# Rethinking Child Care Standards and Regulations

**MARCH 2025** 





#### **Acknowledgments**

The authors would like to thank the following individuals for sharing their time and expertise with us:

Maureen Weber, president and CEO of Early Learning Indiana and member of the Early Childhood Business Advisory Committee (ECBAC);

Ryan Page, Iowa state child care administrator, Iowa Department of Health and Human Services;

Alison Keisler, policy and planning unit program manager, Regulatory Services Section, Division of Child Development and Early Education (DCDEE), North Carolina Department of Health and Human Services;

Dawn Winn-Burdo, training and planning development supervisor, Division of Child Development and Early Education (DCDEE), North Carolina Department of Health and Human Services;

Janet Singerman, CEO, Child Care Resources Inc., Charlotte, North Carolina;

Jennifer Bridgeman, Child Care Services director of process and policy initiatives, Georgia Department of Early Care and Learning (DECAL);

April Rogers, Child Care Services director of policy and enforcement, Georgia Department of Early Care and Learning (DECAL);

Candace Gilbert, Child Care Services training and communications manager, Georgia Department of Early Care and Learning;

Pam Stevens, deputy commissioner, Child Care Services, Georgia Department of Early Care and Learning

Additionally, we would like to thank:

Jim Murphy and Michelle Thomas of the National Association of Regulatory Administration (NARA) for their consultation;

Hanna Junus and Erica Sesay for assistance with the review, editing, and layout of the report;

Finally, we thank Katie Beckmann and the David and Lucile Packard Foundation for their generous support of our work.

© 2025 Buffett Early Childhood Institute.

The Buffett Early Childhood Institute at the University of Nebraska does not discriminate based on race, color, ethnicity, national origin, sex, pregnancy, sexual orientation, gender identity, religion, disability, age, genetic information, veteran status, marital status, and/or political affiliation in its programs, activities, or employment.

# **Table of Contents**

Executive Summary	2
Background	5
What to Think About When Considering Regulation Changes	
Federal and State Governance	
Child Care Licensing	10
Child Care Subsidy Receipt	10
Quality Rating and Improvement Systems (QRIS)	10
State PreK Programs	11
Administration of the Child and Adult Care Food Program (CACFP)	12
Caring for Children with Special Needs	12
Developing Regulations	13
Designing Effective Monitoring Systems	15
State Monitoring Approaches	15
Questions to Ask When Designing a Monitoring System	15
Inspector Onboarding and Training for Consistent Monitoring Visits	16
Monitor Training	16
Recommendations to State Legislators	21
State Child Care Licensing Regulations	22



# **Executive Summary**

Across the country, there is a growing call for child care "deregulation" by state legislators. With costs increasing, legislators are hearing from constituents—both providers and parents about the high cost of child care, the low pay of the workforce, and frustrations with regulations. Without understanding the complexities of child care programs, and with an awareness that low pay in child care is leading to staffing shortages, legislators are looking for solutions.

Many have focused on child-staff ratios as the source of the problem, thinking that by allowing more children per adult, the providers' revenue will increase, enabling them to pay their staff more. However, increasing the number of children a teacher must care for may increase the turnover rate of teachers and negatively impact child safety and healthy development, undermining teachers' ability to manage their classrooms. Reducing the number of staff or increasing the number of children per staff may also impact liability insurance premiums, which are already costly for child care providers.

Before concluding that ratios are the problem or the solution, legislators should consider all the factors that impact the cost of child care and lead to providers' frustration with regulations. In this paper, we aim to lay out all the factors that legislators must consider.

#### These include:

- Federal vs. state regulations
- State governance structure
- Multiple state and local regulatory bodies (e.g. fire departments, health, and safety)
- Overlapping and misaligned regulations
- Confusion about the goals of regulations
- Varying jurisdictions (e.g. state, county, city, and community associations)
- Quality Rating and Improvement Systems (QRIS) and their relationship to licensing

The first question legislators should consider is their goal. What are they trying to achieve? This should consider both regulations and monitoring. Is the goal to ensure children are safe and healthy, or is the goal to ensure the highest quality care possible? How many different agencies have regulations that apply to child care, and what is the impact on child care costs? For example, the Child and Adult Care Food Program (CACFP) contributes substantially to program revenue, which impacts the bottom line for child care businesses. However, CACFP regulations may be written by a separate agency than a state's child care or health agencies, and often conflict with other child care rules.

Second, how many other agencies have regulations impacting child care? These include health departments, fire agencies at both the state and community level, and safety offices and agencies that oversee building codes. Schools often provide before- and after-school care and part-day preschools. School regulations for playground safety, health screenings, and child-staff ratios often conflict with child care regulations. At a recent meeting related to child care facilities, community development financial institutions (CDFIs) shared the challenges of increasing project costs that are impacted by state and local ordinances and building code updates.

Third, does the state have a QRIS system and is it aligned with the licensing system? What regulatory weight does the QRIS system have? In this paper, we recommend that licensing and QRIS be integrated—in other words, any state licensed child care program should be a part of the quality rating system. At a minimum, licensing and QRIS requirements should be aligned. The goal of licensing is to ensure health and safety, and the expectations for higher levels of quality included in QRIS. How licensing and regulations relate to QRIS requirements need to be clear and any discrepancies resolved before any review of regulations begins. Ideally, the first "star" in any QRIS rating system should be a license and higher-level stars should provide a pathway to higher quality for providers.

It is important to note that some regulations are federally driven, and others are state and locally driven. There are two federal laws that impact early care and learning: the Child Care and Development Block Grant (CCDBG) and the CACFP. Both provide funding and have certain minimum requirements. The CCDBG1 sets minimum health, safety, and training requirements for children in child care settings. CACFP provides funds for meals and snacks for millions of children. However, states have substantial discretion in how CACFP funds are spent, how the health and safety of children are protected, and how funds are used for quality investments or supply expansion.

While regulations are important, monitoring or compliance is equally important. State monitoring or inspections that seek to ensure that providers comply with regulations are the final area to consider. Without alignment and coordination among regulations, providers often face multiple monitoring visits and conflicting guidance. Here again, policymakers should be clear about what the goals of monitoring are and how the results are used to inform and improve future policy decisions.

