrease the number of children permitted to be in care at that family day care home.

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(b) (1) Revocation, appeal, or injunction under this Part V of this subtitle shall be in accordance with §§ 5-513, 5-515, 5-516, 5-517, 5-518, and 5-519 of this subtitle.

(2) SUBJECT TO PARAGRAPH (1) OF THIS SUBSECTION, THE SECRETARY OF THE DEPARTMENT OR THE SECRETARY'S DESIGNEE SHALL EXERCISE THE AUTHORITY GRANTED TO THE ADMINISTRATION OR THE DIRECTOR OF THE ADMINISTRATION.

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