

leaving children to chance

NACCRRRA's Ranking of State Standards and Oversight of Small Family Child Care Homes



Executive Summary

“Leaving Children to Chance: NACCRRRA’s Ranking of State Standards and Oversight in Small Family Child Care Homes,” reviews and ranks state regulations for small family child care homes. A small family child care home is a child care setting in which up to six children, including those of the caregiver under age six, are cared for in the home of the provider for compensation.

Each week, about 12.5 million children under age six are in some type of child care setting. Of these children, more than 1.7 million are in family child care arrangements. On average, children of working mothers spend about 36 hours each week in child care.

With 14 percent of the children of working mothers in small family child care homes, NACCRRRA reviewed the state regulations to gain a better understanding of state standards and monitoring guiding the settings in which these children spend so much time. Unfortunately, what NACCRRRA found was that states are leaving children to chance.

NACCRRRA chose 14 key elements essential for quality small family child care homes. States were assessed, assigned points based on state policies, and ranked based on their performance. The maximum number of points a state could receive is 140. When excluding states that received a zero, the average score was 60.

Overall Condition of State Small Family Child Care Home Policies:

Fifteen states either do not license small family child care homes, do not conduct an inspection prior to issuing a license, or allow more than

six children in the home before applying state regulations.* This means that the children in these states are in a child care setting in which the safety of the home is unknown. Some of these children are receiving state and federal subsidies to help afford the cost of child care, but the government does not know the quality of the environment (let alone the safety of the environment) for which it is paying.

States have many different ways to count the number of children allowed in the home. Some states exempt the provider’s own children. Some states only begin counting children when a certain number of unrelated families are cared for in the home. The *actual* number of children in the home is important because it affects the safety of the children and impacts the ability of the provider to interact effectively with the children. NACCRRRA’s position is that all paid providers caring for one or more unrelated children on a regular basis should be subject to state standards and oversight.

NACCRRRA chose 10 different health and safety standards essential for a quality family child care home. Yet, only eight states met each of the ten requirements.

Overall, NACCRRRA found state standards and monitoring efforts weak at best. The federal government requires states to detail their standards and procedures to monitor their standards in their state plans submitted every two years to the Child Care Bureau within the U.S. Department of Health and Human Services. But, the Child Care Bureau does not have the authority to assess those state plans for content or compliance. Essentially, this means

**To derive the total number of children in care, NACCRRRA added one child if the state does not include the provider’s own children in establishing its licensing threshold and one for each family exempted before licensing begins. For example, if a state does not require licensing until children from a second unrelated family are in care, the state was given a threshold of 2.

that states are policing themselves and leaving children to chance.

Major Highlights

The Top 10 Highest Scoring States

Oklahoma, Washington, Massachusetts, the Department of Defense, Alabama, the District of Columbia, Maryland, South Carolina, Colorado, and Connecticut ranked among the top 10 highest scoring states for small family child care home standards and oversight. But, that does not mean that they scored well; it only means that for the purposes of this scorecard, they earned the most points. In fact, only one state, Oklahoma, received 75 percent of the available points. Oklahoma scored the highest with 105 out of a possible score of 140 and Connecticut ranked 10th with a score of only 69 (earning a score of about 50 percent). Given that the criteria for ranking was only basic enough to ensure children's safety and healthy development, even the top 10 states have much room for improvement.

States Scoring Zero

Six states (*Idaho, Louisiana, New Jersey, Ohio, South Dakota, and Virginia*) received zero points because either they do not regulate small family child care homes or permit more than six children (counting the provider's own children under school-age or other related children) to be present without regulation. For example, in South Dakota providers can care for up to 12 children without being regulated as a family child care home.

Nine additional states (*Delaware, Florida, Georgia, Iowa, Kansas, Michigan, Montana, Pennsylvania, and West Virginia*) received zero points because they do not require family child care homes to be inspected or visited prior to obtaining a child care license.

Weak State Inspection Standards

Only two states, Tennessee and New Mexico, received the maximum points for monitoring family child care homes. Both states require an inspection visit before a family child care home is licensed, visits to the home at least four times a year, and visits when there is a complaint against the home. In contrast, Iowa requires visits once every five years and Michigan once every ten years. Fifteen states either do not license small family child care homes or do not conduct an inspection prior to issuing a license.

Incomplete Background Checks on Providers

Conducting background checks on providers and their family members helps provide some assurance that children are not cared for by individuals with a history of violence or crimes involving children. While most states are conducting background checks, only 25 states require federal checks using fingerprints. A background check without a fingerprint check is of limited value.

Weak Minimum Education Requirements for Providers

Twenty-nine states have no minimum education requirement for family child care providers. Only 17 states specify a minimum of a GED or a high school diploma.

Weak Pre-Service Training for Providers

Eleven states do not require any pre-service training for individuals to become licensed as small family child care home providers. Twenty additional states only require between one and ten hours of pre-service training – too little time to cover both important safety practices, and child development and related topics. Research shows that training makes a difference in the quality of care, particularly given the relatively lower levels of education within the child care workforce.

Weak Early Learning Standards

Only 13 states require providers to read to children and only nine states require them to offer activities to help children develop pre-mathematics skills such as counting. Only 24 states require family child care home providers to have language and literacy materials.

Weak Basic Safety and Health Policies

Only eight states met each of the 10 requirements under both health and safety. For example, only 32 states require safe sleep practices to reduce the likelihood of Sudden Infant Death Syndrome (SIDS). More than half of the states do not require family child care home providers to follow universal health precautions related to handling blood and other bodily fluids.

Federal and State Accountability

State standards and oversight policies vary greatly. The primary source of funding for child care is the federal Child Care and Development Block Grant, which allocates funds to the states for child care and related purposes. While states have a great deal of flexibility to set their own standards, the intent of the law is clear. States are required to have policies in place to protect the health and safety of children and are required to enforce those standards. Both a description of the standards and the procedures the states will use to monitor compliance are required to be certified in the state child care plan of each state. In our review of state regulations and ranking of the states, it is clear that state standards are weak and that states police themselves.

Summary & Recommendations

Given that \$11 billion in government money is spent on child care subsidies, and about one-third of children receiving subsidies are in a family child care home setting, federal and state governments ought to know whether or not children are in safe settings that promote their

healthy development. Currently, the quality of care and the condition of the setting these children are in are largely unknown.

Among NACCRRRA's key recommendations:

- Require state regulation for family child care homes in which paid providers regularly care for unrelated children;
- Require all paid providers to undergo a complete background check, including fingerprints;
- Require an inspection or visit prior to a state issuing a license and regular unannounced inspections throughout the year; and,
- Grant the Child Care Bureau the authority to assess state child care plans for content and compliance and to withhold funds from states with insufficient policies and oversight procedures.

For a complete list of NACCRRRA's recommendations, see the recommendations section of this report.

We hope this report will encourage states to examine their regulations for small family child care homes and revise them where needed. We are also hopeful that the federal government will require more accountability in how its share of funds for child care are spent. Children ought to be safe in child care. And, child care ought to promote their healthy development and well-being. The quality of children's care (whether their parents are receiving a government subsidy or not) should not be left to chance. We can do better to protect children. Working parents and the next generation depend on it.

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