

# Family Day Care Homes

## Number of Children & Development Review

1

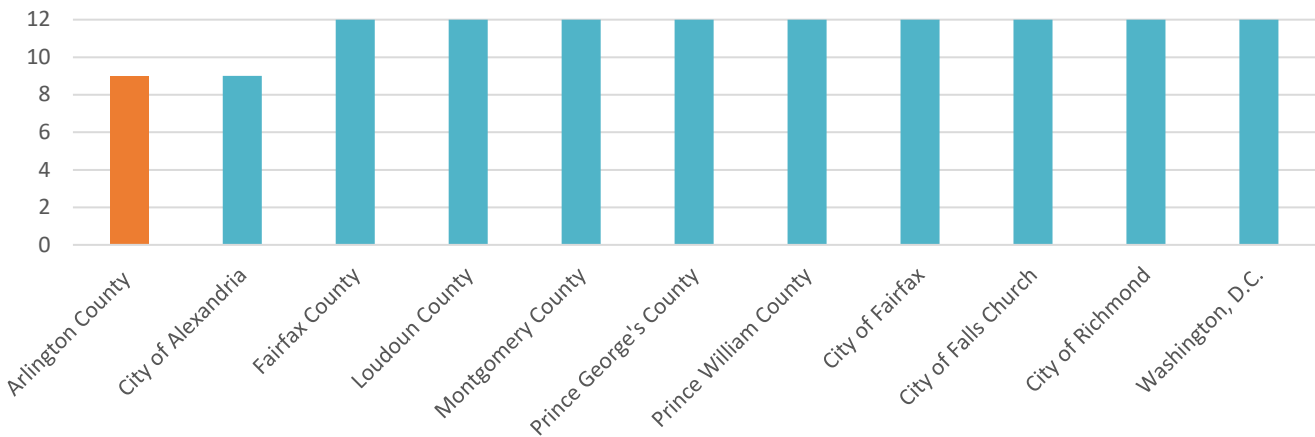
### Child Care Challenge

Arlington County has a significant gap between child care supply and demand, as supply can only accommodate 51% of Arlington's population under the age of five (5).

### Background Data

- The Commonwealth of Virginia allows up to 12 children within Family Day Care Homes, however, Arlington County allows up to nine (9) children.
- The majority of jurisdictions in the Washington metro region allow up to 12 children, with the exception of the City of Alexandria which allows up to nine (9).
- The number of children permitted within a Family Day Care Home is further limited by licensing regulations and the building code, which requires 35 square feet per occupant.

*Family Day Care Home Maximum Number of Children*



### CCI Action Plan

**Availability Action Step 2.** Determine if there is a need to update Arlington County's General Land Use Plan, Zoning Ordinance, and/or Residential/Commercial Permit Review process.

- Review the Arlington County Zoning Ordinance and/or the Residential/Commercial Permit Review Process and identify possible changes to streamline the process of opening and/or expanding a child care business.
- Review and address opportunities to expand the capacity of Family Day Care Homes (e.g. removing the requirement for a Use Permit, allowing Family Day Care Homes to care for a maximum of 12 children).

## Existing Zoning Ordinance Regulations

The Arlington County Zoning Ordinance allows up to nine (9) children in Family Day Care Homes, and requires the County Board's approval of a use permit for Family Day Care Homes with six (6) to nine (9) children.

		Number of Children											
		1	2	3	4	5	6	7	8	9	10	11	12
1	Family Day Care Home	By-Right	By-Right	By-Right	By-Right	By-Right	Use Permit	Use Permit	Use Permit	Use Permit	Prohibited	Prohibited	Prohibited

**LEGEND**

By-Right

Use Permit

Prohibited

**By-Right:** Projects that are permitted under their current zoning and do not require approval by the County Board; by-right projects are approved administratively by the Zoning Administrator and do not require public hearings.

**Use Permit:** Required for uses that may be essential or desirable, but which are not allowed by-right within a zoning district. Use permits allow the County to review the use through a public hearing process, and may allow flexibility within a zoning ordinance.