When a state undertakes a review of child care regulations, there will be challenges. It is also an opportunity to review the entire regulatory system. Staffing requirements are only one item in a maze of regulations, jurisdictions, and enforcement authority. In many states, regulations have been layered on regulations for decades. QRIS systems that are not linked to licensing standards have been established, creating more confusion.

It's time to rethink child care regulations and identify how to best promote the safety, health, and growth of children. It is not "deregulation" that is needed, but a review of decades of regulations layered over time that have increased the cost of care, the cost of monitoring, and are confusing for child care providers and parents. One thing is certain: no one wants to put small children in harm's way.



## Background

When it comes to children, state legislators, state child care administrators, licensing staff, local planners, child care providers, and parents, all share a common goal—to ensure children in child care programs are safe, healthy, and cared for in an environment that allows them to thrive. Regulations should be designed to ensure this. However, across the country, policymakers, child care providers, and parents are frustrated with child care regulations. For many parents, the cost of care is high, or even out of reach. There is an overall lack of care options, and the care that does exist may not match parents' needs. On the program, or supply, side of child care, keeping costs down is an ongoing challenge.

It is widely understood that the pay of child care workers is much lower than other service sector jobs in the community, that turnover is high, and recruitment of a qualified workforce is difficult. Child care programs have vacant spaces because they cannot compete for workers in the tight labor market.

On top of this, child care is a highly specialized field that requires particular qualifications. In a recent study, "The Declining Relative Quality of the Child Care Workforce," Chris Herbst concluded that today's child care workforce is declining in overall quality, is relatively low-skilled, has less schooling than other occupations, scores lower on tests of cognitive ability, and is among the lowestpaid in our economy.2

Work in the child care sector is not attractive to many in the labor market. The work is stressful, physically demanding, and requires managing groups of small children who cannot care for themselves. As a result, worker vacancies in child care programs have resulted in empty classrooms, and those entering the field are increasingly undertrained, under-resourced, and under-paid.

These factors all contribute to the high levels of parent and provider frustrations that are shared with legislators. In many states, this has translated into a flurry of proposals to deregulate child care, especially around staffing. Two potential solutions seem to be monopolizing the conversation.

One is to lower the age at which a person can work at a child care program; the other is to increase the number of children for whom one teacher can care. But are either of these the solution?

In South Dakota, the age for full employment in a child care center was recently lowered to 14.3 The ages served in most child care programs is birth through age 12. One has to question the wisdom of a 14-year-old caring for children only two years younger than them, let alone vulnerable infants who require far more specialized care. Increasing the number of children per adult also has multiple negative impacts that should be carefully considered before concluding that child-staff ratios are the problem.

In this paper, we outline the steps a state should take when considering regulatory reform.

### Before considering changes to regulations and monitoring, the state should be able to answer the following questions:

- 1. What is the state trying to accomplish with their regulations and what are the potential impacts of any changes? Are regulations viewed as minimum or maximum requirements?
- 2. What is the goal of monitoring? Is the current system seen as punitive or designed to help providers improve?
- 3. Will proposed changes increase or decrease the cost of providing care?
- 4. Are regulations understandable to parents and child care providers? Do they understand why a regulation is important and what is expected?
- 5. Are there enough monitors or inspectors to oversee all programs, and are monitors trained to ensure consistent application of the regulations?
- 6. Are state monitoring reports easy to find and written so parents can understand what is expected and happening?
- 7. Are states using inspection results to develop programs that help providers meet the needs of children?
- 8. Are regulations for all early childhood programs and services aligned so that regulations are not duplicative or in conflict?
- 9. Are there scheduled reviews of regulations to ensure they are current?
- 10. Is the public, including parents and providers, involved in the review process?

# **Child-Staff Ratios Matter** for Safety and Child **Development**

#### **Safety Concerns**

With more children per adult, the child care workforce may struggle to adequately supervise and respond to each child's needs, which may impact child safety and development, potentially leading to safety hazards and missed developmental cues. For example, low child-staff ratios for nonambulatory children are essential for fire safety. Children's physical safety is related to the ability of the workforce to supervise the group and each child in a way that both protects and guides them as children develop self-regulation skills.

#### **Child Development Concerns**

Smaller child-staff ratios allow for more one-onone interactions, which are important for children's learning and cognitive and emotional development. A higher ratio negatively impacts the time each child receives from caregivers. Numerous studies have identified that the duration and quality of caregiver interactions with children are directly related to the quality of child care and child developmental outcomes.

#### **Child Behavior**

When children in a group are not receiving sufficient individual attention, child frustration can lead to increased behavioral challenges, which impacts other children in the group. In turn, struggles with child behavioral challenges increase the frustration and stress of caregivers.

#### **Child Care Workforce Stress**

The well-being of the workforce is related to a caregiver's ability to meet the needs of each child in a group as well as manage the group overall. Caregiver stress can lead to frustration and burnout, which impacts interactions with children. Stress can also lead to high turnover.

### **Children with Special Needs**

The child-staff ratio is also an important factor if there is a child or children with special needs in a group. Increasing the number of children in a group, without also increasing the number of staff, can lead to an increase in programs unwilling to care for children with special needs due to the extra individualized attention and specialized staff training it would require.



Source: Gilliam, W.S. (2025). Four Evidence-Based Reasons Why Increasing Child Care Ratios Would be Dangerous and Counterproductive.



# What to Think About When Considering **Regulation Changes**

Regulations are much more complicated than just child-staff ratios. Before state legislators can revise child care regulations, they must have a clear lay of the land. This section will explain key regulation areas legislators should understand in their state, the role of federal regulations, and how these all overlap and interact to make up the complex child care regulatory system. Once this stage is set, state legislators can more effectively simplify this regulatory system.

#### **Federal and State Governance**

The first thing to remember is that child care programs are often funded by multiple agencies with varying requirements and purposes. What is perceived as over-regulation may be a result of multiple agencies that have their own set of requirements and goals.

