

# Hiring Staff

Staff/Child Ratio Requirements for Centers and Large Family Homes

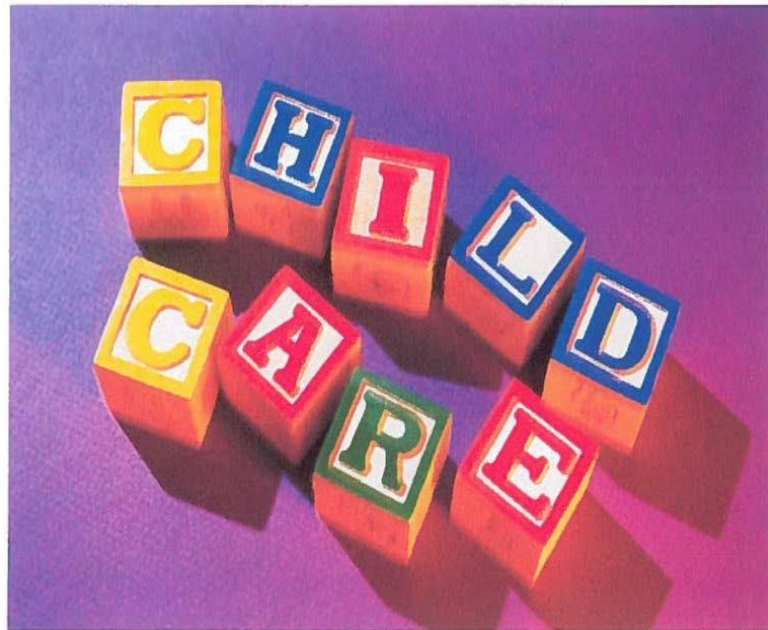
Employment Prohibitions

Reporting Staff Changes

Links to Resources and Forms

Maryland State Department of Education  
Division of Early Childhood Development  
Office of Child Care

Resource Guide



2018

## Table of Contents

Introduction ..... 3

Child Care Centers - Staff/Child Ratio Chart ..... 5

Large Family Child Care Homes – Staff/Child Ration Chart ..... 7

Links to Resource Documents and Forms  
on the Office of Child Care Website ..... 8

1. Preschool and School-age Director Qualification Chart- *see director qualifications*

2. Child Care Center Staff Qualification Chart- *see qualifications for staff positions*

3. OCC Form 1205 - *used to document individual personnel information*

4. Credential Evaluation Services -*find services to evaluate foreign credentials*

5. Personnel List and Staff Change Form OCC 1203 - *used to submit personnel list and changes in personnel*

6. Staff Orientation Verification Form - *used for staff orientation purposes*

## Introduction

Various staff positions are needed to operate Child Care Centers and Large Family Child Care Homes. Staff must meet certain educational and experience qualifications, get health screenings, and undergo background checks for FBI and State criminal histories in addition to child abuse and neglect clearances. Meeting educational and experience requirements may qualify a person for a particular position, but results of criminal history record checks and child abuse and neglect clearances will determine suitability for employment. The Office of Child Care may prohibit you from hiring an individual based on background check findings.

On or before assignment, you must document that each employee and staff member, including substitutes, has been informed in writing about all areas pertinent to the health and safety of the children. It is very important to keep your licensing specialist informed of any and all changes in staff or matters affecting staff.

Child Care Center capacities vary according to the square footage of the facility, and require a cadre of staff that support many functions. The capacity of the facility is based on 35 square feet per child. The positions in a child care center include:

- Director- must be 21 years or older and may be Director of a Preschool Center or Director of a School Age Center. Qualifications differ depending upon the type and size of the child care center. A Director must be available on site at least 50% of the time.
- Child Care Teacher -must be at least 19years old and qualifications differ depending upon the type of center where employed, i.e., preschool center or school age center.
- Assistant Child Care Teacher- must be at least 18years old and the position exists only in a school- age center.
- Aide- must be at least 16years old and there is no qualifying distinction between aides in a preschool or school age center.
- Substitute- must be at least 18years old, does not have to meet any specific qualifications, but must attend orientation as required of all staff.
- Support Personnel - are individuals who are not involved in the direct supervision of children, such as, personnel or food preparation and service, housekeeping, transportation, clerical, and other duties.
- Volunteer- is 13years old or older, works in the center but is not a compensated employee of the center, is not counted by the child care center toward maintenance of the staff/child ratios required, and is not enrolled as a child in care at the center. Since a volunteer is not a paid employee, FBI and State criminal background checks are not required but are recommended.