### Use Permit Findings

For Family Day Care Homes with six (6) to nine (9) children, the County Board must determine that the use will not:

1. Affect adversely the health or safety of persons residing or working in the neighborhood of the proposed use;
2. Be detrimental to the public welfare or injurious to property or improvements in the neighborhood; and
3. Be in conflict with the purposes of the master plans of the county.

## Alternative Regulations

Below are six (6) alternatives to the existing Zoning Ordinance regulations. The seventh option shows the existing regulations for comparison.

Option		Number of Children											
		1	2	3	4	5	6	7	8	9	10	11	12
1	Family Day Care Home	By-Right	By-Right	By-Right	By-Right	By-Right	Use Permit	Use Permit	Use Permit	Use Permit	Use Permit	Use Permit	Use Permit
2	Family Day Care Home	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	Prohibited	Prohibited	Prohibited
3	Family Day Care Home	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	Use Permit	Use Permit	Use Permit
4	Family Day Care Home	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right
5	SF-Home Family Day Care Home	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right
	MF-Home Family Day Care Home	By-Right	By-Right	By-Right	By-Right	By-Right	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited
6	SF-Home Family Day Care Home	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	By-Right	Use Permit	Use Permit	Use Permit
	MF-Home Family Day Care Home	By-Right	By-Right	By-Right	By-Right	By-Right	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited	Prohibited
7	(NO CHANGE)	By-Right	By-Right	By-Right	By-Right	By-Right	Use Permit	Use Permit	Use Permit	Use Permit	Prohibited	Prohibited	Prohibited

**LEGEND**

By-Right

Use Permit

Prohibited

SF Single-family

MF Multi-family

To learn more about Arlington's Child Care Initiative, visit [commissions.arlingtonva.us/child-care-initiative](https://commissions.arlingtonva.us/child-care-initiative).

# Family Day Care Homes

## Use Standards

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### CCI Action Plan

**Availability Action Step 2.** Determine if there is a need to update Arlington County's General Land Use Plan, Zoning Ordinance, and/or Residential/Commercial Permit Review process.

- Review the Arlington County Zoning Ordinance and/or the Residential/Commercial Permit Review Process and identify possible changes to streamline the process of opening and/or expanding a child care business.

### What are Use Standards?

A zoning ordinance includes use standards to provide specific direction for the design and operation of a use in addition to the lot size, setback, density, and height requirements set by a zoning district.

Use Standards	Permit Conditions
<ul style="list-style-type: none"><li>• Enforced by the Zoning Administrator</li><li>• Applies to by-right and special exception projects</li><li>• Administered by the Zoning Ordinance</li></ul>	<ul style="list-style-type: none"><li>• Established by the County Board</li><li>• Applies to special exception projects</li><li>• Administered by use permit or site plan</li><li>• Serves to mitigate land use impacts</li></ul>

### Examples of Child Care Use Standards

Local municipalities typically include use standards for child care uses in their zoning ordinance. Use standards for child care uses typically focus on:

- Hours of operation
- Outdoor play space
  - Hours of operation, proximity to adjacent residential lots, buffering/landscaping/fencing
- Parking/pick-up and drop-off
- Proximity to other child care programs
- Provision of a neighborhood liaison
- Escorting children to residence

### Existing Family Day Care Home Use Standards (Zoning Ordinance §12.4.9)

- Every Family Day Care Home shall have a certificate of occupancy for both the residential dwelling and for the Family Day Care Home use as required in §15.3.
- Every Family Day Care Home shall be licensed pursuant to Chapter 59 of the Arlington County Code.

### Existing Family Day Care Home Use Permit Conditions

- The applicant agrees to comply with the Virginia Building Code, Virginia Fire Prevention Code, the Zoning Ordinance, Arlington County Health Regulations, and the Arlington County Child Care Regulations.
- The applicant agrees that the hours of operation will be limited to XX a.m. and XX p.m., Monday through Friday.
- The applicant agrees that parents and/or another authorized caregiver of children receiving care shall escort their children both to and from the home at all times.
- The applicant agrees to make at least one (1) parking space available to parents for pick-up and drop-off.