States have frequently blamed the problem on Congress and the federal government. In turn, Congress has repeatedly asked the Government Accountability Office (GAO) to study the duplication, overlap, and fragmentation of early care and education programs for cost savings. The last GAO report, completed in 2017,4 identified nine major federal funding streams for early childhood. With only one exception, states have

complete autonomy in how and where these programs are administered. Before considering a change to regulations, states should begin with an examination of its governance structure.

The first question legislators need to ask is: are duplications and overlapping regulations driving up the cost of child care? In many states, child care providers have three or four sets of regulations to comply with and sometimes a dozen or more monitoring visits.

Child care licensing may be housed in one agency, child care subsidy in another, quality rating systems and/or state PreK programs in yet another, and each may have separate regulations and monitoring schedules.5 Consolidating the governance of these programs will save costs for state administration, reduce the number of regulations, save in monitoring costs, and make it easier for child care providers.

It is also important for states to first consider the requirements of the various federal funding streams as they begin to review regulations and monitoring. These represent the baseline for writing regulations. There are two federal programs

that are the main drivers—the Child Care and Development Block Grant (CCDBG) and the Child and Adult Care Food Program (CACFP). Placement of these programs in a single agency will help manage the size of regulations and help integrate related goals. When early childhood programs are administered across separate

state agencies, regulations for each program are more likely to be developed in separate silos, resulting in conflicts or redundancy. Navigating the regulations becomes more complicated and costly for providers, and enforcement becomes more expensive as inspections for programs require separate agency personnel.



### STATE SNAPSHOT Indiana Regulatory Reform

In 2023, the Indiana legislature enacted legislation to require the state Early Learning Advisory Committee (ELAC) to conduct a third-party assessment of child care regulations and to provide recommendations by July 1, 2024. In 2024, the legislature passed Senate Enrolled Act 2, to expedite the review and move up the deadline to May 1, 2024.

Indiana's child care regulations consisted of 10 sets of regulations that applied to child care providers. They had not been reviewed in decades and were long, complicated, and difficult to navigate. Recognizing the challenges, the state Office of Early Childhood and Out of School Learning (OECOSL) had established a licensing workgroup the previous year to review the state's regulations.

The 2023 legislation specifically called for:

- Maintaining health and safety standards
- Streamlining administrative burdens, program standards, and reporting requirements for child care providers
- Providing flexibility for a child care provider with a Level 3 or Level 4 Paths to QUALITY program rating to expand to other locations
- Assisting accredited Kindergarten-Grade 12 institutions in establishing and providing high quality onsite child care and early learning programs

Building on the efforts of the licensing workgroup, OECOSL and the state Early Learning Advisory Committee worked with a third party to review each of the 10 regulations and draft a single set of standards that would apply across programs. Stakeholder sessions were held throughout the state to hear concerns of the child care sector and public. This included representatives from child care centers, family child care homes, registered ministries, business leaders, and parents.

"We looked holistically at our regulatory structure to see if it ensured children were safe. Did the regulations make sense and were they easy for providers and parents to understand? Were any regulations duplicative or too prescriptive? What was needed to ensure compliance with federal law?"

- Maureen Weber President and CEO of Early Learning Indiana

"We relied on the simple and plain language in the Caring for Our Children Basics document published by the U.S. Department of Health and Human Services," Weber said. "Were there areas where programs can meet the intent of the requirement in another way that's effective? In the end, we were able to strip away the complexity of the regulations and return to the purpose—children in safe places that promote their healthy development." The administration of Gov. Mike Braun is committed to moving forward on the new regulations expeditiously.

### **Child Care Licensing**

Child care licensing laws and related regulations vary by state. They are often lengthy, complicated, have micro-details, and occur in a siloed manner. There are different regulations for licensing, state QRIS participation, child care subsidy, and state PreK. The result is that child care providers spend significant time and money to ensure compliance with hundreds of pages of regulations that too often have conflicting requirements. Many localities also have local ordinances that conflict with state requirements. For example, local ordinances can restrict the number of children in care, the number of employees, parking for a program, and impose local fire, fencing, or zoning restrictions.

Multiple other state and local regulatory bodies, such as fire departments and health and safety offices, may add layers of regulation beyond child care licensing. City zoning laws and home ownership associations (HOAs) add another level of complexity. Many of these regulations are frequently difficult to find on state websites or are located on multiple webpages and link to complicated administrative code sections. Sometimes regulations are conflicting and posted without a date, leaving providers unsure about which regulations to follow.

#### **Child Care Subsidy Receipt**

As of 2014, CCDBG requires states to "have standards for CCDF (Child Care and Development Fund) providers regarding group size limits and appropriate child-to-provider ratios based on the age of children in child care."

States must set child-staff ratios to receive child care subsidy funding. In FY 2022, child care subsidies supported 1.4 million children<sup>6</sup> in 225,205 child care settings<sup>7</sup> throughout the country.

To be eligible to care for children on subsidy, providers must meet requirements established in CCDBG for training, background clearances, disaster preparedness, and health and safety. These requirements are explained in state child care licensing regulations. These minimums are required of any program or provider who serves CCDF children, including "license-exempt" providers who care for subsidized children.

### **Quality Rating and Improvement** Systems (QRIS)

Quality Rating and Improvement Systems (QRIS) are designed to support continuous quality improvement for child care providers and help families understand the quality of child care settings. In most states, QRIS regulations are separate from licensing requirements. This means that a program may require a license to participate in a QRIS, but participation in QRIS is voluntary and participation would incur a separate set of requirements. In some states, a license is the first level of the QRIS system. In at least 26 states, including the District of Columbia, participation in QRIS is mandatory for providers serving children whose care is subsidized with state or federal funds.

In many states, QRIS requirements are layered on top of child care regulations. As with child care regulations, QRIS requirements are complicated and are not easily found on state websites. While licensing may be a separate system from QRIS in many states, at least half the states require participation in QRIS systems to enroll children whose care is paid for with a subsidy. The intent is to ensure that low-income families have access to high-quality care, but the complexity of a state QRIS can be daunting, costly, and a barrier to accepting children with subsidy.