School-Age Only Child Care Centers serves only school age children and are generally located in public school buildings. Types of positions used in this type of facility include, Director of a School Age Center, Child Care Teacher in School Age Center, Assistant Child Care Teacher, Aide, Substitute, Support Personnel and Volunteer.

A Large Family Child Care Home functions in the same manner as a child center, is located in a residence and cannot exceed a capacity of 12 children. Staffing needs are limited, but similar types of positions are used in this type of facility- Director, Family Child Care Teacher, Aide, Substitute, Support Personnel and Volunteer.

**You may not employ** an individual who has received a conviction, probation before judgment disposition, a not criminally responsible disposition, or a pending charge for the commission or attempted commission of:

- (1) A crime involving:
  - (a) A child;
  - (b) Cruelty to animals;
  - (c) Domestic Violence; or
  - (d) A weapons or firearms violation of federal or state laws;
- (2) A sex offense;
- (3) A violent crime classified as a felony;
- (4) Abduction or kidnapping;
- (5) Abuse of a child or adult;
- (6) Confinement of an unattended child;
- (7) Manufacturing, distributing, or dispensing a controlled dangerous substance;
- (8) Perjury
- (9) Pornography
- (10) Possession with intent to manufacture, distribute, or dispense a controlled dangerous substance; or
- (11) Reckless endangerment

Other types of crimes and information regarding child abuse or neglect are assessed by the Regional Office to determine employability. **An employee may not be left alone with children in care until all background checks are cleared. They may assist cleared staff until the criminal histories records check is completed and employment is approved by the Regional Office.**

Your licensing specialist must always be informed of staff changes. The operator shall **within 5 working days** of its occurrence, provide written notification to the office about the:

- (1) Addition of a new employee or staff member that includes:
  - (a) The individual's full name, date of birth, and date of hire;
  - (b) Information about the individual's work assignment; and
  - (c) Signed and notarized permission to examine records of abuse and neglect of children and adults for information about the individual; and
- (2) Ending of employment, for whatever reason, of an individual that includes the:
  - (a) Individual's full name; and
  - (b) Date of the individual's last day of employment

**Within 15 working days** of adding a new employee or staff member, you must provide to the office:

- (1) Documentation that individual qualifies for the position; and
- (2) If a paid employee, proof of compliance with criminal background checks.

The following information in this resource guide will assist you in determining how much staff you need for the capacity of your facility, how to conduct a staff evaluation, staff orientation verification, and reporting staff changes.

## Child Care Centers Staff/Child Ratio Charts

Reference: COMAR 13A.16.08 Child Supervision

### .3 Group Size and Staffing.

A. Assignment of Staff. One or more child care teachers shall be assigned to each group of children as needed to meet the requirements for group size and staffing set forth at §§C-E of this regulation.

B. Age of a Child. For purposes of determining group size and staff required under this chapter, the age of a child is determined solely according to the date of the child's most recent birthday.

#### C. Same-Age Groups.

(1) In a group of children where each child is younger than 2 years old, the following staff/child ratio and maximum group size requirements apply:

Child Ages	Staff/Child Ratio	Maximum Group Size
Infants	1 to 3	6
Toddlers	1 to 3	9
Infants and toddlers, with 1 to 2 infants in the group	1 to 3	9
Infants and toddlers, with 3 or more infants in the group	1 to 3	6

(2) In a group of children of the same age, the following staff/child ratio and maximum group size requirements apply:

Child Ages	Staff/Child Ratio	Maximum Group Size
2_years old	1 to 6	12
3 or 4 years old	1 to 10	20
5_years old and older	1 to 15	30

#### D. Mixed-Age Groups.

(1) A mixed age group with infants or toddlers, the following minimum staffing levels apply:

Group Composition	Maximum Group Size	Minimum Staffing Level
Group includes 1 or 2 infants	9	2 staff members
Group includes 3 or more infants	6	2 staff members
Group includes 1 or 2 toddlers	12	2 staff members
Group includes 3 toddlers	9	2 staff members
Group includes 4 or more toddlers	9	3 staff members
Group includes no infants, 1 or 2 toddlers, and 6 or more 2 year olds	12	3 staff members