# Family Day Care Homes

## Use Standards (cont.)

### Alternative Regulations

Below are two tables showing potential options for use standards for Family Day Care Homes. The first table shows options for potential hours of operations, and the second table shows use standard examples. *Use the tables below to think about which option you will choose to place your dot at the end of the evening.*

#### Family Day Care Home Hours of Operation

Hours (a.m.)	Choice (choose one)	Hours (p.m.)	Choice (choose one)
5 a.m.		5 p.m.	
6 a.m.		6 p.m.	
7 a.m.		7 p.m.	
8 a.m.		8 p.m.	
9 a.m.		9 p.m.	

#### Family Day Care Home Use Standards

Use Standards		Choice (choose up to 3)
<b>Home Hours of Operation</b>		
<b>Outdoor Play Space</b>	<b>Hours of Operation</b>	
	<b>Playground Equipment Location</b>	
	<b>Buffering, Landscaping, Fencing</b>	
<b>Proximity to Other Child Care Programs</b>		
<b>Neighborhood Liaison</b>		
<b>Escorting Children</b>		
<b>None</b>		
<b>Other</b>		

# Child Care

## Parking Standards



### Child Care Challenge

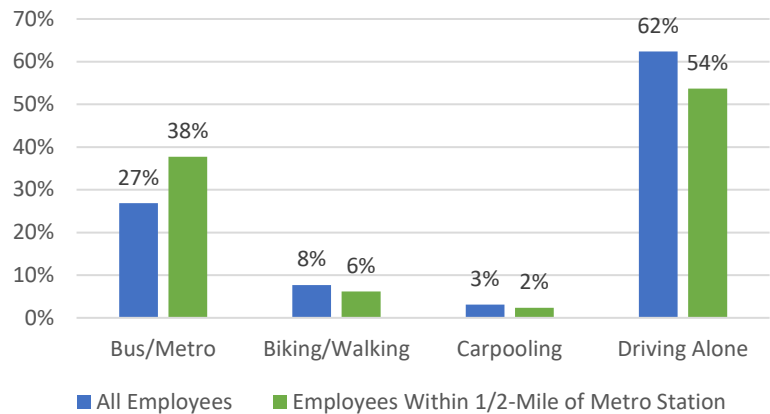
Center-based child care programs report having difficulty finding suitable space that will accommodate the Zoning Ordinance's child care parking requirements. Many believe the parking requirement is too high.

### Background Data

**30%** of Arlington's center-based child care program directors stated that providing an adequate number of parking spaces was the biggest location-related challenge when establishing their business.

Program directors also stated that many of their employees are not driving alone to work, and therefore do not need a parking space. Employees who work within a 1/2-mile of a Metro station drive to work less than their non-transit accessible counterparts.

Employee Commute Patterns for Center-Based Child Care Programs



Source: Center-Based Child Care Program Survey, 2018

### CCI Action Plan

**Availability Action Step 2.** Determine if there is a need to update Arlington County's General Land Use Plan, Zoning Ordinance, and/or Residential/Commercial Permit Review process.

- Review and address opportunities to overcome obstacles/barriers to operating a child care business.

### Existing Zoning Ordinance Regulations

Type	Standard
<b>Center-Based Programs</b>	One (1) parking space per employee
<b>Family Day Care Homes</b>	None; County staff typically requires one (1) parking space in Use Permit conditions for Family Day Care Homes with six (6) or more children.

# Child Care

## Parking Standards (cont.)

### Other Jurisdictions' Parking Requirements

Standard	Jurisdiction	Parking Ratio	# of Parking Spaces (10,000 sq. ft. center)
<b># of Employees</b>	Arlington County	1 space per employee	40
	Loudoun County	1.5 spaces per day shift employee	60
<b># of Children</b>	Fairfax County	0.19 spaces per child for schools with enrollment of <99 children	32
		0.16 spaces per child for schools with enrollment of 100> children	
	Prince William County	1 per 5 children up to 40 children, then 1 per 10 children	24
<b>Gross Floor Area (GFA)</b>	Montgomery County	3 spaces per 1,000 sq. ft. of GFA	30
	City of Alexandria	Within the enhanced transit area:	3
		<ul style="list-style-type: none"> <li>0.25 spaces per 1,000 sq. ft. of GFA</li> </ul> Outside the enhanced transit area:	8
	City of Falls Church	1 space per 125 sq. ft. of GFA, plus 2 for employees	82
Washington, D.C.	0.5 spaces per 1,000 sq. ft., with a minimum of 1 space required	5	

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## Child Care

### Teacher-to-Child Ratios



### Child Care Challenge

Arlington County child care programs have reported challenges complying with **both** local code and state standards governing child care programs.

