



# Delaware Licensing Regulations

The Delaware Department of Services for Children, Youth and Their Families licenses child care centers (Early Care and Education and School-Age

Centers), large family child care homes, and family child care homes. The standards set by the state are a minimum, which ensure certain safeguards necessary for the child's growth and development. It is each family's responsibility to select a program that meets their own particular standards.

**The following child care programs do not have to be licensed however; they should have an Exemption Letter from the Office of Child Care Licensing (OCCL) as proof of their status:**

- Camps with permits from public health;
- Programs run by the State of Delaware;
- Vacation Bible Schools;
- Programs that have onsite child care where parents do not leave;
- Programs for school-age children that teach lessons, for example, dancing, karate, or painting;
- Programs run by schools registered with the Department of Education that provide regular instruction through 6th grade.

**For programs that must be licensed, here are the basic requirements for all three types of care (Early Care and Education and School-Age Centers, Large Family Child Care Homes and Family Child Care Homes):**

- Staff must be qualified and complete specified annual professional development hours.
- There must be adequate indoor and outdoor space. Sleeping and storage space must be provided for each child.
- There must be varied age-appropriate activities, supplies and equipment.
- Positive behavior management techniques must be used. No physical punishments are permitted.
- Smoking in all areas where children will be present is prohibited.
- Health exams and up to date immunizations of each child are required before enrollment.
- Sick children must be excluded from care (except for centers that have a designated sick care program).
- Training on First Aid and Infant/Child CPR is required.

**Early Care and Education and School-Age Centers include day care centers, preschools, and before/after school care in a commercial setting for thirteen or more children.**

- All staff qualified to be solely responsible for children must be at least 18 years old, have a high school diploma, have a minimum of six months of experience with children birth through second grade in a group setting and have met education/training requirements.
- All child care staff must complete annual professional development hours.
- Staff to child ratios and maximum group sized must be maintained for the youngest child present.

Age of Child	Minimum Staff/Child Ratio	Maximum Group Size
Infant (under 1 year)	1:4	8
Young Toddler (1 to 2 years)	1:6	12
Older Toddler (2 to 3 years)	1:8	16
Young Preschool (3 to 4 years)	1:10	20
Older Preschool (4 to 5+ years and not yet attending Kindergarten)	1:12	24
School-Age (5+ years and not yet attending elementary school)	1:15	30

**Large family child care homes** typically care for more than seven children preschool age and younger in a home setting)

- All large family child care licensees must be at least 21 years old, have at least a high school diploma, have at least 24 months experience working with children in a group setting, meet education/training requirements and obtain background checks and health appraisals for all members of the household and staff who are 18 or older.
- All large family child care staff must be at least 18 years old, have at least a high school diploma.
- All large family child care staff must complete annual professional development hours.
- Have at least two caregivers and care for twelve or less preschool age and younger (the exact number of children allowed depends on the ages of all children present during day care hours. See the full regulations for more information).

**Family child care providers care** for children in their own home. There are two levels of family child care providers.

- **Level I** providers may care for no more than four children preschool age or younger (including the children who live in the home) and two school age children. OR no more than five children preschool age or younger (including children who live in the home) with no school age children. The exact number of children allowed depends on the ages of all children present during day care hours. See the full regulations for more information.
- **Level II** providers have more training and experience and therefore may care for more children. A Level II provider may care for no more than six children preschool age or younger plus three school age children (including children who live in the home and are not yet enrolled in school). The exact number of children allowed depends on the ages of all children present during day care hours. See the full regulations for more information.
- All family child care providers must be at least 18 years old, obtain background checks and health appraisals for all members of the household who are 18 or older, and attend a six hour orientation/training session with state licensing staff and complete annual professional development hours.

This sheet includes highlights; full regulations are available from the Office of Child Care Licensing.  
Website: [https://education.delaware.gov/families/birth-age-5/occl/regulations\\_and\\_exemptions/](https://education.delaware.gov/families/birth-age-5/occl/regulations_and_exemptions/)

**OEL/Office of Child Care Licensing**

3411 Silverside Road  
Concord Plaza | Hagley Building  
Wilmington, DE 19801  
302-892-5800  
FAX: 302-633-5112

**OEL/Office of Child Care Licensing**

821 Silver Lake Boulevard  
Suite 103  
Dover, DE 19904  
302-739-5487 or 1-800-822-2236  
FAX: 302-739-6589