

# Conclusion and Recommendations

Parents, child care providers and state and federal policymakers share responsibility for the safety and well-being of children while they are in child care settings.

Basic state requirements as well as oversight form the foundation necessary to protect children and promote their healthy development while in child care. The benchmarks selected by NACCRRA represent basic, minimal criteria. Yet, the average score is 69 points out of a possible score of 150.

**As this report shows, state licensing requirements vary greatly, and few really set policies to keep children safe and in a setting to promote their development.**

## **Child Care Licensing Requirements**

Child care licensing should provide minimum protections for children. *At a minimum, it should do no harm.*

With what research shows about brain development, that 80 percent of brain development occurs between birth and age 3 (and 90 percent by age 5), child care is an early learning program. It is critical that child care settings promote the healthy development of children.

Program requirements are important to ensure a quality setting. While there are a variety of factors that affect a child care setting, one of the most important to the quality of care and interaction with children is the training of a child care provider.

Put simply, training makes a difference in the quality of care. Quality child care matters for the safety and development of children. Yet, training requirements vary greatly among the states ranging from no training to comprehensive.

The array of benchmarks NACCRRA selected are key to quality settings. Program *and* oversight benchmarks were selected because licensing requirements are ineffective unless there are oversight systems in place to ensure that the program requirements are carried out.

Weak oversight undermines strong standards since compliance is not effectively monitored. As this report shows, state oversight varies greatly.

## **Progress Has Been Made**

**Two states with the biggest changes since this report was published in 2010 were Kansas and Georgia.**

In 2010, enactment of “Lexie’s Law” in *Kansas*, resulted in many improvements to the state’s approach to family child care homes, including a new requirement that all small family child care home providers be licensed. In addition, the measure required an inspection before the state grants a license. Additional changes went into effect in February 2012, that significantly strengthened protections for children in child care.

**As a result, *Kansas* scored 111 points in this report and is ranked third among all states compared to the state's score of zero in the 2010 report.**

*Georgia*, made significant changes in its approach to better protect children in child care and promote their healthy development.

Just below the top 10, *Georgia* ranked 11<sup>th</sup>, with a score of 84 out of 150 in 2012 compared to scoring zero in 2010. One of the biggest changes in *Georgia* was a requirement to inspect family child care homes before licensing.

In several key areas, states are continuing to make progress since this report was published in 2010.

*Colorado, Oklahoma and Washington* improved their background check requirements.

*Georgia, Illinois, Kansas and Washington* strengthened their minimum education requirements for child care providers.

*Colorado, Illinois, Kansas, Missouri, Nevada, New Mexico, North Dakota, South Carolina and Washington* strengthened their initial training requirements. Many of these changes were related to CPR and first aid.

*Georgia, Kansas, New Mexico and Oregon* strengthened their inspection policies.

*Arkansas, Colorado, Georgia, Massachusetts, Missouri, Nevada, New Mexico, North Dakota and Utah* strengthened their health and safety policies. Many of these changes related to SIDS prevention.

### **More Progress is Needed**

Despite improvements, the average score of 69 shows that much more is needed to protect the safety of children in child care and to promote their healthy development.

Given that \$10 billion in government money is spent on child care, and nearly one-third of children (about 500,000) receiving subsidies are in a family child care home setting, federal and state

governments should know whether or not children are in quality child care.

**Nearly 340,000 children whose care is paid for through CCDBG are in unlicensed care, of which 132,000 are in settings with either no background check or no fingerprint check.**<sup>64</sup> A background check without a fingerprint check is ineffective. Individuals can circumvent the screening process by using an alias as several state audits have shown.

- 40 states require a background check for subsidy receipt by exempt providers. However, in 16 of those states, no fingerprint check is required.

**Currently, the quality of care, the condition of the settings these children are in, and any potential harm providers (who are paid with taxpayer dollars) may pose to the children is largely unknown.**

At a minimum, federal funds should not be used to pay convicted felons, including sex offenders, to care for children or allow them to live in a family child care home where they may have unsupervised access to the children.

The federal law, which gives guidance to the states in establishing their licensing systems and protections for children, CCDBG, does not require a background check for child care providers, minimum training requirements, or even inspections to see the condition of the settings for which federal funds are used.

States are making progress. But, their approaches to child care vary greatly. As shown in this report, the scores of the top 10 states range from 120 to 86.

