

Group Size/Determining Licensed Capacity

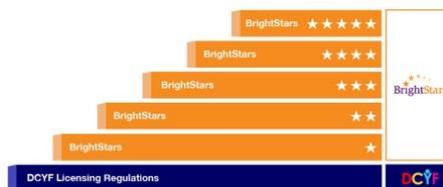
Quality early care and education programs in Rhode Island are on a continuous improvement path that is informed by Department of Children, Youth, and Families (DCYF) licensing regulations; Department of Education Basic Education Program (BEP) regulations; BrightStars Tiered Quality Rating and Improvement Standards; and Department of Education Comprehensive Early Childhood Education (CECE) Program Standards for Approval. The graphics below illustrate the state's quality continuum for center-based programs, family child care programs, and school-based programs. Larger versions of the graphics can be found in *Appendix A*.

This Tip Sheet provides information on the requirements for the maximum allowable **group size** and **licensed capacity** for children in early care and education settings across the quality continuum in Rhode Island.

Center-based Programs



Family Child Care Programs



School-based Programs



Researchers have identified three measurable characteristics of program structure that have been found to most significantly influence program quality: staff qualifications, staff-to-child ratios, and group size. Together, these three characteristics make up what they call an “Iron Triangle.” Of these three, staff qualifications and staff-to-child ratios are relatively easy to understand and measure. The third characteristic—group size, which has been called the most important of the three, especially for 3- and 4-year-olds—identifies **the maximum number of children that should be grouped together**.¹ However, understanding and measuring group size involves more than just the number of children in a group, classroom, or space. Group size also takes into

¹ See the following three works:

Hayes, C. D., Palmer, J. L., & Zaslow, M. H. (1990). *Who cares for American's children? Child care policy in the 1990s*. Washington, DC: National Academy Press.

Colbert, J. (2002). *Regulating dimensions of quality in early care and education. A review of the research*. St. Paul, MN: National Association for Regulatory Administration. Retrieved from <http://www.nara-licensing.org/>

American Public Health Association and American Academy of Pediatrics. (2002). Standard 1.002, in *Caring for our children: National health and safety performance standards: Guidelines for out-of-home child care programs*, third edition. Retrieved from <http://cfoc.nrckids.org>

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consideration the age of children and specific environmental conditions, such as the size of the space, conditions of the rest rooms, and the partitions that define the space.

Maintaining optimum group size raises program quality because of what can be achieved when the size of the group is small. Smaller group size is associated with a lower risk of disease and infection and increased child safety. It improves caregiving interactions between staff and children; and it enhances the social competence of the children as well as their cognitive development and their language development.²

Licensed Child Care Centers

Maximum group size standards have been included in Rhode Island's Child Care Program Regulations for Licensure since 1993. Revised regulations, which went into effect in November 2013, provide clarification on the structural requirements of group size. Specifically, these regulations require each group of children to be in a classroom with floor-to-ceiling walls; or, where that is not possible, in a classroom area or space separated by a stable 4-foot divider. The divider may be built-in or created using solid equipment and furnishings that are bolted to the floor or wall to create a stable barrier. Each group of children then has, in addition to its own physically defined space, its own assigned teaching team and its own full assortment of equipment and materials. The maximum group sizes allowable, along with staff-to-child ratios, for DCYF licensing are as follows:

AGE	STAFF-TO-CHILD RATIO	MAXIMUM GROUP SIZE
6 weeks to 18 months	1 to 4	8
18 months to 3 years	1 to 6	12
3 years	1 to 9	18
4 years	1 to 10	20
5 years	1 to 12	24
School Age	1 to 13	26

² Fiene, R. (2002). Thirteen indicators of quality child care: Research update. Presentation of the National Resource Center for Health and Safety in Child Care to the Office of the Assistant Secretary for Planning and Evaluation and Health Resources and Services Administration/Maternal and Child Health Bureau, U.S. Department of Health and Human Services. Retrieved from <http://aspe.hhs.gov/hsp/ccquality-ind02/>

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The **DCYF 2013 Licensing Regulations** for child care centers specify the following items related to group size:

SECTION THREE – LICENSING STANDARDS

I. Physical Space and Safety

D-3—Program licensing capacity is determined by adding up the total capacity of approved groups for that program.