(2) In a mixed-age group with preschool children:

- (a) The group size may not exceed 20 children;
- (b) If the group contains preschool children 3 years old or older, the staff-to-child ratio is 1 to 10;
- (c) If the group size is 13 to 20 children, the group may not contain more than six 2-year-olds; and
- (d) If the group contains children who are 2 years old and the group size varies, the following minimum

staffing levels apply:

Group Composition	Group Size	Minimum Staffing Level
Group includes one to three 2 year old children	7 to 10	1 staff member
Group includes four or more 2 year old children	7 to 10	2 staff members
Group includes one to three 2 year old children	13 to 20	2 staff members
Group includes four to six 2 year old children	13 to 20	3 staff members

(3) School-Age Groups. In a group where 3-year-old and 4-year-old children, enrolled in a public or nonpublic school, are mixed with school-age children, the following minimum staffing levels and maximum group size requirements apply:

Group Composition	Maximum Group Size	Minimum Staffing Level
Group includes up to five children 3 or 4 years old	30	1 school-age teacher and 1 assistant or aide
Group includes 6 to 9 children 3 or 4 years old	30	1 school-age teacher and 2 assistants or 1 school-age teacher, 1 assistant and 1 aide
Group includes 6 to 9 children 3 or 4 years old	25	1 school-age teacher and 1 assistant or aide
Group includes 10 or more children 3 or 4 years old	20	1 preschool teacher and 1 assistant or aide

E. Group Size and Staffing in Approved Educational Programs .

(1) During a school day approved by the Department, a teacher shall be assigned to each class and the following requirements apply:

Child Age Group	Staff/Child Ratio	Maximum Group Size
2 years old	1 to 6	12
3 or 4 years old	1 to 12	24
5 years old or older	1 to 15	30

(2) A nursery school may not exceed a staff/child ratio or group size requirement set forth at §E(1) of this regulation, except that a Montessori school that has been approved by the Department may exceed a staff/child ratio or group size requirement by no more than 1/3.

(3) When children who are 2 years old, 3 years old, 4 years old, and 5 years old are grouped together, the average age of all the children in the group as of September 1 of that school year is used to determine the group's maximum size and staff/child ratio.

# Large Family Child Care Homes Staff/Child Ratio Charts

Reference: COMAR 13A.18.08 Child Supervision

## .3 Group Size and Staffing.

A. Assignment of Staff. One or more family child care teachers shall be assigned to each group of children as needed to meet the requirements for group size and staffing set forth at §§C-G of this regulation.

B. Age of a Child. For purposes of determining group size and staff required under this chapter, the age of a child is determined solely according to the date of the child's most recent birthday.

C. Same-Age Groups. In a group of children of the same age, the following staff/child ratio and maximum group size requirements apply:

<i>Child Ages</i>	<i>Staff/Child Ratio</i>	<i>Maximum Group Size</i>
<i>2 years old</i>	<i>1 to 6</i>	<i>12</i>
<i>3 or 4 years old</i>	<i>1 to 10</i>	<i>12</i>
<i>5 years old or older</i>	<i>1 to 12</i>	<i>12</i>

D. Groups of Children Younger than 2 Years Old. In a group of children where each child is younger than 2 years old, the following staff/child ratio and maximum group size requirements apply:

<i>Child Ages</i>	<i>Staff/Child Ratio</i>	<i>Maximum Group Size</i>
<i>Infants</i>	<i>1 to 3</i>	<i>6</i>
<i>Toddlers</i>	<i>1 to 3</i>	<i>9</i>
<i>Infants and toddlers, with 1 to 2 infants in the group</i>	<i>1 to 3</i>	<i>9</i>
<i>Infants and toddlers, with 3 or more infants in the group</i>	<i>1 to 3</i>	<i>6</i>

E. Mixed-Age Groups with Children Younger than 2 Years Old. In a group where children younger than 2 years old are mixed with children 2 years old or older, the following minimum staffing levels and maximum group size requirements apply:

<i>Group Composition</i>	<i>Minimum Staffing Level</i>	<i>Maximum Group Size</i>
<i>Includes 1 or 2 children under the age of 2</i>	<i>1 staff member</i>	<i>8</i>
<i>Includes 1 or 2 children under the age of 2</i>	<i>2 staff members</i>	<i>12</i>
<i>Includes 3 or 4 children under the age of 2</i>	<i>2 staff members</i>	<i>8</i>
<i>Includes 3 or 4 children under the age of 2</i>	<i>3 staff members</i>	<i>12</i>

F. Mixed-Age Groups with Children 2 Years Old or Older.

(1) In a mixed age group with children who are 3 years old or older, the staff to child ratio is 1 to 10.

