

**ARTICLE V**  
*(Formerly Article VIII of CC Regs)*  
**STAFF TO CHILD RATIO**

**5.1 Size of Staff - General Requirements:** (State Regs 432A.520)

A licensee of a child care facility shall have a staff which is sufficient in number to provide physical care and individual attention to each child and allow time for interaction between the staff and the children to promote the children's social competence, emotional well-being and intellectual development. Ratios of caregivers to children provided in this article are minimum requirements, but additional staff may be required to meet the needs of the children.

- 1. Family Child Care Home** (State Regs. 432A.534) - A family child care home must have one (1) caregiver on duty at all times and provide for an alternate caregiver in case of an emergency. In a family child care home, no more than four (4) of the children may be less than two years of age, and no more than two (2) of the children may be less than one year of age.
  - a. If a family care home has four (4) or more children in the facility that has special needs, a second caregiver is needed.
  
- 2. Group Child Care Home** (State Regs. 432A.536) - A group child care home must have one (1) caregiver on duty at all times. In a group child care home, no more than eight (8) of the children may be less than three years of age; and no more than four (4) of the children may be less than one year of age. (Infant and Toddler Nursery requirements may apply, see Infant and Toddler Nursery definition Article 1.14.) An additional caregiver must be on duty whenever one (1) or more of the following conditions exist:
  - a. More than six (6) children are in the facility;
  - b. More than four (4) of the children are less than two years of age;
  - c. More than two (2) of the children are less than one year of age.
  - d. Three (3) caregivers must be on duty whenever eight (8) or more of the children in the facility are children with special needs.
  
- 3. Infant and Toddler Nursery** (State Regs. 432A.522) - An infant and toddler nursery must have on duty at least the following number of caregivers:
  - a. If all children in the nursery are under nine months old, one (1) caregiver for every four (4) children;
  - b. If all children in the nursery are between nine months and eighteen months old, one (1) caregiver for every six (6) children; or
  - c. If all children in the nursery are between eighteen months and three years old, one (1) caregiver for every eight (8) children;
  - d. If the nursery contains children from more than one (1) of these age groups, the required number of staff is determined by computing the average of the ages of all children attending the nursery and using the average age to determine the applicable ratio of caregivers to children;
  - e. Whenever one (1) or more infants or toddlers are being cared for in a child care center, the licensee shall have at least one (1) caregiver on duty who is designated to provide that care;
  - f. An additional caregiver must be on duty whenever more than six (6) children are in the facility.

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**4. Child Care Center/Child Care Institution/Preschool/Accommodation Facility** (State Regs. 432A.524)

A child care center, child care institution, preschool or accommodation facility must have on duty between the hours of 6:30 a.m. and 9:00 p.m. at least the following number of caregivers:

- a. Where the children are two years of age and older:
  - (1) For one to six children, inclusive, one (1) caregiver;
  - (2) For seven to twenty children, inclusive, two (2) caregivers;
  - (3) For twenty-one to thirty-five children, inclusive, three (3) caregivers;
  - (4) For thirty-six to fifty children, inclusive, four (4) caregivers;
  - (5) For fifty-one to sixty-five children, inclusive, five (5) caregivers;
  - (6) For sixty-six to eighty children, inclusive, six (6) caregivers;
  - (7) For eighty-one to ninety-three children, inclusive, seven (7) caregivers;
  - (8) For every thirteen children in excess of ninety-three, one (1) additional caregiver.
- b. In a classroom which contains children who are two or more years of age, but less than three years of age:
  - (1) For one to ten children, inclusive, one (1) caregiver;
  - (2) For eleven to twenty children, inclusive, two (2) caregivers;
  - (3) For twenty-one to thirty children, inclusive, three (3) caregivers;
  - (4) For every ten children in excess of thirty, one (1) additional caregiver.

**5. Night Care** (State Regs. 432A.526)

A licensee of a child care center, accommodation facility or an institution which operates between the hours of 9:00 p.m. and 6:30 a.m. must have on duty the following number of caregivers:

- a. For one to fifteen children, inclusive, one (1) caregiver;
- b. For sixteen to thirty-one children, inclusive, two (2) caregivers;
- c. For thirty-two to forty-six children, inclusive, three (3) caregivers;
- d. For forty-seven to sixty-one children, inclusive, four (4) caregivers;
- e. For every fifteen children in excess of sixty-one, one (1) additional caregiver;
- f. Every member of a staff of a child care center, accommodation facility or institution who is on duty at night must remain awake during duty hours.

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**5.2 Adequate Staff:**

Only those persons engaged in actual supervision of children may be counted as caregivers in the computation of staff/child ratios. Ratios will be computed by observation by Child Care Licensing staff and may include review of staff records and schedules. No child shall be left without adult supervision.

**5.3 Before/After Schoolers:** (State Regs. 432A.530)

1. A licensee of a family child care home or group child care home, may, after obtaining the written permission of the Child Care Licensing Office, provide care before and after normal school hours for as many as three (3) children in addition to the number stated in the facility's license if each of the additional children is attending first grade or is at least six years of age, and less than sixteen years of age. Children who live in the facility and are ten years of age or less must be included in counting the additional children, unless previously counted.
2. A licensee of a child care center may, after obtaining the written permission of the Child Care Licensing Office, provide care before and after normal school hours for up to three (3) additional children, or 10 (10) percent more children than the number stated on the facility's license, whichever number is greater, if each of the additional children is at least six years of age, and less than sixteen years of age. (State Regs. 432A.530)
3. A licensee of a child care center which accepts additional children before and after normal school hours, pursuant to Subsection 2, must have one (1) additional caregiver for up to twenty children accepted and one (1) additional caregiver for every one to twenty children accepted thereafter. (State Regs. 432A.530)
4. The care in a facility must not exceed three (3) consecutive hours before normal school hours and three (3) consecutive hours after normal school hours.