101216.3 TEACHER-CHILD RATIO

(a) There shall be a ratio of one teacher visually observing and supervising no more than 12 children in attendance, except as specified in (b) and (c) below.

(1) The number of children in attendance shall not exceed licensed capacity.

(2) Whenever children are engaged in activities away from the center, no teacher shall be in charge of a group of more than 12 children.

HANDBOOK BEGINS HERE

(A) Activities outside the perimeter of the licensed child care center pose additional hazards to children. An effort should be made to gain an adult-child ratio of at least 1:6 through the use of adult volunteers.

HANDBOOK ENDS HERE

(b) The licensee may use teacher aides in a teacher-child ratio of one teacher and one aide for every 15 children in attendance.

(1) A ratio of one fully qualified teacher (as specified in Section 101216.1(c)) and one aide for every 18 children in attendance in a preschool program is allowed when the aide meets the qualifications specified in Section 101216.2(d).

(A) This ratio does not apply to children enrolled in an infant care center or a school-age child care center.

(c) Child development programs funded by the California Department of Education and operating under Title 5 of the California Code of Regulations are not required to meet the teacher-child ratios specified in (a) and (b) above. Title 5 staffing ratios shall apply in such centers.

HANDBOOK BEGINS HERE

(1) Section 18290 of Title 5 of the California Code of Regulations provides:

Contractors shall maintain at least the following minimum ratios in all centers:

(A) Infants (birth to 18 months old) - 1:3 adult-child ratio, 1:18 teacher-child ratio.

(B) Toddlers (18 months to 36 months old) - 1:4 adult-child ratio, 1:16 teacher-child ratio.

HANDBOOK CONTINUES
**101216.3 TEACHER-CHILD RATIO (Continued)**

**HANDBOOK CONTINUES**

(C) Preschool (36 months to enrollment in kindergarten) - 1:8 adult-child ratio, 1:24 teacher-child ratio.

(D) Children enrolled in kindergarten through 14 years old - 1:14 adult-child ratio, 1:28 teacher-child ratio.

(E) Compliance with these ratios shall be determined based on actual attendance.

(2) Section 18291 of Title 5 of the California Code of Regulations provides:

(A) Whenever groups of children of two (2) age categories are commingled and the younger age group exceeds fifty percent (50%) of the total number of children present, the ratios for the entire group must meet the ratios required for the younger age group.

(B) If the younger age group does not exceed fifty percent (50%) of the total number of the children present, the teacher-child and adult-child ratios shall be computed separately for each group.

(3) Section 18292 of Title 5 of the California Code of Regulations provides:

Except as otherwise provided in this Division or Title 22 California Code of Regulations, Community Care Licensing Standards the program may exceed teacher-child and adult-child ratios prescribed by Section 18290 by fifteen percent (15%) for a period of time not to exceed one hundred twenty (120) minutes in any one day.

**HANDBOOK ENDS HERE**

(d) The licensee may include the child care center director in the teacher-child ratio when the director is actually engaged in teaching a group of children.

(1) The licensee may include the substitute child care center director in the teacher-child ratio when the substitute director is actually engaged in teaching a group of children.

(e) Each licensee shall maintain an up-to-date list of qualified teacher substitutes as defined in Section 101152q.(1). Substitutes on this list shall be called immediately in case of emergency or illness to meet the teacher-child ratios required by this chapter.
101216.3 TEACHER-CHILD RATIO

(Continued)

(f) During nap periods the teacher-child ratio specified in Section 101230(c) shall apply.

(g) A teacher shall not be required to perform housekeeping or maintenance duties that prevent him/her from performing duties related to providing care and supervision to children.

(h) Persons employed for clerical, housekeeping and maintenance functions shall not be included as teachers in the teacher-child ratio.

(1) The licensee may use such persons as emergency substitutes for teachers while a qualified teacher substitute is being secured.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81, 1597.05 and 1597.059, Health and Safety Code.

101216.4 PRESCHOOL PROGRAM WITH TODDLER COMPONENT

(a) Licensees serving preschool-age children may create a special program component for children between the ages of 18 months and 30 months. The provisions of Sections 101151 through 101239.2 shall apply for children over 24 months, except as specified in Sections 101216.4(a)(1) through (6). The provisions of Sections 101351 through 101439.1 shall apply for children between the ages of 18 and 24 months participating in a preschool toddler component, except as specified in Sections 101216.4(a)(1) through (6).

(1) Child care centers with an existing preschool program wishing to establish a toddler component shall submit an amended application and obtain approval from the Department.

(2) Children in a child care center between the ages of 18 months and 30 months may be placed in the toddler program. A child older than 30 months may participate in the toddler program with written permission from the child's authorized representative. No child in the toddler program shall be placed in the preschool program before the age of 30 months without written permission from the child's authorized representative.

(3) It shall be permissible for a child whose developmental needs require continuation in a toddler component to remain in the toddler component up to a maximum age of three years.
101216.4 PRESCHOOL PROGRAM WITH TODDLER COMPONENT (Continued)

(4) A ratio of six children to each teacher shall be maintained for all children in attendance in the toddler program. An aide who is participating in on-the-job-training may be substituted for a teacher when directly supervised by a fully qualified teacher.

(5) The maximum group size, with two teachers, or one fully qualified teacher and one aide, shall not exceed 12 toddlers.

(6) The toddler program shall be conducted in areas physically separate from those used by older or younger children. Space planning and usage for the toddler component shall be governed by the provisions of Section 101438.3. Plans to alternate use of outdoor play space must be approved by the Department.

(A) Requirements for physical separation between children in the toddler component and older or younger children need not apply when a planned activity is being conducted.


101216.5 STAFFING – PARENT-COOPERATIVE CENTERS

(a) Parent-cooperative centers shall employ a full-time teacher in addition to the director and participating parents when the number of children reaches 25.

(b) There shall be at least one staff member or participating parent present for each five children in attendance.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81 and 1597.05, Health and Safety Code.
101216.6 STAFFING FOR WATER ACTIVITIES

(a) There shall be at least one adult who has a valid water-safety certificate on file at the center present during water activities in or near any of the following bodies of water:

(1) Swimming pool.

(2) Any portable pool with sides so high that children using the pool cannot step out unassisted by a person or device (including a ladder).

(3) Potentially dangerous natural bodies of water including, but not limited to, oceans, lakes, rivers and streams.

(b) A ratio of not less than one adult, including teachers, to every six children, or fraction thereof, shall be maintained during water activities in or near any of the bodies of water specified in (a)(1) through (3) above.

(1) Lifeguards or personnel supervising anyone other than center children at the water activity site shall not be included in this ratio.

NOTE: Authority cited: Section 1596.81, Health and Safety Code. Reference: Sections 1596.72, 1596.73, 1596.81, 1596.87 and 1597.05, Health and Safety Code.

101217 PERSONNEL RECORDS

(a) Employment application forms shall be completed and maintained on each employee; shall be available to the Department for review; and shall contain the following information:

(1) Employee's full name.

(2) Driver's license number if the employee is to transport children.

(3) Date of employment.

(4) A statement signed by the employee that he/she is at least 18 years of age.

(5) Current home address and phone number.

(6) Documentation of the educational background, training and/or experience specified in this chapter.