E-1—Classrooms are separate areas with floor to ceiling walls.

E-2— If floor to ceiling walls are not possible, then classroom areas may be partitioned with dividers, cubbies or bookcases of at least four feet in height, which are securely fastened to the floor or wall and completely separate groups of children.

F-1—Children under the age of three years have rooms or areas physically separate from those used by children three years and over.

III. Enrollment and Staffing

C-3.a—Maximum group size is determined by the number of children cared for by a caregiver or group of caregivers in a classroom or designated area.

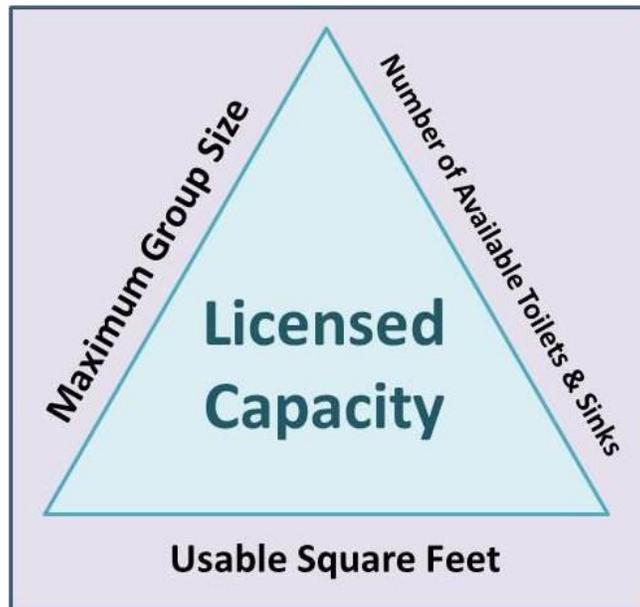
C-3.b—Physical barriers divide groups and completely separate the children.

C-3.f—Programs serving mixed age groupings meet the staff/child ratio and group size requirements for the younger age grouping.

In fall of 2014, all licensed child care centers in Rhode Island were re-measured for licensing by DCYF using a standard and consistent protocol, and new licenses were issued. In calculating the licensed capacity for each child care facility, three key variables were considered: usable square footage, maximum allowable group size, and the number of available toilets and sinks.

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The graphic below illustrates the relationship between these three variables and licensed capacity.



DCYF licensing regulations detail the following square-foot requirements³:

- Infants and Toddlers: 45 square feet per child
- Preschoolers: 35 square feet per child
- School Age: 35 square feet per child

DCYF regulations further require the following plumbing features:

- Children under the age of 36 months: one toilet and one sink for every group of 20 children
- Children 3 years and older: one toilet and one sink for every group of 10 children
- At least one diaper-changing area and adjacent hand-washing sink with hot and cold running water (separate from food preparation area) for every 20 children under the age of 3
- Separate bathrooms, labeled “boys” and “girls,” with one toilet and one sink for every 20 boys and girls in school-age facilities.

Consider the following examples:

- A preschool space consists of one room with floor-to-ceiling walls and no further types of division. The center wants to use this space for a mixed-age preschool classroom of 3- and 4-year-olds. This space has a total of 875 usable square feet. Divided by 35, this allows for 25 children. However, the

³ It is important to note that while providing 35 square feet of usable floor space will meet the DCYF minimal requirement for preschoolers and school-age children, all available research supports a need for at least 50 square feet of available space per child for quality. See: <https://www.whitehutchinson.com/children/articles/35footmyth.shtml>

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maximum group size for 3-year-olds is 18. In addition, this group has access to only two toilets and two sinks. Therefore, even though there is sufficient square footage for 25 children, the space can only be licensed for 18 children.

- An infant room has floor-to-ceiling walls and low, 2-foot toy shelves partially dividing activity and feeding areas from sleeping areas. The square footage of the room is 675 usable square feet. This square footage divided by 45 equals 15 children. However, the maximum group size for infants is eight. While this space may be reconfigured in the future to accommodate additional children, as currently configured it would be licensed for eight infants.

