

Issue Brief:

Child Care Licensing Requirements



Child Care Licensing sets standards to promote and protect the health and safety of children receiving care and to protect the employees and staff providing care.

Child care providers must be licensed or registered if they:

- Operate 4 or more hours a day
- Operate more than 2 days a week
- Care for children in your home and you care for more than 1 family not related to you

Types of Care:

All South Carolina child care programs are required to be one of the following: licensed, registered, approved, or legally exempt. Requirements are determined by provider type.

The state defines four types of child care:

- **Child Care Center**—A center that is licensed for 13 or more children can be commercial, faith-based, or school-based.
- **Group Child Care Home**—A facility within a residence occupied by the operator that cares for 7 to 12 children; The number includes those living in the residence and children who are related to the operator, must be licensed.
- **Family Child Care Home**—A facility within a residence occupied by the operator that cares for no more than 6 children; The number includes those living in the residence and children who are related to the operator; Family Child Care Centers must be registered but may choose to be licensed.
- **Legally-Exempt Operations**—Child care center-based programs open less than 4 hours a day and/or open on school holidays; Not allowed for Family Child Care Homes or Group Child Care Homes.

NOTE: Many parents rely on family members, friends, or neighbors who provide care. These types of care are not registered or licensed but are regulated.

How to Become a Licensed Child Care Provider:

Step 1. Attend Orientation. Interested parties will receive an application packet prior to orientation that will have all the required forms needed to apply. In addition, they will be able to ask any questions related to the process and provide resources specific to the county/town where the facility may be located. Interested parties should review the dates and times of orientation meetings available, on our website and call the Region that will monitor their location at the telephone number assigned to their specific regional office at scchildcare.org/providers/new-applicant-orientation/ to attend orientation.

Step 2. If required, submit architectural plans to the Chief Fire Marshal at the DSS Child Care Licensing Central Office:

*SC Department of Social Services
Child Care Licensing Attn: Chief Fire Marshal
P.O. Box 1520
Columbia, SC 29202-1520*

Step 3. After attending orientation and the architectural plans have been approved by the Chief Fire Marshal at Child Care Licensing, the applicant must submit the Zoning Approval letter or form, the application to apply, and the fire and health inspection request to the local Child Care Licensing Regional Office that will monitor the location of the child care facility.

Step 4. Once the above items have been submitted to Child Care Licensing, they will be assigned a Licensing DSS Brochure 501 (JAN 24)

Specialist and must complete the additional required documents located in the application packet. Those items should be completed and submitted for Child Care Licensing review.

Step 5. During the review of the application, the Fire and Health Inspector and Child Care Licensing will contact them for an inspection visit. If everything meets the regulatory requirements, their application will be submitted for approval. When approved, a provisional license will be issued.

Step 6. After the provisional license has been issued and the child care facility has operated with 13 or more children enrolled for at least 45 days, Child Care Licensing will re-visit to complete their full evaluation. If no deficiencies, the application will be submitted for a regular license.

How SC Licensing Works:

Licensing is managed by the SC Division of Early Care and Education at the SC Department of Social Services (SCDSS). Child Care Licensing regulates approximately 2,400 child care providers, through four regional offices. There are several key functions that build safe, healthy environments for children:

1. Inspections: These help to ensure that providers comply with state laws and regulations through a yearly unannounced inspection. All regulated child care providers including legally-exempt and Family, Friend and Neighbor providers will receive the required annual health and safety inspections.

2. State and Federal Comprehensive Background Checks: As required by state law, federal and state background checks must be conducted on all child care staff members who work in child care facilities. More information on background checks can be found at [scchildcare.org/providers/in-state-background-check-requirements](https://www.scchildcare.org/providers/in-state-background-check-requirements). Required background checks include:

- SC Child Abuse and Neglect Central Registry & Database checks and out of state Abuse and Neglect checks if child care staff lived out of SC in the past 5 years.
 - o For all center-based care, licensed, registered, and legally exempt
 - o Licensed and registered home child care facilities
 - o Family, Friend, and Neighbor checks for providers enrolled in the SC Scholarship Program
- In-state and National Sex Offender Database checks for all child care facility types, including legally exempt child care facilities and Family, Friend and Neighbor providers
- State and Federal fingerprinting for all child care facility types, including legally exempt child care facilities and Family, Friend and Neighbor providers

The State of South Carolina uses a digital fingerprint service. Find the complete information at sc.state.identogo.com.

3. Investigations: Child Care Licensing investigates complaints against regulated facilities and reports of facilities or individuals operating without a license or registration.

4. Regulation: A state Advisory Committee is responsible for reviewing the regulations regarding their improvement.

Staff to Child Ratios:

The following staffing ratios apply at all times children are present on the premises at a child care center and during activities away from the center.

Age	Staff-to-Child Ratios
<i>Birth to one year</i>	1:5
<i>One to two years</i>	1:6
<i>Two to three years</i>	1:8
<i>Three to four years</i>	1:12
<i>Four to five years</i>	1:17
<i>Five to six years</i>	1:20
<i>Six to twelve years</i>	1:23