Child Care Licensing
Learn About the Latest Trends and Use Data to Drive Advocacy Efforts

Monday, July 20, 2020
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![Speaker View](image1)
![Gallery View](image2)

• Nonverbal Feedback.

![Participants](image3)

- yes
- no
- go slower
- go faster
- more
- clear all

• Chat With Us.
Presenters

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Consultant

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President, National Association for Regulatory Administration

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Sr. Director of Research,
Child Care Aware of America

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Key Findings:
2017 Child Care Licensing Study
Child Care Licensing Studies

• Studies are done by a partnership of the National Center on Early Childhood Quality Assurance (ECQA Center) and the National Association for Regulatory Administration (NARA).

• Research began in 2005.


• Their purpose is to track changes in child care licensing policies, practices, and requirements for providers.
Key Findings and Trends, 2017

• Many states added health and safety topics to training requirements.

• More states require five types of background checks.*

• More states regulate group size for centers.

• Nearly all states require staff and children to wash their hands at specific times.

• States added requirements about emergency preparedness and procedures.

• More states inspect at least once a year.

Sources: National Center on Early Childhood Quality Assurance, 2020a, 2020b, 2020c
*Under the CCDBG Act, states and territories must have requirements, policies, and procedures in place to conduct background checks for staff members of child care providers (other than relatives) that are licensed, regulated, or registered under state law, or receive CCDF funds.

See next slide for additional notes regarding the "5 types of checks" and deadlines for implementation.

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## Health and Safety Training Topics, 2017

<table>
<thead>
<tr>
<th>Health and Safety Training Topics</th>
<th>Center Staff (N = 51)</th>
<th>FCCH Providers (N = 44)</th>
<th>GCCH Providers (N = 38)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recognition and reporting of child abuse and neglect</td>
<td>40</td>
<td>26</td>
<td>26</td>
</tr>
<tr>
<td>Emergency preparedness and response planning</td>
<td>35</td>
<td>24</td>
<td>21</td>
</tr>
<tr>
<td>Prevention and control of infectious diseases</td>
<td>32</td>
<td>20</td>
<td>22</td>
</tr>
<tr>
<td>Reduction of sudden infant death syndrome and use of safe sleeping practices</td>
<td>31</td>
<td>28</td>
<td>25</td>
</tr>
<tr>
<td>Prevention of shaken baby syndrome, abusive head trauma, and child maltreatment</td>
<td>26</td>
<td>23</td>
<td>20</td>
</tr>
<tr>
<td>Administration of medication</td>
<td>24</td>
<td>21</td>
<td>17</td>
</tr>
<tr>
<td>Precautions in transporting children</td>
<td>18</td>
<td>18</td>
<td>15</td>
</tr>
<tr>
<td>Prevention of and response to emergencies due to food and allergic reactions</td>
<td>15</td>
<td>14</td>
<td>11</td>
</tr>
<tr>
<td>Building and physical premises safety</td>
<td>14</td>
<td>13</td>
<td>10</td>
</tr>
<tr>
<td>Handling and storage of hazardous materials and the appropriate disposal of biocontaminants</td>
<td>14</td>
<td>14</td>
<td>11</td>
</tr>
</tbody>
</table>

Sources: National Center on Early Childhood Quality Assurance, 2020a, 2020b, 2020c
Changes in Health and Safety Training

Several states added preservice or orientation training requirements in health and safety topics from 2014 to 2017:

• For centers, the largest increases of requirements were in:
  - Reducing sudden infant death syndrome (16 states to 29).
  - Preventing shaken baby syndrome (11 states to 26).

• For FCCHs, there was a large increase of requirements in almost every topic.

Sources: National Center on Early Childhood Quality Assurance, 2020a, 2020b, 2020c
Types of Background Checks: Centers, 2014–2017

### Notes:
- Sources: National Center on Early Childhood Quality Assurance, 2020a, 2020b, 2020c
In 2017, 1/2 more states required five types of background checks than in 2014.

**Sources:** National Center on Early Childhood Quality Assurance, 2015a, 2015b, 2015c, 2020a, 2020b, 2020c
Five Types of Background Checks Required by CCDF

There are two federal checks:

• **National FBI Fingerprint Criminal History Repository**: The Federal Bureau of Investigation (FBI) maintains a national database that contains criminal history record information from federal, state, tribal, and local agencies.