### Background Information

- Arlington County is the only Virginia jurisdiction that may regulate center-based child care programs, and is one of three Virginia jurisdictions that may regulate Family Day Care Homes.
- Child Care Regulation in Arlington
  - **Center-based Child Care Programs:** Most are regulated by Chapter 52 of the Arlington County Code and the Virginia Department of Social Services (VDSS) Standards for Licensed Child Day Centers. Includes child care centers, preschools, nursery schools, Parent’s-Day-Out programs, and cooperative preschool programs.
  - **Family Day Care Home Child Care Programs:** Regulated by Chapter 59 of the Arlington County Code. Also regulated by the VDSS Standards for Licensed Family Day Homes if care is provided to five or more children (exclusive of the provider’s children and children residing in the home)

### CCI Action Plan

**Quality Action Step 5.** Examine local child care regulations.

- Consider aligning local codes with VDSS Standards for Licensed Child Day Centers, and submit proposed recommendations for revisions to local codes and processes (e.g., Chapter 16, Chapter 52, and Chapter 59).

### What are Teacher-to-Child Ratios?

A measure of the maximum number of children for whom a caregiver may be responsible.

<b>Center-Based</b>	Typically stated in numerical terms. For example: in Arlington child care centers, the teacher-to-child ratio for children under the age of two is 1:3. This means that one (1) caregiver could care for up to three (3) newborns. The VDSS teacher-to-child ratio for children birth up to 16 months is 1:4. This means that one (1) caregiver could care up for up four (4) newborns.
<b>Family-Based</b>	Often expressed in terms of points. Children in care are assigned a certain number of points based on their age, and each caregiver is limited to a certain total number of points. For example: in Arlington Family Day Care Homes, one caregiver is limited to a total of six (6) points. Based on Arlington point values, one (1) caregiver could care for up to three (3) newborns (two points each). VDSS limits each Family Day Care Home caregiver to 16 points. Based on VDSS point values, one (1) caregiver could care for up to four (4) newborns (four points each).

### Existing State Standards and Local Code

- Both the VDSS Standards for Licensed Child Day Centers and Chapter 52 include teacher-to-child ratios, which vary depending on the children’s age.
- The VDSS Standards for Licensed Family Day Homes and Chapter 59 include maximum point totals by provider, and each child in care – including the provider’s own children and any children who reside in the home full-time – is assigned a point value, depending on his or her age.

# Child Care

## Teacher-to-Child Ratios (cont.)

Center-Based Child Care Programs		
Age	Arlington County Chapter 52 Teacher-to-Child Ratio Requirements	VDSS Standards for Licensed Child Day Centers Teacher-to-Child Ratio Requirements
Birth up to 16 months	1:3	1:4
16 months up to 2 years	1:3	1:5
2 years	1:5	1:8
3 years	1:8	1:10
4 years	1:10	1:10
5 years	1:10	1:18
6 – 8 years	1:15	1:18
9 – 12 years	1:15	1:20
13 – 14 years	1:15	N/A

Family Day Care Home Child Care Programs		
Age	Arlington County Chapter 59 Teacher-to-Child Ratio Requirements (Maximum of 6 points per caregiver)	VDSS Standards for Licensed Family Day Homes Teacher-to-Child Ratio Requirements (Maximum of 16 points per caregiver)
Birth up to 16 months	2 points per child	4 points per child
16 months up to 2 years	2 points per child	3 points per child
2 – 4 years	1 point per child	2 points per child
5 – 9 years	1 point per child	1 point per child

### Alternative Regulations

Below are two alternatives to the existing local requirements for teacher-to-child ratio requirements. *Use the table below to think about which option you will choose to place your dot at the end of the evening.*

1. Amend Chapter 52 to align with the VDSS Standards for Licensed Child Day Centers teacher-to-child ratio requirements.
2. Amend Chapter 59 to align with the VDSS Standards for Licensed Family Day Homes teacher-to-child ratio requirements (i.e., points).