Like licensing regulations, QRIS requirements should be reviewed and updated. They should ensure that the items evaluated accurately reflect the latest research and are clearly understood by child care programs and providers. Some states are currently reviewing their QRIS regulations. North Carolina is highlighted later in the paper because the state has a star-rated child care license and proposed switching from a complicated points-based system to a pathway system where providers can choose the best approach for their individual program. North Carolina also has an innovative approach to onboarding and training child care inspectors, whom they call licensing consultants.

### **State PreK Programs**

State PreK programs are designed to serve primarily 4-year-old children, though some states also serve 3-year-olds. While many states allow PreK to be offered in child care settings (referred

to as "community-based" or "mixed delivery"), there are separate regulations, often by separate state agencies that guide PreK programs.

Sometimes these regulations are in conflict, which makes it difficult for child care centers to participate or costly to comply with both sets of regulations.

For example, in one state, PreK classrooms require 50 square feet per child, and child care licensing regulations require 35 square feet per child. For child care programs, this regulation can incur a financial impact in two ways: (1) the cost of complying with the PreK regulation in order to participate in the program or (2) the loss in revenue caused by not complying, since this makes it more likely that 3- and 4-year-old children may leave the child care program for a preschool program in a public school.

### **Administration of the Child and Adult Care Food Program (CACFP)**

CACFP provides an important source of funding to help offset the cost of providing nutritious meals and snacks to low-income children in child care programs. The U.S. Department of Agriculture (USDA), Food and Nutrition Service (FNS), oversees the program. Each state designates the agency to administer it. CACFP food reimbursement is guided by federal regulations that state agencies follow. However, in some states, additional regulations are added to the CACFP program which may impact licensed child care. For example, some states allow meals to be served outside the home (e.g., at the local park during the summer); some do not. There may be two different ways to track attendance (one way by the licensing department and another for the CACFP program). Enrollment and child forms may vary despite the same purpose. It is possible to de-silo the administration of CACFP by integrating requirements and monitoring with other state early childhood programs rather than have CACFP regulations applied on top of state regulations. In 2016, the U.S. Department of Health and Human Services and USDA issued joint guidance "Coordinated Efficiencies in Monitoring and Oversight of Early Care and Education Programs," which included several recommendations to integrate child care and CACFP inspection strategies.8

### **Caring for Children with Special Needs**

For child care providers, there may be additional regulations related to children with disabilities. The two federal programs related to children with disabilities are Part C of the Individuals with Disabilities Education Act (IDEA),9 which provides funding to states for infants and toddlers with disabilities, and Section 619 of IDEA,10 which provides funding to states for preschoolers (age 3-5) with disabilities. States have broad discretion in designating the agency to administer IDEA Part C (e.g., across states, Part C may be located in the health agency, or the human services agency, or the education agency). All states are required to have their Department of Education administer Section 619. This bifurcated administration of services for young children with disabilities (including the identification of disabilities) can be confusing for parents and child care providers, and too often involves different thresholds under which children may qualify for services (additional sets of siloed regulations).



# **Developing Regulations**

Regulations related to the operation of early childhood programs are important to best support children, parents, and the providers who serve children. However, they need to be easily understood. The purpose and intent needs to be clear and regulations across early childhood programs need to be aligned, not in conflict. Building a more effective common-sense approach that integrates safety compliance and minimum quality is possible. It begins with rethinking current regulation, not "deregulation."

Simplicity and transparency are important for parents and child care providers to follow and for states to oversee. Developing minimum standards begins with clear goals and expectations and a well-understood process that engages all stakeholders, including providers, parents, and relevant public officials. There are also lessons to be learned from other states' experiences. Throughout this report, we will showcase recent state efforts to tackle regulations in ways that have produced positive outcomes for everyone involved.

Central to states' efforts is the goal to protect the health and safety of children while in the care of child care providers. In 2015, the U.S. Department of Health and Human Services

released "Caring for Our Children Basics, Health and Safety Foundations for Early Care and Education."11 This guidance for states was based on Caring for Our Children: National Health and Safety Performance Standards; Guidelines for Early Care and Education Programs, and represents the minimum health and safety standards experts believe should be in place where children are cared for outside of their homes. The rationale behind each of the standards is clear. The language is easy to understand and should provide a foundation to build on.

Research has demonstrated the importance of the workforce to healthy and safe child development. Key to healthy child outcomes is the quality and stability of adult-child interactions.

This is true for all children, but especially for children from low socioeconomic families. Childstaff ratios matter, and any changes should consider the impact on both staff and child wellbeing. As a part of developing regulations, states should provide interpretative guidance to support provider understanding. Some states have interpretative guides in plain language that explain what the regulation is, what it is intended to do, and why it is necessary. More should do so.

For example, in Indiana, the purpose of the guide is "to provide the licensing staff with a tool for determining compliance with a particular licensing rule. The guide also provides information on the purpose of each rule as well as any special instructions necessary for compliance determination. Thus it should also serve as a useful document for child care center licensees to allow for a better understanding of the rules in preparation for licensure and for on-going compliance," which is available for centers and homes.

In Utah, the interpretation manual was written "for licensed providers, parents, the general public, and licensing staff to ensure statewide consistency in the understanding and enforcement of Division of Licensing and Background Check (DLBC) rules. It provides a general overview of licensing rules and gives additional information to broaden knowledge about the intent and meaning of specific rules. The official rule document and other applicable rules for each DLBC license type can also be found on the Utah Office of Administrative Rules website or the DLBC website."12



### STATE SNAPSHOT

### Regulatory Reform: Iowa Common Sense Approach

In 2021, Iowa Gov. Kim Reynolds' Child Care Task Force Report made a number of recommendations to expand access to child care for working parents. Recommendations included reforming child care regulations. In 2023, the governor issued Executive Order #10 requiring a "red tape review" of all state regulations. The order required every regulation to be reviewed every five years with the initial review to be completed by Dec. 31, 2025.