• **National Crime Information Center (NCIC) National Sex Offender Registry (NSOR)**: The FBI maintains a database on people who are required to register in a state’s sex offender registry.

There are three in-state registry checks required for each staff member’s current state of residence. If a staff member lived in another state in the previous five years, these three checks are also required for those states:

• **State criminal history repository**: A state’s official database containing criminal history records on all state criminal offenders.

• **State sex offender registry (SOR)**: A statewide database for monitoring and tracking sex offenders following their release into the community.

• **State central registries for child abuse and neglect (CAN) reports**: A centralized statewide database for the collection and maintenance of CAN investigation records.

**Deadlines:**

• The Initial deadline for states to implement the background check requirements was September 30, 2017.

• Because of significant challenges, all states applied for and received extensions through September 30, 2018, based on their good faith effort to implement the requirements.

• Despite the one-year extension, many states needed additional time to implement the requirements. Therefore, the Office of Child Care (OCC) gave states the option to request additional time-limited waivers of up to two years, in one year increments (potentially through September 30, 2020), subject to conditions being met.
## Child-Staff Ratios, 2017

<table>
<thead>
<tr>
<th>Age of Children</th>
<th>Lowest Required Ratio</th>
<th>Number of States</th>
<th>Highest Required Ratio</th>
<th>Number of States</th>
<th>Most Common Ratio</th>
<th>Number of States</th>
<th>Caring for Our Children Guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Infant</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6 weeks</td>
<td>3:1</td>
<td>3</td>
<td>6:1</td>
<td>2</td>
<td>4:1</td>
<td>33</td>
<td>3:1</td>
</tr>
<tr>
<td>11 months</td>
<td>3:1</td>
<td>3</td>
<td>6:1</td>
<td>3</td>
<td>4:1</td>
<td>32</td>
<td>3:1</td>
</tr>
<tr>
<td><strong>Toddler</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18 months</td>
<td>3:1</td>
<td>1</td>
<td>9:1</td>
<td>2</td>
<td>6:1</td>
<td>15</td>
<td>4:1</td>
</tr>
<tr>
<td>35 months</td>
<td>4:1</td>
<td>2</td>
<td>12:1</td>
<td>1</td>
<td>8:1</td>
<td>13</td>
<td>4:1</td>
</tr>
<tr>
<td><strong>Preschool</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3 years</td>
<td>6:1</td>
<td>1</td>
<td>15:1</td>
<td>4</td>
<td>10:1</td>
<td>22</td>
<td>7:1</td>
</tr>
<tr>
<td>4 years</td>
<td>8:1</td>
<td>1</td>
<td>20:1</td>
<td>2</td>
<td>10:1</td>
<td>17</td>
<td>8:1</td>
</tr>
<tr>
<td><strong>School age</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>5 years</td>
<td>9:1</td>
<td>1</td>
<td>25:1</td>
<td>2</td>
<td>15:1</td>
<td>13</td>
<td>8:1</td>
</tr>
<tr>
<td>10 years</td>
<td>10:1</td>
<td>1</td>
<td>26:1</td>
<td>1</td>
<td>15:1</td>
<td>16</td>
<td>12:1</td>
</tr>
</tbody>
</table>

**Note:** \( N = 51 \) states, including DC.

**Sources:** American Academy of Pediatrics et al., 2011; National Center on Early Childhood Quality Assurance, 2020a, 2020b, 2020c
More States Regulate Group Size in Centers, 2014–2017

- More states regulate group size.
- More states regulate group size for all age groups.
- Fewer states regulate group size for at least one age group.

Maximum Number of Children in FCCHs

- One provider can care for no more than:
  - Six children in 11 states.
  - Six preschool children plus additional school-age children in 13 states.
  - Ten or more preschool-age children in 10 states.
- Thirty-five states allow a maximum of fewer than 10 preschool-age children (no school-age children are added).
- Nearly all states:
  - Set a limit on the maximum number of infants and toddlers in care.
  - Count the provider’s children or other children living in the home in the maximum.

