



Threshold of Licensed Family Child Care in 2014

Each State has a minimum number of children in care (i.e., threshold) that determines when a license is required. The following table shows that 10 States require family child care (FCC) homes to be licensed if there is just one child in care that is not related to the provider. The remaining 41 States allow some number of children to be in FCC that is not covered by licensing. Most States set the licensing threshold at three or four children.

This information was compiled from the regulations posted on the National Resource Center for Health and Safety in Child Care and Early Education (NRC) Web site in 2014 at <http://nrckids.org/index.cfm/resources/state-licensing-and-regulation-information/>. This study of licensing requirements was conducted as a joint effort between the Office of Child Care's National Center on Child Care Quality Improvement (NCCCQI) and the National Association for Regulatory Administration (NARA).

Number of Children Served in Family Child Care That Require a License

No. of Children	1 Child	2 Children	3 Children	4 Children	5 Children	6 Children	7 Children	13 Children	FCC Not Licensed
States	AL CT DC DE KS MA MD MI OK WA	CA* CO* FL* MN* SC*	GA HI ME MT NC NY VT ¹ WY*	IL* KY ² ND ³ NE NH OR* PA RI TX ⁴ WI WV	AK AZ NM NV TN UT	MO AR IA IN MS VA	OH ID	SD	LA ⁵ NJ ⁶
Total No. of States	10	5	8	11	7	5	2	1	2

Notes:

For the purposes of this document, a **licensed** program is required to have permission from the State to operate and must meet specified family child care standards. Some States may call their regulatory processes **certification** or **registration**; the term **licensed** is used to represent all regulatory processes. Several States have county or city licensing regulations that may supersede State requirements; this table does not include such regulations.

State Notes: The information for these notes was compiled from the States' child care licensing regulations. Each note contains a link to access the regulations on the NRC Web site.

*According to their regulations, California, Colorado, Florida, Illinois, Minnesota, Oregon, South Carolina, and Wyoming exclude child care that is provided for the children of only one family. The regulations can be found at <http://nrckids.org/index.cfm/resources/state-licensing-and-regulation-information/>.

¹**Vermont:** State excludes child care that is provided for the children of one or two families. See <http://nrckids.org/index.cfm/resources/state-licensing-and-regulation-information/vermont-regulations/> for additional information.

²**Kentucky:** The State also has licensed Type II Child Care Centers. Information reported in the table is about certified FCC homes. In Kentucky's regulations, *922 KAR 2:090—Child-care Center Licensure*, a Type II Child Care Center is defined as “the primary residence of the licensee in which child care is regularly provided for seven (7), but not more than twelve (12), children including children related to the licensee.” See <http://nrckids.org/index.cfm/resources/state-licensing-and-regulation-information/kentucky-regulations/> for additional information.

³**North Dakota:** Homes must be licensed if they care for four or more children ages 24 months and younger, or six or more children at one time. See <http://nrckids.org/index.cfm/resources/state-licensing-and-regulation-information/north-dakota-regulations/> for additional information.

⁴**Texas:** The State has three types for regulatory processes for family child care homes depending on the number of children in care. Providers that care for one to three children must be listed with the State. Providers who care for four to six children are registered, and those that care for more than six are licensed. Additional information is available in Applicant's *Guide to Listed, Registered, and Licensed Child Care*, by the Texas Department of Family and Protective Services, at <http://www.dfps.state.tx.us/Application/Forms/showFile.aspx?Name=CCL-ApplicantsGuide-Letter.pdf>. Texas' regulations are available at <http://nrckids.org/index.cfm/resources/state-licensing-and-regulation-information/texas-regulations/>

⁵**Louisiana:** Any place or facility that cares for seven or more children is considered a *center* and is required to follow the State's child care center licensing regulations. See <http://nrckids.org/index.cfm/resources/state-licensing-and-regulation-information/louisiana-regulations/>

⁶**New Jersey:** Programs serving six or more children younger than the age of 13 are licensed as centers. See <http://nrckids.org/index.cfm/resources/state-licensing-and-regulation-information/new-jersey-regulations/> for additional information.

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