Ryan Page, the child care administrator at the Iowa Department of Health and Human Services, was a member of the 2021 child care task force and expedited the review of child care regulations. Her team began with school-age child care center regulations. "We reviewed each rule related to its purpose," Page said. "Was it necessary? Was it clearly understood? We reviewed for duplicative requirements and transparency. Where definitions or requirements might be located elsewhere, we linked to them rather than repeat the entire text. We identified rules related to compliance with federal law. We reviewed all rules for simplicity and common

sense. For example, if school-age children used the playground during school hours, was it really necessary for monthly child care inspections of the playground or for us to say that the playground can't be used by the licensed child care program at the same location?"

"Rules related to state statutes were identified and, in some cases, clarified. The end result was a complete rewrite of the licensed child care center regulations."

- Ryan Page Iowa Department of Health and Human Services

Several stakeholder groups were held with community partners to receive feedback from programs serving school-age children, including school districts, as well as child care resource and referral partners. These effort resulted in a simpler set of regulations that were easier to understand. Related guidance documents were developed that share the rationale for the regulations. The new regulation goes into effect July 1, 2025. Work continues on the remaining child care regulations for family child care homes. They will be reviewed and revised during 2025.

### **Designing Effective Monitoring Systems**

A frequently overlooked but critical component of the regulatory process is monitoring and compliance. Standards and regulations are only as effective as the accountability piece. Too often, however, monitoring and compliance are viewed as a checklist of "gotcha" items, to catch providers' mistakes and penalize. This need not be the case. Instead, state monitoring systems must center continuous improvement and individualized support for providers. Monitoring systems also provide individualized data on what is going on in programs, should be linked to relevant technical assistance, and can inform training for providers and state strategies regarding how to focus resources, funding, and efforts.

### **State Monitoring Approaches**

State approaches to monitoring compliance with state regulations vary greatly. Prior to the enactment of the federal Child Care and Development Block Grant (CCDBG) reauthorization in 2014, some states only inspected licensed child care programs once every five or 10 years.<sup>13</sup> This meant states did not have an ongoing understanding of compliance, and in too many states, unsafe practices led to serious injuries or the deaths of children.<sup>14</sup> CCDBG reauthorization required at least one pre-licensure inspection and at least one unannounced annual inspection for programs serving children whose care is paid for with a child care subsidy. 15 To ensure parents using a child care subsidy have the broadest possible choices in child care providers, states applied the CCDBG reauthorization inspection policies to all licensed care, as well as unlicensed providers who care for children paid for with a subsidy.

### Questions to ask when designing a monitoring system

- 1. What goals is the state trying to achieve?
- Is the purpose simple compliance with regulations, or is the goal to help providers improve the quality of care they offer?
- 3. Are all regulations similar in importance and weighted the same, or are some regulations "life-threatening" and have more weight?
- 4. In circumstances where violations are lifethreatening, what are the consequences?
- 5. Do monitoring agents have the ability or authority to close programs and if not, what actions should be taken?
- 6. How many licensing agents or monitors are needed to ensure adequate oversight. and what qualifications are needed?

### While reviewing regulations, states should review the monitoring system.

- Are there ways to simplify the process?
- Give providers credit for past good performance?

#### Strategies include:

- Differential monitoring, which relies on a set of key indicators based on risk factors
- Shared monitoring where agencies acknowledge other agency visits

Differential monitoring is a method used to determine the frequency of inspection needed and the scope required based on setting/ licensing history. It uses weighted risk, licensing indicators, and quality indicators to determine the number and scope of inspections that should be conducted at a licensed program. The advantage of differential monitoring is that monitoring staff can spend more time with programs that need additional support instead of inspecting all programs for all regulations every visit, which is labor intensive. States with differential monitoring also have regulations to switch from an abbreviated visit to a full visit based on observations.16

Key indicators are inspection items with the differential monitoring approach that statistically predicts overall compliance. This allows monitors to use a shortened version of a more comprehensive licensing inspection instrument designed to measure compliance with a smaller number of regulations but still predicting high compliance with all the requirements. This leads to greater cost efficiency and overall effectiveness. Rather than a one-size-fits-all system, state agencies can use an indicator system to reward programs that are highly compliant and focus more resources on programs with a history of non-compliance.

Shared monitoring first requires different agencies to align requirements to ensure they are consistent. For example, regulations that oversee food services should be coordinated among health agencies, child care regulations, and those who monitor the CACFP. Then. when one agency has inspected a program for food safety, the other two recognize that they are inspected and do not inspect for those items. This reduces the time needed to

monitor programs and the confusion caused by contradictory findings. At times, this may even cut down on the amount of inspections a program is subject to in a year. One program reported being inspected 13 times in one year by multiple agencies. Closer alignment among siloed agencies can reduce redundant inspections and alleviate burden on the provider and on resources from the state.

### **Inspector Onboarding and Training for Consistent Monitoring Visits**

Ensuring those charged with enforcing regulations are adequately trained is a critical responsibility of state agencies. Ensuring inspectors understand the intent of regulations helps ensure those inspected are treated fairly and consistently.

### **Monitor Training**

The CCDBG law requires "that individuals who are hired as licensing inspectors in the State are qualified to inspect those child care providers and facilities and have received training in related health and safety requirements and are trained in all aspects of the State's licensure requirements."17 Licensing inspectors play a key role in working with child care providers to support child safety and quality. Yet, providers complain that inspectors can be inconsistent in the application of state regulations and that inspectors may not be well-versed in specific types of regulations (e.g., applying center rules to family child care homes).

It is not enough to simplify or streamline state licensing regulations without also addressing the training and professional development of those who are charged to observe and assess compliance with the regulations.



### STATE SNAPSHOT

## **Innovative Monitoring** Strategies: Georgia DECAL

The Child Care Services Division within Georgia's Department of Early Care and Learning (DECAL) is uniquely structured to monitor the state's child care programs to ensure they meet basic health and safety requirements and support providers to meet those requirements.