Source: National Center on Early Childhood Quality Assurance, 2020b
## Fire Safety and Emergency Preparedness

<table>
<thead>
<tr>
<th>Fire safety and Emergency Preparedness Requirements</th>
<th>Centers</th>
<th>FCCHs</th>
<th>GCCHs</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fire inspections</td>
<td>100%</td>
<td>61%</td>
<td>76%</td>
</tr>
<tr>
<td>Fire and emergency drills</td>
<td>94%</td>
<td>95%</td>
<td>89%</td>
</tr>
<tr>
<td>Smoke detectors required</td>
<td>33%</td>
<td>82%</td>
<td>71%</td>
</tr>
<tr>
<td>Fire extinguishers required</td>
<td>39%</td>
<td>73%</td>
<td>66%</td>
</tr>
<tr>
<td>Emergency preparedness procedures</td>
<td>90%</td>
<td>91%</td>
<td>82%</td>
</tr>
<tr>
<td>Emergency and evacuation plans</td>
<td>41%</td>
<td>57%</td>
<td>58%</td>
</tr>
</tbody>
</table>

Sources: National Center on Early Childhood Quality Assurance, 2020a, 2020b, 2020c
Changes in Emergency Preparedness and Fire Safety: Centers

Added requirements about:

• Emergency preparedness procedures—7 states.
• Emergency and evacuation plans—5 states.
• Fire extinguishers—6 states.
• Smoke detectors—3 states.

Sources: National Center on Early Childhood Quality Assurance, 2020a, 2020b, 2020c
Changes in Emergency Preparedness: FCCH and GCCH

Since 2014, states added requirements about the following:

• Having an emergency and evacuation plan—
  - 7 states—FCCH.
  - 9 states—GCCH.

• Implementing emergency preparedness procedures—5 states (FCCH).

• Conducting fire and emergency drills—4 states (FCCH).

Sources: National Center on Early Childhood Quality Assurance, 2020a, 2020b, 2020c
Responses to Covid-19: Overall Operations

- Reducing group size.
- Collaborating with agencies to ensure supplies and food are available.
- Waivers for some of the rules and regulations.
- Providing technical assistance.
Responding to Covid-19: Health and Safety Standards

- Daily temperature and illness screenings during check-in.
- Sanitation and hygiene.
- Social distancing.
- Mealtime.
Frequency of Inspections, 2017

Note: \( N = 51 \) states (including DC) in 2017.

Sources: National Center on Early Childhood Quality Assurance, 2020a, 2020b, 2020c

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## Inspections During Covid-19

<table>
<thead>
<tr>
<th></th>
<th>Conducting On-Site Inspections</th>
<th>Conducting Virtual Inspections</th>
<th>Not Conducting During COVID-19 Restrictions</th>
</tr>
</thead>
<tbody>
<tr>
<td>Initial Inspections</td>
<td>15</td>
<td>10</td>
<td>29</td>
</tr>
<tr>
<td>Renewal Inspections</td>
<td>7</td>
<td>8</td>
<td>33</td>
</tr>
<tr>
<td>Complaint Inspections</td>
<td>30</td>
<td>21</td>
<td>15</td>
</tr>
<tr>
<td>Re-Inspections for Noncompliance Issues</td>
<td>13</td>
<td>16</td>
<td>28</td>
</tr>
</tbody>
</table>

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Resources
Trends in Child Care Licensing for 2017

National Database of Child Care Licensing Regulations

https://childcareta.acf.hhs.gov/licensing

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2017 Child Care Licensing Study

https://www.naralicensing.org/2017-cc-licensing-study
References


References


Child Care Benchmarking Licensing Project
CCAoA's History with Licensing

- CCAoA has 10+ years experience in assessing child care licensing.
- Released reports each year for either center-based or family child care through 2013.
- Scorecards and state rankings on program and oversight standards.
- Reports Last Released:
  - We Can Do Better (2013).
  - Leaving Children to Chance (2012).
- Child Care Licensing Database (2017):
  - Alignment of Caring for Our Children Basics with state licensing regulations.
- Current – Child Care Benchmarking Project and Tool.
Goals of Benchmarking Project

Engage stakeholders throughout the process:

• Update licensing benchmarks considering new policy and best practice advancements.

• Develop a rubric that guides the scoring/ranking of the benchmarking tool.