QUESTION		ANSWER (Choose one for Centers and one for Family Day Care Homes)	
<b>Centers</b>	1. Should Chapter 52 be changed to align with the VDSS Standards for Licensed Child Day Centers teacher-to-child ratio requirements?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
<b>Family Day Care Homes</b>	2. Should Chapter 59 be changed to align with the VDSS Standards for Licensed Family Day Homes teacher-to-child ratio requirements (i.e., points)?	<input type="checkbox"/> YES	<input type="checkbox"/> NO



# 5

## Child Care Centers

### Group Sizes



### Child Care Challenge

Arlington County child care centers have reported challenges complying with **both** local code and state standards governing child care centers.

### Background Information

- Most center-based child care programs are subject to the Virginia Department of Social Services (VDSS) Standards for Licensed Child Day Centers.
- Arlington County is the only Virginia jurisdiction that may also regulate center-based child care programs.
- Chapter 52 of the Arlington County Code governs the operations of most center-based programs in Arlington, including child care centers, preschools, nursery schools, Parent's-Day-Out programs, and cooperative preschool programs.
- Most center-based child care programs operating in Arlington must comply with **both** Chapter 52 and the VDSS Standards for Licensed Child Day Centers.

### CCI Action Plan

**Quality Action Step 5.** Examine local child care regulations.

- Consider aligning local codes with VDSS Standards for Licensed Child Day Centers, and submit proposed recommendations for revisions to local codes and processes (e.g., Chapter 16, Chapter 52, and Chapter 59).

### What is Group Size?

In center-based child care programs, group size refers to the maximum number of children allowed in a group per classroom, as determined by age. There shall be at least one Lead Teacher for each group, and the minimum number of teachers per group varies depending on the children's age(s); refer to Teacher-to-Child Ratio Requirements Handout for more information.

### Existing State Standards and Local Code

- The VDSS Standards for Licensed Child Day Centers do not include group size requirements for center-based child care programs, while Chapter 52 does. In addition, programs participating in the VDSS Child Care Subsidy Program are subject to group size requirements.
- The VDSS Standards for Licensed Child Day Centers are in the process of being revised. In the February 5, 2018 Virginia Registrar of Regulations, VDSS advertised possible changes to the existing Standards for Licensed Child Day Centers, which included proposed group size requirements identical to those currently in place for the VDSS Child Care Subsidy Program.

# Child Care Centers

## Group Sizes (cont.)

Group Size Requirements			
Age	Arlington County Chapter 52 Group Size Requirements	VDSS Child Care Subsidy Program Group Size Requirements	VDSS Standards for Licensed Child Day Centers Group Size Requirements
Birth up to 16 months	9	12	N/A
16 months up to 2 years	9	15	N/A
2 years	10	24	N/A
3 years	16	30	N/A
4 – 5 years	20	30	N/A
6 – 14 years	25	N/A	N/A

### Alternative Regulations

Below are two alternatives to the existing local requirements. The third option is the existing local requirements. *Use the table below to think about which option you will choose to place your dot at the end of the evening.*

OPTIONS	CHOICE (check one)
1. Amend Chapter 52 to align with the VDSS Standards for Licensed Child Day Centers group size requirements (i.e., no group size requirements currently).*	
2. Amend Chapter 52 to align with the VDSS Child Care Subsidy group size requirements.	
3. Do not change Chapter 52's current group size requirements.	

\*The VDSS Standards for Licensed Child Day Centers are in the process of being revised. In the February 5, 2018 Virginia Registrar of Regulations, VDSS advertised possible changes to the existing Standards for Licensed Child Day Centers, which included proposed group size requirements identical to those currently in place for the VDSS Child Care Subsidy Program.

