1	HOUSE BILL NO. 422			
2	INTRODUCED BY T. FALK, S. GIST, L. SHELDON-GALLOWAY, T. BROCKMAN, G. KMETZ, D. EMRICH			
3				
4	A BILL FOR AN ACT ENTITLED: "AN ACT DIRECTING AN AMENDMENT TO ARM 27.95.623 TO REVISE			
5	THE CHILD-TO-STAFF RATIOS AND MAXIMUM GROUP SIZES FOR CHILD CARE CENTERS AND			
6	PROVIDE FOR A HIGHER CHILD-TO-STAFF RATIO DURING NAP TIMES PROVIDED CERTAIN			
7	CONDITIONS ARE MET."			
8				
9	WHEREAS, the proposed changes to the child-to-staff ratios and maximum group sizes for child care			
10	centers more closely align with the guidelines from the National Association for the Education of Young			
11	Children (NAEYC); and			
12	WHEREAS, the proposed changes would benefit the child care industry in Montana by opening up			
13	more child care spots in communities across the state while still aligning with the STARS to Quality level 5			
14	standards from the Department of Public Health and Human Services; and			
15	WHEREAS, child care centers would see increased revenue, which would allow the child care			
16	providers to increase their employees' wages without increasing tuition rates for families; and			
17	WHEREAS, at least 21 other states have adopted child care regulations that provide flexibilities during			
18	children's nap times, including Wyoming, Colorado, Mississippi, Texas, Alaska, and others; and			
19	WHEREAS, the additional flexibilities at nap time would benefit the child care industry in Montana by			
20	allowing lead staff to meet, plan, and collaborate during nap time and would reduce payroll costs by eliminating			
21	the need to schedule lead staff planning time each week while those staff are not included in the ratio, all while			
22	supporting a safe nap environment with sufficient supervision; and			
23	WHEREAS, the proposed changes would allow child care centers to increase access and affordability			
24	to child care for Montana families, help child care providers to attract and retain staff, and support quality			
25	improvement in child care programs, while still aligning with state and industry standards.			
26				
27	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:			



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1		NEW S	SECTION. Section 1. The department of public health and human services shall amend ARM		
2	37.95.6	37.95.623 to read:			
3	"37.95.623 CHILD CARE CENTERS: CHILD-TO-STAFF RATIOS				
4		(1)	The child-to-staff ratio and maximum group size for a child care center are:		
5		(a)	4:1 for children newborn through 23 11 months with a maximum group size of 12 8 12;		
6		(b)	6:1 for children 12 months through 23 months with a maximum group size of 12;		
7		<u>(c)</u>	8:1 for children two years through three years with a maximum group size of 16;		
8		<del>(c)</del> (d)	10:1 for children four years three years through five years with a maximum group size of 24 20;		
9	and				
10		<del>(d)</del> (e)	14:1 for five years and over 15:1 20:1 for children six years and over with a maximum group		
11	size of <del>32</del> <del>30</del> <u>40</u> .				
12		(2)	When children of different ages are mixed, the ratio and group size for the youngest child in the		
13	group must be maintained.				
14		(3)	Only the director, early childhood lead teachers, assistant teachers, trainees, and substitute		
15	teachers may be counted as staff when determining the staff ratio.				
16		(4)	Group sizes must be maintained except for mealtimes, outdoor play, rest periods, or during		
17	large group activities, such as educational assemblies.				
18		<u>(5)</u>	At nap time, the child-to-staff ratio may be doubled for children two years and over when the		
19	following conditions are met:				
20		<u>(a)</u>	at least half the children are sleeping;		
21		<u>(b)</u>	another staff member is onsite in the center and is immediately available;		
22		<u>(c)</u>	the maximum group size and room capacity are not exceeded; and		
23		<u>(d)</u>	the staff member responsible for direct supervision of the napping children is not a trainee."		



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