

**Attachment A
Testimony
Engrossed House Bill 1422
Senate Human Services Committee
Senator Judy Lee, Chairman
March 11, 2013**

The information in this attachment is based on the staffing and group size requirements for child care centers and group child cares found in North Dakota Administrative Code chapters 75-03-09 and 75-03-10.

Current Ratio System for Child Care Centers and Groups

Age of children	Ratio
0-18 months	1:4 or .25 decimal points
18-36 months	1:5 or .20 decimal points
3 years	1:7 or .14 decimal points
4 years	1:10 or .10 decimal points
5 years	1:12 or .08 decimal points
6-12 years	1:20 or .05 decimal points

Ratios are for same age groups. When mixed ages are in the same group, the group is allotted an **extra .34 decimal points**. This is to afford child care operators some flexibility in staffing based on the belief that children all develop uniquely and that it is appropriate to consider the developmental level of children in a group in addition to their ages.

In addition to ratio, child care centers also have requirements regarding the maximum number of children per age per staff member and maximum group sizes.

**Current Maximum Number of Children per Staff Member and
Maximum Group Size for Child Care Centers
(NDAC section 75-03-10-08)**

Age of children	Maximum Number of Children per Staff Member	Maximum Group Size
0-18 months	4	8
18-36 months	5	10
3 years	7	14
4 years	10	20
5 years	12	24
6-12 years	20	40

Example of an appropriate mixed age group:

4 children, 0-18 months =1.00 points

1 two-year-old child =.20 points

1 three-year-old child =.14 points

Total points =1.34. This group is in compliance with 1 staff member because the staff member does not exceed the maximum number of children per age per staff member (4 infants to one staff member) or the maximum group size (4 infants plus one two-year-old child and one three-year-old child is 6 children; this is less than the maximum group size of 8 for infants). By using this formula, a provider is afforded an opportunity for greater flexibility in staffing because they are able to take advantage of the additional .34 in the ratio calculation for a mixed age group.

However, if this group had two staff members, and the group contained:
8 children, 0-18 months =2.00 points

1 two-year-old child =.20 points

1 three-year-old child =.14 points

Total points =2.34, this group would be out of compliance, even though the group is within the acceptable ratio, because the group contains 10 children, and the maximum group size for children age 0-18 months is 8 children. Increasing the maximum group size as provided in Engrossed House Bill 1422 would allow child care centers to better utilize the additional points allowed in child care center rules for mixed age groups.