2008 Kentucky Licensing Regulations: Staff-to-Child Ratios

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Kentucky has implemented new regulations, effective July 1, 2008. It was expected that programs be in full compliance of these new regulations no later than October 1, 2008.

With the revised regulations, licensed and certified child care providers are now required to post the minimum staff-to-child ratios and group sizes. As a result, an opportunity to review staff-to-child ratio requirements may be helpful for staff. This article can provide just such a reminder.

What do the regulations say about staff-to-child ratios for Certified Family Child Care Providers?

The regulations regarding staff-to-child ratios for Certified Providers are found in 922 KAR 2:100, Certification of family child-care homes, Section 9, 2-5. These regulations state the following:

- A provider is to care for no more than the number of unrelated children indicated on the certificate.
- If a provider has more than four infants in care, including their own or related infants, they must have an assistant.
- Certified providers can care for no more than six children under the age of six. The providers own children and any related children in care must be counted in this requirement.
- A provider can care for no more than six unrelated children at any time and up to four related children, not to exceed ten children in care at one time.

In addition, staff-to-child ratios must be met at all times, regardless of the activity, such as nap time, when on the playground, and when children go to the bathroom.

What do the regulations say about staff-to-child ratios for Licensed Child Care Providers (Type I and Type II)?

Regulations for Type I and Type II providers are found in 922 KAR 2:120, Child-care center health and safety standards, Section 2, 2 and 9. These regulations state:

- Minimum staff-to-child ratios and group sizes are to be maintained as shown in the table below:
- Maximum group sizes in the table apply to Type I centers only.
- In Type I centers, a group is to be maintained separately in a defined area. The defined area must have

<table>
<thead>
<tr>
<th>Age of Children</th>
<th>Ratio</th>
<th>Maximum Group Size</th>
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</thead>
<tbody>
<tr>
<td>Infants (Birth to 12 Months)</td>
<td>1 staff person for every 5 children</td>
<td>10</td>
</tr>
<tr>
<td>Toddlers (12 to 24 Months)</td>
<td>1 staff person for every 6 children</td>
<td>12</td>
</tr>
<tr>
<td>Two to Three Years Old</td>
<td>1 staff person for every 10 children</td>
<td>20</td>
</tr>
<tr>
<td>Three to Four Years Old</td>
<td>1 staff person for every 12 children</td>
<td>24</td>
</tr>
<tr>
<td>Four to Five Years Old</td>
<td>1 staff person for every 14 children</td>
<td>28</td>
</tr>
<tr>
<td>Five to Seven Years Old</td>
<td>1 staff person for every 15 children</td>
<td>30</td>
</tr>
<tr>
<td>Seven Years Old and Older</td>
<td>1 staff person for every 25 children (before and after school)</td>
<td>30</td>
</tr>
</tbody>
</table>
an “identifiable boundary that is recognizable to the children in the group.” (ST – D1302, Interpretive Guidelines, page 147)

* The age of the youngest child in the group determines the staff-to-child ratio and the group size.
* Children of the director, of staff working in the child care program, or of “person under the supervision of the licensee” that are in care are included in the staff-to-child ratio.

In addition, staff-to-child ratios must be met at all times, regardless of the activity, such as nap time, when on the playground, and when children go to the bathroom.

What other considerations do the regulations cover in regard to staff-to-child ratios?

When thinking about staff-to-child ratios and group sizes, it is important to recognize that space requirements impact these factors. The defined area for any group must have 35 square feet per child of space used for play. The available space and the required staff-to-child ratios and group sizes outlined above will determine the number of children allowable in a given room.

Additionally, individuals working in child care settings cannot be the only staff person assigned to a group of children unless they meet the definition of staff outlined in 922 KAR 2:110, Child Care Center Provider Requirements, Section 5. This means the following information about the staff person must be on file:

* Evidence that they are tuberculosis free. This can be a statement from a health professional or a copy of a negative tuberculin skin test.
* A criminal record check indicating the individual has not been convicted of a crime pursuant to KRS 17.165 (5).
* A Child Abuse and Neglect (CAAN) Check that demonstrates they have not been convicted of abusing or neglecting a child, pursuant to 922 KAR 1:470.

Who can help me if I have questions about ratios and group sizes?

Staff from the Child Care Resource & Referral are available to answer your questions and provide technical assistance related to staff-to-child ratios, group sizes, space requirements, and staffing. Additionally, they can answer any other questions you may have about the new regulations, as well as developmentally appropriate practices within the field of early care and education. Feel free to contact the CCR&R with your question by e-mail at crrr.expert@wku.edu or by phone at 1-800-621-5908.