Family Child Care Homes

Group size standards do not exist for family child care homes in the same way they do for licensed child care centers. In home settings, the maximum number of children that can be cared for in the home is considered the allowable “group.” The capacity of a family child care home is determined as follows:

- An individual provider who does NOT have an assistant can have up to six children at any time, provided that none of these children are younger than 18 months.
- An individual provider who does NOT have an assistant can care for up to two children younger than 18 months but then may care for no more than four children total.
- An individual provider with a full-time assistant can care for up to eight total children, of whom no more than four can be under 18 months of age.



Bright Stars Standards for Group Size

At Level 1 and above, BrightStars Standards require that programs meet the standard for maximum group size as specified in the DCYF Regulations for Licensure. Inclusive/integrated programs in public schools must meet the standard for maximum group size as specified in the current state special education regulations. At Levels 2 through 5, BrightStars Standards require that programs prominently post the maximum group size outside every classroom. See *Appendix B* to view the BrightStars Standards for Maximum Group Size.

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Rhode Island Department of Education (RIDE) 2013 CECE Program Standards for Approval of Preschool and Kindergarten Programs

The **RIDE 2013 CECE Program Standards for Approval** include more stringent requirements for group size. Children ages 3, 4, and 5 must be served in groups no larger than 18; and kindergarten children must be in groups no larger than 24. In addition, all CECE-approved programs must meet the physical space requirements of either floor-to-ceiling walls or stable 4-foot dividers separating groups, and classrooms and activity rooms must have at least 35 square feet of usable floor space per child. Specifically, the standards state:

Standard One: Physical Facilities

- 1.16. There shall be a minimum of 35 square feet of **usable floor space** for each child in classrooms or activity rooms.

Standard Three: Enrollment and Staffing

- 3.4. The following **staff-child ratios and group size requirements** shall be maintained in all approved classrooms:

AGE	STAFF-TO-CHILD RATIO	MAXIMUM GROUP SIZE
3, 4, and 5 year olds	1 to 9	18
Kindergarten children	1 to 12	24

These ratios shall apply unless federal or state law or regulation, such as the IDEA or the RI regulations Governing the Education of Children with Disabilities, require more stringent ratios, or when determined to be appropriate considering student behavioral, health or educational needs.

Strategies to Bring Programs into Compliance with Group Size Regulations/Standards

In some cases, centers licensed by DCYF have been operating with group configurations that do not meet the current licensing standards. Those centers are presently operating under a variance that will expire in July 2015. Several potential strategies exist for adjusting groups and spaces to meet regulations. These include:

- Adjusting numbers of children served in space by allowing children to age out of groups; then not re-enrolling beyond the maximum allowable group size. This strategy often requires adjustments to staffing patterns and business plans as well.
- Dividing spaces either by building a full wall or a 4-foot wall or by using movable furnishings or equipment that is then securely bolted to the floor or walls.

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Programs choosing to divide spaces should keep in mind the following:

- Before dividing spaces, be careful to consider any implications to the fire code, general safety issues, and evacuation.
- When dividing spaces, be sure to consider access to plumbing, impacts to the HVAC system, effects on lighting, and access to spaces.
- Some furnishings and equipment (if not used by children) may be deducted from your usable square footage. Therefore, use caution when calculating spaces to ensure you maintain your usable square footage needs.
- If spaces are currently divided but not with dividers that are a full 4 feet in height, it may be possible to securely add something to the top of the existing divider to meet the 4-foot requirement.
- Each side of a newly divided space requires a full range of furnishings and materials as well as a qualified teaching team.

In cases where group size is an issue across multiple classrooms in a center, it may be more logical to look at the entire space within a center to determine the best way to structure the classrooms and group spaces to best meet the needs of children and to comply with regulations.

Resources to Extend Your Learning

- Center for Early Learning Professionals InfoLine: www.center-elp.org
- Rhode Island Child Care and Early Learning Facilities Fund: www.riccelff.org
- 13 Indicators of Quality Child Care: Research Update; Staff Child Ratio and Group Size Indicator: aspe.hhs.gov/hsp/ccquality-ind02/#Staff1
- Early Childhood News: Group Size—A Key Indicator of Quality: www.earlychildhoodnews.com/earlychildhood/article_view.aspx?ArticleID=576
- Early Childhood News: Group Size—What Does It Mean for the Children in Your Care? www.earlychildhoodnews.com/earlychildhood/article_view.aspx?ArticleID=402