Within the Child Care Services Process and Policy Initiatives division, three units work closely together (Training and Communications, which includes onboarding and professional development, Technical Assistance, and Process and Quality Improvement) to ensure that child care rules are monitored effectively and consistently, child care requirements are easy to understand (and include the reason behind the rule to promote greater understanding and compliance), and best practices and tips for compliance are shared.

A decade of reforms has led to innovative practices to promote a system of accountability and support.

"We have moved from a 'gotcha' model to one that works with providers to not just comply with safety standards but also to support quality settings for children."

 Jennifer Bridgeman CCS Director of Process and Policy Initiatives

In Georgia, the onboarding of licensing consultants (inspectors) occurs through phases. In the first phase (8-10 weeks), consultants are in class (onsite and virtual) and shadow lead consultants. As they learn more about the job, in Phase 2 they are released to visit programs alone but still receive ongoing professional development. CCS consultants are trained on the National Association for Regulatory Administration (NARA) coursework

and use the National Center on Early Childhood Quality Assurance's Key Competencies for Licensors of Child Care Programs as a foundation to build monitoring best practices.

The close coordination among the training, technical assistance, and quality assurance units ensures that providers and consultants receive the help they need. Consultant experiences related to what they see while visiting programs are brought back to the team for possible provider training strategies, resource development, clarification, or rule adjustments. Whether it's technical assistance staff working directly with providers or quality assurance staff working with consultants, the goal is the sameconsistent messaging, support of best practices, and healthy and safe environments for children.

Several easy-to-use resources have been developed for the field, but are also used by consultants in their work. For example, Georgia's child care regulations have been grouped into "core" or "non-core" rules. Core rules are those that have the highest impact on children's health and safety. An indicator manual has been developed for child care learning centers and family child care learning homes. The manuals are easy to understand and include the rule, the rule type (core or non-core), the intent, clarifications, core rule severity levels, best practices, and tips for child care programs to consider. Other resources include an enforcement chart, which provides transparency for providers on the rule violation sanctions and a Compliance at a Glance dashboard for parents, which explains Georgia's compliance zone designation system (good standing, support, and deficient) that reflects a 12-month compliance history of the program. Inspection reports for each program are posted online in plain language for parents to understand easily.

Georgia's team strategy is an innovative approach to regulatory compliance. Candace Gilbert, CCS training and communications manager, said, "Provider success is our success."

Licensing staff need to understand not just the regulations, but the rationale behind state regulations and ways to communicate the regulations effectively with child care providers. Cross-training can help de-silo state monitoring efforts and ensure that providers and monitoring staff understand why the regulations are in place and how they are related across programs to better support children in care outside their home.

### **Monitor Training**

Training for those monitoring child care programs is essential to a well-designed regulatory system. The National Association for Regulatory Administration offers a curriculum for licensing personnel that recognizes the competencies required of a professional in the human care licensing field and offers four courses that can lead to a credential. These include:

- Intro to Regulatory Enforcement
- Intro to Licensing Process, Investigation, and Evidence
- Balanced Use of Authority, Complaint Investigations and Suppressing Illegal Operations and
- History, Concepts, Ethics, and Rulemaking in Human Care Regulation

Moving from a checklist approach to one that supports best practices requires more than inspector training. It requires ongoing mentoring and coaching from experienced monitoring staff to ensure that regulations are applied in a consistent manner and knowledge shared in a way that supports provider understanding and compliance.

It's not a witch hunt for noncompliance, but rather a constructive approach that recognizes a shared journey: inspectors and child care providers want children to be safe and in a setting that supports their healthy development. Too often, it's an adversarial experience that leaves providers feeling like inspectors are on a "gotcha mission."

Inspector training begins with on-boarding and should also include annual ongoing professional development. In Georgia, new licensing staff are paired with experienced staff mentors. Onboarding involves three months of intensive training that includes inoffice training, field training, best practices, and early childhood development policies.<sup>18</sup> In Ohio, new licensing staff undergo a six-month training plan. The training includes a review of licensing regulations, best practices according to the National Association for Regulatory Administration (NARA), early childhood and development policies, and shadowing more experienced licensing staff during inspections. 19 In North Carolina, regional licensing managers conduct audits of case files, checking for inconsistencies. Ongoing training is provided based on review results, where needed.20

Onboarding policies, ongoing professional development, and mentoring all increase the likelihood that monitoring efforts will be consistent regardless of the individual inspectors undertaking monitoring visits. Consistency supports provider understanding and compliance and ultimately, the children in care for whom the regulations are designed to support.

Ongoing annual training helps ensure that monitoring and licensing staff continue to deepen their knowledge and competencies.

Caring for Our Children, National Health and Safety Performance Standards, <u>Standard 10.3.5.1: Education</u>, Experience and Training of Licensing Inspectors, recommends no less than 24 clock hours of continuing education each year, covering the following topics and other such topics as necessary based on competency needs:

- The licensing statutes and regulations for child care
- Other applicable state and federal statutes and regulations
- The historical, conceptual, and theoretical basis for licensing, investigation, and enforcement
- Technical skills related to the person's duties and responsibilities, such as investigative techniques, interviewing, rule-writing, due process, and data management
- Child development, early childhood education principles, child care programming, scheduling, and design of space
- Law enforcement and the rights of licensees
- Center and large or small family child care home management
- Child and staff health in child care
- Detection, prevention, and management of child abuse
- Practical techniques and ADA requirements for inclusion of children with special needs
- Exclusion/inclusion of children who are ill
- Health, safety, physical activity, and nutrition
- Recognition of hazards

Source: Caring for Our Children, National Health and Safety Performance Standards, Guidelines for Early Care and Education Programs, <u>Standard 10.3.5.1:</u> Education, Experience and Training of Licensing Inspectors



#### STATE SNAPSHOT

# **Innovative Inspector Training Approaches and QRIS Modernization:** North Carolina

The North Carolina Division of Child Development and Early Education (DCDEE) created a two-tiered onboarding process for licensing consultants (inspectors). During Tier I, new staff become familiar with the department, the rulemaking process, expected roles, responsibilities, and job mission (e.g., conflict resolution, building relationships, and effective communication). They participate in basic job skills training and engage in job shadowing to ensure they understand their responsibilities. During Tier II, consultants gain a greater understanding of child care regulations, engage in self-paced online modules, and come together in cohorts to share their work and discuss what they have seen in program visits. The goal is to ensure the sixteen teams of inspectors are monitoring programs in a consistent manner across the state.

