**Section 407.190 Grouping and Staffing**

a) The group sizes and ratio of child care staff to children present at any one time shall be as follows:

|  |  |  |
| --- | --- | --- |
| AGE OF CHILDREN | STAFF/CHILD RATIO | MAXIMUM GROUP SIZE |
|  |  |  |
| Infants (6 weeks through 14 months) | 1 to 4 | 12 |
| Toddlers (15 through 23 months) | 1 to 5 | 15 |
| Two years | 1 to 8 | 16 |
| Three years | 1 to 10 | 20 |
| Four years | 1 to 10 | 20 |
| Five years (preschool) | 1 to 20 | 20 |
|   |  |  |
| School-age: |  |  |
| Kindergartners |  |  |
| present | 1 to 20 | 30 |

b) The following exception to this Section is permitted: An early childhood teacher aided by an early childhood assistant may supervise a group of up to 30 children if all of the children are at least five years of age.

c) Whenever children of different ages are combined, as allowed by Section 407.190(d) below, the staff/child ratio and maximum group size shall be based on the age of the youngest child in the group.

d) Children may be combined in any of the following ways:

1) Infants, toddlers and two-year-olds may be combined; and/or

2) Two-year-old through five-year-old children may be mixed in any combination; and/or

3) Four-year-old through six-year-old children may be mixed; and/or

4) Children of all ages may be mixed during the first hour and last hour of programs that operate 10 or more hours per day.

Programs that combine children in any of the above ways shall have staff training activities and daily schedules to meet the needs of all children in the group.

e) With the exception of infants and toddlers, children may be under the direct supervision (staff in the same room) of 50% of the qualified staff required by this Section during nap times, provided the required staff-to-child ratio is maintained on the premises.

1) Infants and toddlers shall be under the direct supervision of staff required by this Section at all times except as provided in Section 407.90(e)(4).

2) When all of the children are two years of age or older, an early childhood assistant 18 years of age or older may provide direct supervision without the presence of an early childhood teacher for a maximum of one hour per day while the children are all on cots.

f) When all children are two years of age or older, a qualified early childhood assistant 18 years of age or older may provide direct supervision without the presence of an early childhood teacher to a classroom if they meet all requirements listed in Section 407.90(e)(3).

g) Children shall not be left unattended at any time.

h) When the needs of individual children dictate, additional staff may be required to meet the needs of all children. The appropriate ratio shall be determined through consultation among the parent, staff, resource personnel and the Department.

(Source: Amended at 47 Ill. Reg. 15896, effective October 30, 2023)