



# Rhode Island Department of Human Services

## Family Child Care Provider Emergency Assistant versus Assistant

Updated November 2024

Effective July 1, 2024, the Family Child Care regulations remove the requirement of two (2) Emergency Assistants and requires only one (1) person who meets the Assistant criteria that can be used either in an emergency, to support daily programming or to support extended out of home time by the provider. The required number of Assistants increases as the total capacity of the child care increases. The information regarding number of Assistants required for the total capacity your program is licensed for is also included below.

### Emergency Assistant Qualifications versus Assistant Qualifications

Emergency Assistant	Assistant
<b>Must be 18 years of age or older</b>	<b>Must be 18 years of age or older</b>
<b>High School Diploma not required</b>	<b>Must submit evidence of high school diploma/GED or higher educational attainment</b> <i>(Please reach out to your assigned licensor if you have an already approved Emergency Assistant that could assume the Assistant role but are unable to provide this documentation)</i>
<b>Professional Development is not required</b>	<b>Professional Development is required, including the Department required mandatory Health and Safety Training</b> <i>**This training is offered free of charge in both English and Spanish. They can be found here <a href="https://center-elj.org/">https://center-elj.org/</a> New assistants have 90 days to complete these trainings which are all on line and are completed at the individuals own pace)</i>
<b>Does not need to present at all times but can be used for an emergency.</b>	<b>Does not need to be present at all times if provider is caring for less than 6 children (see chart below). May also be used to cover emergency absences as well as extended absences due to the provider being out of the home for an extended period of time</b> <i>(see FCC out of Home Request Form)</i>

### Additional Information

- Effective **January 1<sup>st</sup>**, 2025, DHS is asking all currently licensed providers to identify an assistant for your program.
- If you currently have an assistant and are unsure if you need any other people to assume this role based on the number of children you are licensed to care for, please review the chart and reach out to your assigned licensor with any questions.
  - This regulation applies to new assistants, not current assistants already approved.
- You may also contact the Child Care Licensing Unit for additional information [DHS.childcarelicensing@dhs.ri.gov](mailto:DHS.childcarelicensing@dhs.ri.gov)



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Number of children in care	
<i>A Family Child Care Home provider licensed for up to six (6) children.</i>	
Staffing	Total number of children allowed by age
Provider with no assistant on site	Max capacity of six (6) <b>and</b> No more than two (2) children can be under eighteen (18) months. <b>or</b> If all children present are under three (3) years of age, no more than four (4) children may be present.
Provider with one approved assistant on site	Max capacity of six (6) <b>and</b> No more than four (4) children under (18) months
<i>A Family Child Care Home provider licensed for up to eight (8) children.</i>	
Staffing	Total number of children allowed by age
Provider with no assistant on site	No more than six (6) children <b>and</b> No more than two (2) of the six can be under 18 months <b>or</b> If all children present are under three years of age, no more than four (4) children present
Provider with one approved assistant on site	Max capacity of eight (8) children <b>and</b> no more than four (4) children can be under the age of eighteen (18) months
<i>A Family Child Care Home provider licensed for up to twelve (12) children.</i>	
Staffing	Total number of children allowed by age
Provider with no assistant on site	No more than six (6) children <b>and</b> No more than two (2) of the six can be under 18 months <b>or</b> If all children present are under three years of age, no more than four (4) children present
Provider with one approved assistant on site	Max capacity of twelve (12) children <b>and</b> no more than four (4) children can be under the age of eighteen (18) months
Provider with two approved assistants on site	Max capacity of twelve (12) children <b>and</b> no more than eight (8) children under the age of eighteen (18) months <b>and</b> <b>have a third assistant approved by the Department who is not required to be on site but must be available for emergency coverage if needed.</b>