

**441—109.8(237A) Staff ratio requirements.**

**109.8(1) Staff requirements.** Persons counted as part of the staff ratio shall meet the following requirements:

- a. Be at least 16 years of age. However, a staff person under the age of 18 may not be the sole provider on the premises of a child care facility.
- b. Be involved with children in programming activities.
- c. At least one staff person on duty in the center when children are present and present on field trips shall be over the age of 18.
- d. Staff persons under the age of 18 shall not provide transportation to children in care.
- e. If staff persons under the age of 18 are providing child care services without an adult, they shall only provide care to school-aged children.

**109.8(2) Staff ratio.** The staff-to-child ratio shall be as follows:

<u>Age of children</u>	<u>Minimum ratio of staff to children</u>
Two weeks to two years	One to every four children
Two years	One to every seven children
Three years	One to every ten children
Four years	One to every twelve children
Five years to ten years	One to every fifteen children
Ten years and over	One to every twenty children

a. Combinations of age groupings for children four years of age and older may be allowed and may have staff ratio determined on the age of the majority of the children in the group.

b. Combinations of age groupings for children between three years of age and five years of age may be allowed with a ratio of one staff member to every 12 children.

c. Children between 18 months and three years of age may be combined, if appropriate to the developmental needs of the child. If a child under two years is in a combined age group, the staff ratio of one to seven shall be maintained. Otherwise, staff ratio may be determined by the age of the majority of the children in the group.

d. Every child-occupied program room shall have supervision present in the room. Brief absences of a staff member may be allowed for no more than five minutes when another staff person is present.

e. During nap time, at least one staff shall be present in every room where children are resting. Staff ratio requirements may be reduced to one staff per room where children are resting and staff ratio coverage can be maintained in the center. The staff ratio shall always be maintained for children under two years of age.

f. When more than eight children are present on the licensed premises or are being transported in one vehicle, at least two adult staff shall be present. Only one adult is required when a center is transporting children in a center-owned vehicle with parent authorization for the sole purpose of transporting children to and from school. When a center contracts with another entity to provide transportation other than for the purpose of transporting school-age children to or from school, at least one adult staff in addition to the driver shall be present if at least eight children provided care by the center are transported.

g. Any child care center-sponsored program activity involving five or more children conducted away from the licensed facility shall provide a minimum of one additional staff over the required staff ratio for the protection of the children.

h. For a period of two hours or less at the beginning and end of the center's hours of operation, one staff may care for seven or fewer children, provided no more than four of the children are under the age of two years and there are no more than seven children in the center.

i. For centers or preschools serving school-age children, the ratio for school-age children may be exceeded for a period of no more than four hours during a day when school classes start late or are

dismissed early or canceled due to inclement weather or structural damage provided the children are already enrolled at the center and the center does not exceed the licensed capacity.  
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