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Subject: Religious Exempt Child Day Programs- Child to Staff Ratios
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COMMONWEALTH *of* VIRGINIA

DEPARTMENT OF SOCIAL SERVICES

DATE: September 17, 2019

TO: Religious Exempt Child Day Centers (RECDC)

FROM: Tara Ragland, Director
Division of Licensing Programs

SUBJECT: Child to Staff Ratios

This memo provides updated information on the department's interpretation of the following section 63.2-1716.A.3. of the Code of Virginia.

§ 63.2-1716(A) (3) The child day center employs supervisory personnel according to the following ratio of staff to children:

- a. One staff member to four children from ages zero to 16 months.
- b. One staff member to five children from ages 16 months to 24 months.
- c. One staff member to eight children from ages 24 months to 36 months.
- d. One staff member to 10 children from ages 36 months to five years.
- e. One staff member to 20 children from ages five years to nine years.
- f. One staff member to 25 children from ages nine years to 12 years.

Staff shall be counted in the required staff-to-children ratios only when they are directly supervising children. In each grouping of children, at least one adult staff member shall be regularly present.

The Code of Virginia requires child day centers operated by religious institutions to follow the ratio requirements in 63.2-1716(A)(3). Currently, the department's interpretation of § 63.2-1716(A)(3) for at least one adult staff member to be regularly present in each grouping of children requires a separate staff member for each age group described in the ratios listed in the Code. Recently, the department learned that the current interpretation of § 63.2-1716(A)(3) is incorrect. Effective immediately, licensing inspectors have been directed to cease the use of this incorrect interpretation.

If you have any questions, please contact your licensing inspector.

Thank you.