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APPENDIX A

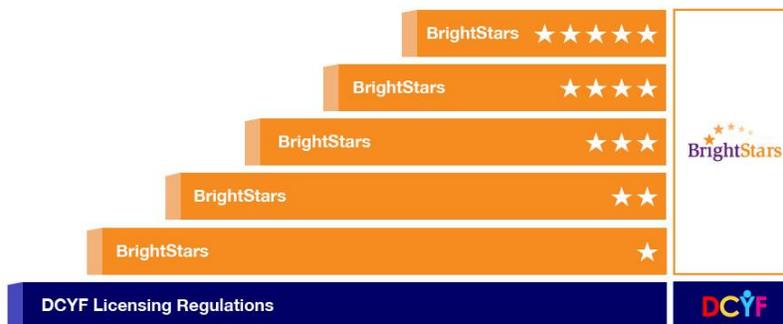
Center-based Program Quality Continuum



School-based Program Quality Continuum



Family Child Care Program Quality Continuum



APPENDIX B

BrightStars – Child Care Center and Preschool Quality Framework, November 2013

Domain 2: Enrollment & Staffing

Standard 3: Maximum Group Size

Maximum group size is determined by the number of children cared for by a caregiver or group of caregivers in a classroom or designated area. Measuring group size ensures that **children are cared for in a small group, separate**

from other groups of children in order to promote the development of stable, positive relationships and to prevent the spread of disease. This standard reiterates what is expected of programs through state regulation.

Level One	Level Two	Level Three	Level Four	Level Five
<p>Group Size¹ Community-based programs Child Care Center regulations limit group size to a maximum of:²</p> <p>8: infants (6 weeks to 18 months)</p> <p>12: toddlers (18 to 36 months)</p> <p>18: three year old</p> <p>20: four year olds</p> <p>24: five year olds</p> <p>OR</p> <p><i>Public Schools</i> Current RI Special Education regulations require a maximum group size of 15 preschoolers in inclusive/ integrated classrooms</p>	<p>Compliance with Group Size</p> <p style="text-align: center;">+</p> <p>Group Size Posted Maximum group size is clearly posted for each group of children</p>	<p>Compliance with Group Size</p> <p style="text-align: center;">+</p> <p>Group Size Posted</p>	<p>Compliance with Group Size</p> <p style="text-align: center;">+</p> <p>Group Size Posted</p>	<p>Compliance with Group Size</p> <p style="text-align: center;">+</p> <p>Group Size Posted</p>

¹Unless federal or state law requires more stringent ratios or when determined to be appropriate considering student behavioral, health, or educational needs.

² Programs with mixed-age groups must meet the group size requirement for the youngest child in the group.

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BrightStars – School-Age Child Care (K–5) Quality Framework, April 2011

Domain 3: Staff-Child Ratio and Group Size

Standard 4: Maximum Group Size

Group size is the number of children who occupy a defined space while engaged in a specific activity. Programs plan for and **provide appropriate group sizes** for children according to the type, complexity, and difficulty

of activities as well as the ages, abilities, developmental levels, and needs of children.

Level One	Level Two	Level Three	Level Four	Level Five	Measurement	Resources
N/A	Group Size 26 children ³	Group Size 26 children ————— + ————— Group Space No more than 52 children in a room ⁴	Group Size 26 children 24 if the program serves any Kindergarteners ————— + ————— Group Space No more than 52 children in a room No more than 48 children in a room if the program serves any Kindergarteners	Group Size 26 children 24 if the program serves any Kindergarteners ————— + ————— Group Space No more than 26 children in a room No more than 24 children in a room if the program serves any Kindergarteners	<ul style="list-style-type: none"> • Observation of group size • Observation of group space 	<ul style="list-style-type: none"> • RI Child Care Facilities Fund

³Group size will be determined based on the total # of children in a group or activity throughout the observation; intermingling is permitted. Exceptions to group/activity size include: meal/snack time, outdoor time, arrival, departure, and special activities. Times for these exceptions to group/activity size should not exceed more than 1/3 of the total time children are in attendance. For example, activities which are exceptions to group size should not last more than 1 hour in a 3-hour program. For more information on how this standard is assessed, see 'Program Observation Information' in the BrightStars School-Age Child Care application materials.

⁴A room has floor-to-ceiling walls.