• Design a benchmarking tool that provides states with a point-in-time status update and opportunities to consider for future advancements in their state licensing standards.
Stakeholder Involvement

CCAoA extended an invitation to stakeholders from across the spectrum of early childhood to provide input and feedback. Opportunities for involvement in the process were offered including:

1. Child Care Licensing Benchmarking Workgroup.
2. Review Panel.
Child Care Benchmarking Work Overview

- **Benchmarking Workgroup**
  - Administrators (State and Federal)
  - State Licensing Personnel
  - CCR&R Leaders
- **Review Panel**
- **Benchmarking Pilot**
  - National Organizations
  - Families
  - Early Childhood and Licensing Experts

Work group and panel participants

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Benchmarking Workgroup

**Goal:** Develop relevant and useful licensing benchmarks for states.

Reviewed several resources including:

- We can do Better
- Leaving Children to Chance
- Child Care and Development Block Grant Laws
- Caring for Our Children Basics
- NAEYC Standards
- NAFCC Standards
- NARA Reports

**Primary Accomplishment:** Development of 14 Benchmarks.

- Program Benchmarks (7)
  - Centers
  - FCC

- Oversight Benchmarks (7)
  - Centers & FCC

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Benchmark Topics

Program Benchmarks (7)
• Background Checks
• Provider Qualifications
• Professional Development
• Health and Safety Policies and Procedures
• Developmental Guidelines and Learning Activities
• Group Size and Ratio
• Family Engagement

Oversight Benchmarks (7)
• Licensing
• Monitoring
• Inspection Reports
• Program/Staff Ratio
• Licensing Staff Qualifications
• Background Check Implementation
• Professional Development
Benchmark Example: Inspection Reports

Level 1
Lead Agencies shall post results of full monitoring and inspection reports in a timely manner, either in plain language or with a plain language summary, for parents and child care providers to understand, and shall establish a process for correcting inaccuracies in the reports.

Level 2
Results of monitoring and inspection reports are made available to families at no cost if there is no access to the internet.
### Pilot Process: Input from Pilot States

<table>
<thead>
<tr>
<th>Recruiting States</th>
<th>Program Benchmarking and Check-in</th>
<th>Oversight Benchmarking and Check-in</th>
<th>Verification</th>
<th>Focus Groups with Pilot States</th>
<th>Results Shared with States</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introductory webinar &amp; states identified team members.</td>
<td>State teams completed the <strong>Program</strong> section of the benchmark tool. CCAoA conducted bi-weekly check in calls.</td>
<td>State teams completed the <strong>Oversight</strong> section of the benchmarking tool. CCAoA conducted bi-weekly check in calls.</td>
<td>CCAoA verified state responses and collaborated with states to finalize their responses.</td>
<td>States provided feedback on the tool process and format.</td>
<td>CCAoA shared verification documentation, report drafts and scoring convention.</td>
</tr>
</tbody>
</table>

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Improvements and Updates

• Collaboration with states to improve utility and accuracy.

Development
• Benchmarks
• Advocacy Tools

Review
• State Self-Review
• Technical Assistance
• CCAoA Verification
• Dialogue and final verification with State

• Opportunity to share implementation barriers and facilitators.
• Revising benchmarks representing centers and FCC in the same space.
• Pre-filled information on licensing from National Licensing Study.
• Additional data elements added to understand the licensing landscape (aligned with data collected in past).
Scoring

Total Benchmark Data Points

\[ \text{213 Program Benchmark Data Points} + \text{77 Oversight Benchmark Data Points} = \text{290 Total Benchmarking Data Points} \]

Program: 213 total program data points - 112 for Centers and 92 for Family Child Care (FCC). There are 117 Level 1 and 87 Level 2 data points.

Oversight: 77 possible data points with 39 Level 1 and 36 Level 2 data points.
• Questions – each worth 1 point if yes. Percentage yes’s per benchmark score.
Rubric

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Sample State Snapshot

2020 State Child Care Regulations Benchmark Scores

Child Care Aware® of America partnered with experts to develop state reports that rate each state against benchmark criteria. These reports serve as a compass to guide everyone to higher-quality, affordable child care environments for all children. System administrators may use them to promote continuous quality improvement efforts that advance child care quality in their state and the supply of high-quality child care in the U.S. as a whole.