In addition, DCDEE offers regular "policy chats" for cross-team collaboration and sharing. The chats provide an opportunity for inspectors to explore specific rules and gain additional insight as to the purpose and rationale behind specific regulations or procedures. Policy chats are also used to clarify rules or provide feedback when there is confusion about a regulation. This allows an opportunity to make recommendations to the Child Care Commission for reform or adjustment.

As part of the process, North Carolina includes opportunities and referrals for providers to seek help from experts such as child care resource and referral (CCR&R) agencies and other partners who can provide technical assistance (TA) and/ or training related to specific areas of concern. If programs voluntarily engage in TA training, they receive credit as part of a prevention strategy to avoid violations. When corrective actions are noted, licensing agents/consultants contact CCR&Rs to discuss the types of TA or training that will bring them into compliance.

North Carolina is one of the few states with a star-rated child care license. The state is currently working on the Quality Rating and Improvement System (QRIS) modernization project. In 2023, state legislation required a shift from a point-based system to one that offers pathways focused on program assessment, classroom and instructional quality, accreditation, and any others designated by the North Carolina Child Care Commission. Between May 2023 and July 2023, about 1,800 participants provided feedback on QRIS reform through community outreach events.

The proposed new system, "Pathways to the Stars: Where Quality and Choice Meet" allows providers to choose the pathway that works best for them to achieve a 2-5 star rated license to support continuous quality improvement. The new QRIS rules were proposed on Feb. 3, 2025 and offer public comment through April 4, 2025.

# Recommendations to State Legislators

State legislators play a critical role in setting state policy, including child care regulations and monitoring. Protecting the health and safety of small children is not to be taken lightly. Parents rely on legislators to ensure regulations and monitoring are in place to protect children's well-being. When state legislators consider revising child care regulations, making sure all stakeholders, including parents, are engaged will help ensure the best possible outcomes. Many state legislatures have directed reviews of child care regulations, which has resulted in simplification and streamlining. Several examples are highlighted in this report.

State child care regulations are important for children's safety. However, in many states, regulations are long, complicated, hard to find, difficult to understand, sometimes duplicative or in conflict with other state early childhood regulations, undermined by local ordinances, and at times very prescriptive. Other requirements, such as inspections by local fire marshals or health inspectors, can conflict with state licensing requirements. In some cases, often in response to a specific incident. state legislatures have enacted laws that result in duplication or unenforceable requirements. When a tragedy occurs, it is important to understand current requirements and what policies have or have not been followed. Without a comprehensive review, the result can be detailed regulations for all providers based on the actions—or inactions—of a single provider. How can a preventable incident best be addressed? What is practical to implement? What level of accountability is fair to providers?

State legislators need to be mindful of enacting legislation that is not enforceable. In at least two states, background checks are required for unlicensed homebased providers, but there is little to no way to enforce it. In one state, background checks are required for all homebased providers caring for four or more children, while state licensing requirements apply to providers caring for seven or more children. In another state, recent legislation required background checks for all unlicensed providers. While it may be possible to check if unlicensed providers have undergone a background check following a parent complaint, in the absence of a monitoring visit (which typically does not happen for unregulated providers), there is no way to oversee or enforce such requirements.

State legislators should start any conversation about regulations with the state agencies responsible for child care. Working together, they can discuss perceived problems and potential solutions. This may indicate a need to overhaul the entire process. If this is needed, legislators should begin with hearings and make sure providers. parents, and other interested parties have a seat at the table.

Finally, a review of state regulations must also be accompanied by a review of state monitoring approaches. Monitoring visits and inspectors are the day-to-day representatives of state regulatory processes. Not only do state monitoring approaches need to be as desiloed and simplified as regulations, but the monitoring visits must be reframed as a resource for providers that prioritizes children's safety. Monitoring inspectors should be well-trained, knowledgeable, and trusted.

The issue of the complex child care regulatory system isn't so much about regulation versus deregulation. This discussion should be centered around the question of how are we moving our child care system towards higher levels of quality? No legislator or policymaker wants to intentionally put children in harm's way. How we ensure that children are in safe, healthy, and developmentally enriching settings is the north star of regulations and monitoring.

### **State Child Care Licensing Regulations**

State	Licensed Child Care Centers	Child Care Center Regulation Manual # of Pages	Licensed Family Child Care Homes	Family Child Care Home Regulation Manual # of Pages	Child Care Subsidy	# of Pages
Alabama	Child Care Licensing and Performance States for Day Care Centers and Nighttime Centers, Reg- ulations and Procedures (2021)	96	Child Care Licensing and Performance Standards for Family Day Care Homes and Family Nighttime Homes/Group Day Care Homes and Group Nighttime Homes (2021)	86	Health and Safety Guidelines Requirements and Procedures for Facilities Participating in the Child Care Subsidy Program	58
Alaska	Child Care Licensing Policies and Procedures Manual (2020)	200			Child Care Assistance Program Policies and Procedures Manual (2023)	679
Arizona	Child Care Facility Rules with Guidelines (2022)	84	Child Care Group Homes Rules & Statutes (2022)	55	Department of Economic Security, Child Care Administration (CCA), Child Care Provider Registration Agreement	67
Arkansas	Minimum Licensing Requirements for Child Care Centers (2020)	85	Minimum Licensing Require- ments for Registered Family Child Care Homes (2020)	62	CCDF Program Participant Agreement (2024)	26
Arkansas			Minimum Licensing Require- ments for Licensed Family Child Care Homes (2020)	68		
California	Child Care Centers	236	Family Child Care Homes	50	https://www.cdss.ca.gov/in- foresources/calworks-child- care/subsidized-programs	
Colorado	2.200 - Rules Regulating Child Care Centers	59	2.300 - Rules Regulating Family Child Care Homes	58	https://www.sos.state. co.us/CCR/DisplayRule. do?action=ruleinfo&ru- leld=3148&deptlD=9&agen- cylD=53&deptName=Depart- ment%20of%20Human%20 Services&agencyName=In- come%20Maintenance%20 (Volume%203)&se- riesNum=9%20CCR%20 2503-9	
Colorado	Administrative Guide: General Rules Regulating Child Care Facilities	239	Administrative Guide: Rules Regulating Family Child Care Homes	228		
Connecticut	Regulations for Child Care Centers and Group Child Care Homes (October 16, 2024)	51	Regulations for Family Child Care Homes (March 19, 2021)	39	https://www.ctcare4kids. com/provider-information/ providertrainingrequirements/	
Delaware	DELACARE: Regulations for Early Care and Education and School-Age Centers (2022)	153	DELACARE, Regulations for Family and Large Family Child Care Homes, 2022	139	https://education.delaware. gov/families/birth-age-5/ early_resources/provider_in- formation/	
District of Columbia	Rulemaking for the Li- censing of Child Develop- ment Facilities (2022)	174	Licensing Orientation for New Child Development Homes and Expanded Homes (2022)	70	DC Child Care Subsidy Program Policy Manual	47