One state (*Oklahoma*) earned a "B," three states (*Washington, Kansas and Delaware*) and DoD earned a "C," four states earned a "D," (*Maryland, Alabama, the District of Columbia and Colorado*) and the 10<sup>th</sup> state – *Massachusetts*, with a score of 86, at 57 percent, earned an "F" (as do all remaining states).

It is good news to see progress, but too many children are left to chance.

## **NACRRRA recommends that Congress:**

Reauthorize the Child Care and Development Block Grant (CCDBG) in the 112<sup>th</sup> Congress so that states accepting federal funds for child care are accountable for creating, implementing and monitoring child care that protects the safety of children and promotes their healthy development.

### **Protect children's safety**

- Require comprehensive background checks for child care providers and those receiving subsidies to care for unrelated children. Substitutes and aides, other adults in the home, and teenagers (all who may have unsupervised access to children) should be included in any background check requirements.
- Require states accepting federal funds for child care to prohibit the use of CCDBG or TANF funds to pay convicted felons to provide child care.
- Require states accepting federal funds for child care to share suspension and violation information with Child Care Resource and Referral agencies so that agencies do not make referrals to programs that may be unsafe.

### **Promote accountability**

- Require states accepting federal funds for child care to provide an evidence-based rationale for each category of license-exempt care and to disclose such information on the Internet.
- Require states accepting federal funds for child care to conduct quarterly inspections of licensed child care programs.
- Include a specific set-aside for licensing-related activities to promote the safety and healthy development of children.
- Require the U.S. Department of Health and Human Services to review state Child Care and Development Fund biennial plans and impose penalties when state plans fail to meet minimum protections for children, including ineffective state monitoring practices.

## **Promote quality child care**

- Set clear expectations about what quality means and establish a floor for what is minimally acceptable.
- Increase the CCDBG quality set-aside to 12 percent, gradually increasing it to 25 percent, on par with Head Start.
- Require states accepting federal funds for child care to require 40 hours of *initial* training.
- Require states accepting federal funds for child care to require 24 hours of *annual* training to reinforce initial training and to stay current on health and safety requirements and policies.

## **NACRRRA Recommends States:**

Strengthen state requirements and oversight to ensure family child care homes are safe and promote the healthy development of children.

### **Protect children's safety**

- Require comprehensive background checks for child care providers and those receiving subsidies to care for unrelated children. Substitutes and aides, other adults in the home, and teenagers (all who may have unsupervised access to children) should be included in any background check requirements.
- Require family child care providers to keep certification in first aid and CPR.
- Require family child care providers to follow the 10 recommended basic health practices and the 10 recommended basic safety practices.
- Require all paid family child care providers caring for one or more unrelated children on a regular basis (like a business) to be licensed.
- Inspect licensed homes at least quarterly.
- Share suspension and violation information with CCR&Rs so that agencies do not make referrals to programs that may not be safe.

## Promote accountability

- Conduct quarterly inspections to ensure compliance with state requirements. At least some of these inspections should be unannounced.
- Ensure adequate oversight by reducing licensing staff caseloads to no more than 50:1 to improve accountability for meeting state requirements.
- Post routine inspection reports and substantiated complaints on the Internet.

## Promote quality child care

- Limit the number of children one family child care provider can care for to six. Limit the number of infants and toddlers to no more than two when older children are present or three when no older children are present.
- Require family child care providers to have at least a high school degree and be working toward a Child Development Associate (CDA) credential or an associate degree in early childhood education or a related field.
- Require family child care providers to have a minimum of 40 hours of *initial* training, including training about child development, discipline and guidance, recognizing and reporting child abuse and neglect, working with families, learning activities, elements of child care quality, licensing requirements, fire safety, basic health and safety practices.
- Require family child care providers to have a minimum of 24 hours of *annual* training in child development, discipline and guidance, recognizing and reporting child abuse and neglect, working with families, learning activities, elements of child care quality, licensing requirements, fire safety, basic health and safety practices.
- Ensure child care providers have access to a continuum of professional development opportunities, beginning with quality community-based training programs that are linked to career ladders and tied to higher education.

- Create and expand more online training opportunities, training to better address children with special needs and training in languages other than English.
- Require family child care providers to offer activities that address eight developmental domains.
- Require family child care providers to encourage parent involvement, to communicate with parents on a daily or ongoing basis, to allow parental visits at any time their children are present, to have contracts and share written policies, and to notify parents when a substitute will be caring for their child.
- Require licensing staff to have a bachelor's degree or higher in early childhood education or a related field.