(2) In mixed-age groups of varying sizes that include children who are 2 years old, the following minimum staffing levels apply:

<i>Group Composition</i>	<i>Group Size</i>	<i>Minimum Staffing Level</i>
<i>Includes one to three 2-year-old children</i>	<i>Up to 10</i>	<i>1 staff member</i>
<i>Includes four or more 2-year-old children</i>	<i>Up to 12</i>	<i>2 staff members</i>

G. Group Size and Staffing in Approved Educational Programs .

(1) During a school day approved by the Department, a teacher shall be assigned to each class and the following requirements apply:

<i>Child Ages</i>	<i>Staff/Child Ratio</i>	<i>Maximum Group Size</i>
<i>2 years old</i>	<i>1 to 6</i>	<i>12</i>
<i>3 years old or older</i>	<i>1 to 12</i>	<i>12</i>

(2) A nursery school may not exceed a staff/child ratio or group size requirement set forth at §G(1) of this regulation,

except that a Montessori school that has been approved by the Department may exceed a staff/child ratio or group size requirement by no more than 1/3.

(3) When children who are 2 years old, 3 years old, 4 years old, and 5 years old are grouped together , the average age of all the children in the group as of September 1 of that school year is used to determine the group's maximum size and staff/child ratio.

## Links to Resource Documents and Forms On the Office of Child Care Website

The following links will take you to resource documents and forms needed to evaluate staff qualifications for child care staff positions, verify staff orientation, and report staff changes. Feel free to browse the Office of Child Care's website for interesting and enlightening information.

1. Preschool and School-age Director Qualification Chart- see Director qualification  
[https://earlychildhood.marylandpublicschools.org/system/files/filedepot/3/chart-center-preschool\\_director\\_requirements\\_jan\\_09\\_revised\\_march\\_2016.pdf](https://earlychildhood.marylandpublicschools.org/system/files/filedepot/3/chart-center-preschool_director_requirements_jan_09_revised_march_2016.pdf)
2. Child Care Center Staff Qualification - *see qualifications for staff positions*  
[https://earlychildhood.marylandpublicschools.org/system/files/filedepot/3/chart-center-staff\\_requirements\\_jan\\_09\\_revised\\_march\\_2016.pdf](https://earlychildhood.marylandpublicschools.org/system/files/filedepot/3/chart-center-staff_requirements_jan_09_revised_march_2016.pdf)
3. OCC Form 1205 - *used to document individual personnel information*  
[https://earlychildhood.marylandpublicschools.org/system/files/filedepot/3/occ1205-individualpersonnelinformation-ctr\\_092015.pdf](https://earlychildhood.marylandpublicschools.org/system/files/filedepot/3/occ1205-individualpersonnelinformation-ctr_092015.pdf)
4. Credential Evaluation Services -*find services to evaluate foreign credentials*  
<https://earlychildhood.marylandpublicschools.org/system/files/filedepot/3/credentialevaluationervices2011.pdf>
5. Personnel List and Staff Change Form OCC 1203 -*used to list personnel and changes in personnel*  
[https://earlychildhood.marylandpublicschools.org/system/files/filedepot/3/occ\\_1203-personnellistandstaffchanges.pdf](https://earlychildhood.marylandpublicschools.org/system/files/filedepot/3/occ_1203-personnellistandstaffchanges.pdf)
6. Staff Orientation Verification Form- *used for staff orientation purposes*  
[https://earlychildhood.marylandpublicschools.org/system/files/filedepot/3/staff\\_orientation\\_verification\\_form\\_2015.pdf](https://earlychildhood.marylandpublicschools.org/system/files/filedepot/3/staff_orientation_verification_form_2015.pdf)

For additional information, you may contact the Regional Office of Child Care that regulates child care in the county where you desire to provide care. Link to Regional Offices:

<https://earlychildhood.marylandpublicschools.org/node/618>