STATE’S TOTAL SCORE
Overall Score: 76%

C A R E
Coming Along
Advancing
Really Close
Exciting Accomplishment

STANDARD LEVELS
Level 1: Measures how closely state standards align with CCDBG requirements
Level 2: Measures if state standards reflect quality improvement beyond CCDBG requirements

C A R E
C A R E

TAKEAWAYS
- State’s child care regulations and policies align with 76% of all benchmark criteria
- State’s regulations align with federal child care and development block grants recommendations most of the time.
- State may effectively advance the quality of state regulations in both family child care and child care settings by focusing on lower-scoring oversight and program standards depicted on the next page.

OVERSIGHT STANDARDS

<table>
<thead>
<tr>
<th></th>
<th>Level 1</th>
<th>Level 2</th>
<th>Level 1</th>
<th>Level 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Licensing</td>
<td>88%</td>
<td>88%</td>
<td>88%</td>
<td>88%</td>
</tr>
<tr>
<td>Monitoring</td>
<td>66%</td>
<td>69%</td>
<td>66%</td>
<td>69%</td>
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<tr>
<td>Inspection Reports</td>
<td>88%</td>
<td>88%</td>
<td>88%</td>
<td>88%</td>
</tr>
<tr>
<td>Program/Staff Ratio</td>
<td>88%</td>
<td>88%</td>
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<td>88%</td>
</tr>
</tbody>
</table>

PROGRAM STANDARDS

<table>
<thead>
<tr>
<th></th>
<th>Family Child Care Level 1</th>
<th>Family Child Care Level 2</th>
<th>Child Care Center Level 1</th>
<th>Child Care Center Level 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>Background Checks</td>
<td>88%</td>
<td>88%</td>
<td>88%</td>
<td>88%</td>
</tr>
<tr>
<td>Provider Qualifications</td>
<td>88%</td>
<td>88%</td>
<td>88%</td>
<td>88%</td>
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<tr>
<td>Professional Development</td>
<td>88%</td>
<td>88%</td>
<td>88%</td>
<td>88%</td>
</tr>
<tr>
<td>Health and Safety Policies and Procedures</td>
<td>88%</td>
<td>88%</td>
<td>88%</td>
<td>88%</td>
</tr>
<tr>
<td>Developmental Guidelines and Learning Activities</td>
<td>88%</td>
<td>88%</td>
<td>88%</td>
<td>88%</td>
</tr>
<tr>
<td>Group Size and Ratio</td>
<td>88%</td>
<td>88%</td>
<td>88%</td>
<td>88%</td>
</tr>
<tr>
<td>Family Engagement</td>
<td>88%</td>
<td>88%</td>
<td>88%</td>
<td>88%</td>
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</tbody>
</table>
Roll-Out Plan
(Approach revised due to COVID-19)

Approach

- Release process paper and first 5 pilot state rankings. *(now TBD because of COVID-19)*
- Recruit cohorts.
- Up to 10 state teams at a time, providing technical assistance until all states have been completed.

Data Collection on hold.

- Complete scoring for all states.

TBD – aim is through mid 2021

- Data Upkeep.

Updates/confirmation yearly.

- Develop Advocacy Tools: NOW.
- Consider COVID-19 Impact: NOW.

Ranking and Comparisons

A comprehensive ranking of all states will be released once all data have been collected and verified.

Goal: interactive online tool

Note: CCAoA team will complete an assessment of state licensing regulations for any state team not completing the self-assessment survey.
Impact of COVID-19:
Questions

• What licensing standards created the biggest barriers to responding to child care needs due to COVID-19?

• How is your state overcoming barriers and still maintaining a healthy and safe environment for children in care?

• In light of COVID-19, what licensing requirement changes would you recommend be considered for the future?

• Should states have a separate set of licensing requirements that could be implemented in a crisis or emergency situation?

• What licensing requirements are critical to include during times of crisis/emergency?
Licensing Advocacy Tools/Supports: Questions

- What advocacy tools do you need to share benchmark results with stakeholders?
- What tools would be helpful to you to aid in continued movement toward increasing quality in your state’s licensing standards?
- To what extent would it be helpful to have clear examples of benchmark quality to share with stakeholders?
Please respond to the two questions that pop up on your screen.

Also, please tell us in the chat box what was useful, significant, or new and how we can improve the webinar.