

QUALITY MATTERS CAMPAIGN

Child Care Licensing: The Forerunner to Quality

Why The Early Years Matter

The future prosperity of our society will be determined by the health and development of our children. The early years of life matter because early experiences affect the architecture of the maturing brain. As it emerges, the quality of that architecture establishes either a sturdy or a fragile foundation for all of the development and behavior that follow. Brain plasticity and the ability to change behavior decrease over time so getting things right the first time is easier and less costly than trying to fix them later.

“Every week day, approximately 40,000 Vermont children between the ages of 6 weeks to 13 attend a regulated early childhood or after school program. For many children who have not yet entered elementary school, their child care environment is where they spend an average of 50 hours a week.”ⁱ Given the large number of children in out-of-home settings and the role that those experiences play in shaping children’s development, the stakes are high.

Quality and the Role of Child Care Licensing

Licensing of early childhood and afterschool programs is the “first line of protection for children who are being cared for in child care programs. When parents are making decisions about child care for their children, they expect that a program that has been registered or licensed by the State of Vermont will provide a safe environment and adequate supervision to protect their children while they are away from home. By all accounts, Vermont does not and cannot meet this expectation.”ⁱⁱ

Vermont’s Child Development Division (CDD) is undertaking a comprehensive review and revision of its licensing regulations for afterschool, center-based and family child care programs. This inclusive and comprehensive process will bring clarity and strength to Vermont’s licensing regulations. However, current licenser caseloads prevent CDD from providing the level of monitoring and enforcement necessary to ensure compliance with the regulations. **As a result, children’s health and safety are being compromised every single day.**

National Standards Versus Reality

The National Association for Regulatory Administration (NARA) recommends a caseload of 50 programs per child care licenser. The National Health and Safety Performance Standardsⁱⁱⁱ offer the following guidelines for the frequency of inspections for early care and education programs:

- The licensing inspector should make an on-site inspection to measure compliance with licensing rules prior to issuing an initial license and at least two inspections each year to each center and large and small family child care home thereafter.
- At least one of the inspections should be unannounced and more if needed for the facility to achieve satisfactory compliance.
- Sufficient numbers of licensing inspectors should be hired to provide adequate time visiting and inspecting facilities to insure compliance with regulations.
- The number of inspections should not include those inspections conducted for the purpose of investigating complaints. Complaints should be investigated promptly, based on severity of the complaint.

According to a national report, Vermont is ranked 42nd in the nation for our ability to provide adequate oversight to child care programs, including routine inspections. Current licensing caseloads in Vermont for regulated early care and education programs are 1:229. This includes 650 licensed programs and 951 registered homes. Caseloads are even higher when legally-exempt child care providers^{iv} are taken into consideration.

Coalition's 2012 Recommendation to the Legislature

The Kids Are Priority One Coalition is calling on the legislature to invest in 2 additional Child Care Licensing Field Specialists (licensors) within the Child Development Division (estimated cost: \$116,660) for FY13. This would move Vermont closer to the recommended 4 additional licensors envisioned in Vermont's *Race To The Top Early Learning Challenge* application. Specifically, 2 additional licensors would help achieve greater compliance and accountability and increase CDD's capacity to meet its licensing goals:

- On-site inspections prior to issuing a new license;
- Annual compliance visits for all regulated programs;
- Timely complaint investigations.

While a step in the right direction, two additional licensors would still not permit CDD to meet all three goals.

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ⁱ Child Care Advisory Board, *2010 Legislative Report*.

ⁱⁱ Ibid.

ⁱⁱⁱ American Academy of Pediatrics, American Public Health Association, National Resource Center for Health and Safety in Child Care and Early Education. *National Health and Safety Performance Standards: Guidelines for Early Care and Education Settings*, p. 409, Third Edition, 2011.

^{iv} "Legally-exempt providers are approved by the Child Development Division to provide care for specific eligible children or families (usually relatives, friends or neighbors)."

<http://dcf.vermont.gov/sites/dcf/files/pdf/cdd/care/Licensing_Contact_Info.pdf>, February 8, 2012.

^v National Association of Child Care Resource and Referral Agencies, *We Can Do Better: 2011 Update*, NACCRRRA's Ranking of State Child Care Center Regulation and Oversight, p. 156.