# 6

## Child Care Centers

### *Lead Teacher Qualifications*



### Child Care Challenge

Arlington County child care centers have reported challenges complying with **both** local code and state standards governing child care centers, as well as difficulty recruiting and retaining qualified teachers. In the 2018 Center-Based Child Care Program Survey, **40%** of Arlington’s center directors stated that recruiting high-quality staff members was one of their biggest operational challenges when first establishing their business, and **33%** cited this as a barrier to expansion.

### Background Information

- Most center-based child care programs are subject to the Virginia Department of Social Services (VDSS) Standards for Licensed Child Day Centers.
- Arlington County is the only Virginia jurisdiction that may also regulate center-based child care programs.
- Chapter 52 of the Arlington County Code governs the operations of most center-based programs in Arlington, including child care centers, preschools, nursery schools, Parent’s-Day-Out programs, and cooperative preschool programs.
- Most center-based child care programs operating in Arlington must comply with **both** Chapter 52 and the VDSS Standards for Licensed Child Day Centers.

### CCI Action Plan

**Availability Action Step 5.** Increase the supply of child care workers.

- Develop a plan to increase the supply of trained child care workers. The plan could consider providing regular and off-hour CDA and ESOL training, and using the County’s and APS’s communication network to promote opportunities.

**Quality Action Step 5.** Examine local child care regulations.

- Consider aligning local codes with VDSS Standards for Licensed Child Day Centers, and submit proposed recommendations for revisions to local codes and processes (e.g., Chapter 16, Chapter 52, and Chapter 59).

# Child Care Centers

## Lead Teacher Qualifications (cont.)

### Existing State Standards and Local Code

	Arlington County Chapter 52 Lead Teacher Qualifications*	VDSS Standards for Licensed Child Day Centers Program Leader Qualifications**
<b>Minimum Educational Requirements</b>	Two (2) years college, including 15 credit hours of child development and/or early childhood education coursework	High School Diploma (or equivalent)
<b>Minimum Experience Requirements</b>	-	Six (6) months supervised programmatic experience
<b>Minimum Training Requirements</b>	-	24 hours of training related to the care of children within six (6) months prior to, or one month following, hire/promotion*

\*In addition to Lead Teacher qualifications, Chapter 52 also includes qualifications for Directors, Assistant Teachers, and Teacher's Aides.

\*\* In addition to Program Leader (i.e., Lead Teacher) qualifications, the VDSS Standards for Licensed Child Day Centers also include qualifications for Program Directors and Aides.

### Alternative Regulations

Below are two alternatives to the existing local requirements. The second option includes the Child Development Associate Credential (CDA) as the minimum educational requirement, which is the most widely recognized credential in early childhood education in the United States. CDA candidates must complete 120 clock hours of professional early childhood education, have at least 480 hours of relevant work experience, complete a professional portfolio, be subject to classroom observation, and pass a written test. The third option is the existing local requirements. *Use the table below to think about which option you will choose to place your dot at the end of the evening.*

OPTIONS	CHOICE (check one)
1. Amend Chapter 52 to align with the VDSS Standards for Licensed Child Day Centers Program Leader (i.e., Lead Teacher) qualifications.***	
2. Amend Chapter 52 to require the following Lead Teacher qualifications: <ul style="list-style-type: none"> <li>• Child Development Associate Credential</li> <li>• 480 hours of relevant work experience (met through attainment of CDA credential)</li> <li>• CPR &amp; First Aid</li> </ul>	
3. Do not change Chapter 52's current Lead Teacher qualifications.	

\*\*\*The VDSS Standards for Licensed Child Day Centers are in the process of being revised. In the February 5, 2018 Virginia Registrar of Regulations, VDSS advertised possible changes to the existing Standards for Licensed Child Day Centers. The advertised changes included the addition of a mandatory VDSS-sponsored orientation course for all staff covering such topics as medication administration, emergency preparedness, SIDS prevention and safe sleep practices, shaken baby syndrome prevention, and prevention of/response to allergic reactions.