State	Licensed Child Care Centers	Child Care Center Regulation Manual # of Pages	Licensed Family Child Care Homes	Family Child Care Home Regulation Manual # of Pages	Child Care Subsidy	# of Pages
Florida	Child Care Facility Hand- book (2021)	63	Family Day Care Home and Large Family Child Care Home Handbook (2021)	49	https://www.fldoe.org/ schools/early-learning/pro- viders/school-readiness.stml	
Georgia	Applicant's Guide to Licensing (2023)	168	Family Child Care Learning Home Applicant Guide (2024)	110	The Childcare and Parent Services Program (CAPS) Georgia's Subsidy Program POLICY MANUAL	107
Hawaii	Licensing of Group Child Care Centers and Group Child Care Homes	68	Registration of Family Child Care Homes	55	https://humanservices. hawaii.gov/bessd/ccch-sub- sidies/	
Hawaii	Licensing of Infant and Toddler Child Care Centers	71				
Idaho	IDAHO DEPARTMENT OF HEALTH AND WEL- FARE, Division of Welfare (Self-Reliance), 16.06.03 – Daycare Licensing	21			https://healthandwelfare.ida- ho.gov/services-programs/ children-families/idaho-child- care-program	
Illinois	Licensing Standards for Day Care Centers	150	Licensing Standards for Day Care Homes	96	https://www.dhs.state.il.us/ page.aspx?item=29741	
Illiniois			Group Day Care Home Standards	118		
Indiana	IC 12-17.2-4 Chapter 4. Regulation of Child Care Centers	14	IC 12-17.2-5 Chapter 5. Regulation of Child Care Homes	16	470 IAC 3-18 Rule 18 Child Care Development Fund Voucher Program; Provider Eligibility	110
Indiana	Interpretative guide for child care center rules	189	Interpretative guide for child care home rules	80		
lowa	Child Care Centers and Preschools Licensing Standards and Procedures (2024)	201	Child Development Home Registration Guidelines (2024)	91	Provider Registration FAQ	3
Kansas	Preschool and Child Care Center Regulations Book (2024)	89	Family Child Care Home Regulations Book (2024)	76	https://www.dcf.ks.gov/ser- vices/ees/pages/child_care/ childcaresubsidy.aspx	
Kentucky	Kentucky Standards of Practice Child Care Center Licensure (2022)	195	Standards of Practice: Certified Providers (2022)	111	https://www.chfs.ky.gov/ agencies/dcbs/dcc/Pages/ provassist.aspx	
Louisiana	Part CLXI. Bulletin 137 Louisiana Early Learning Center Licensing Regu- lations	40			https://doe.louisiana.gov/ families-and-students/ early-childhood-families/ child-care-assistance-pro- gram-(ccap)	
Maine	10-148, Chapter 32 - Child Care Facility Licensing Rule	70	10-148-Ch. 33 - Family Child Care Provider Licensing Rule	55	https://www.maine.gov/dhhs/ ocfs/provider-resources/ child-care-subsidy-informa- tion-for-providers	

State	Licensed Child Care Centers	Child Care Center Regulation Manual # of Pages	Licensed Family Child Care Homes	Family Child Care Home Regulation Manual # of Pages	Child Care Subsidy	# of Pages
Maryland	Licensing Manuals Under Revision (1/25)				https://earlychildhood. marylandpublicschools.org/ families/child-care-schol- arship-program/scholar- ship-forms	
Massachusetts	Licensing Policies for Group and School Age Child Care Programs web page		Family Child Care Regulation Web Page		https://www.mass.gov/ child-care-financial-assis- tance	
Michigan	Licensing Rules for Child Care Centers (2019)	52	Licensing Rules for Family and Group Child Care Homes (2019)	32	https://www.michigan.gov/ mileap/early-childhood-edu- cation/cclb	
Minnesota	Minnesota Administrative Rules, Chapter 9503, Child Care Center Licensing		Minnesota Administrative Rules, Chapter 9502, Licensing of Day Care Facilities		Child Care Assistance Program (CCAP) Policy Manual (2024)	507
Mississippi	Regulations Governing Licensure of Child Care Facilities	231			Child Care Payment Program (CCPP) Policy Manual (2023)	67
Missouri	Department of Elementary and Secondary Education, Division 25—Office of Childhood, Chapter 500— Licensing Rules for Group Child Care Homes and Child Care Centers	32	Department of Elementary and Secondary Education, Division 25—Office of Childhood, Chap- ter 400—Licensing Rules for Family Child Care Homes (2023)	32	https://dese.mo.gov/child- hood/child-care-subsidy/ providers	
Montana	Licensing Requirements for Child Care Centers (2021)	38	Requirements for Registration of Family and Group Child Care Homes (2021)	32	https://dphhs.mt.gov/ecfsd/ childcare/ecsbproviders	
Nebraska	Chapter 3. Child Care Centers	52	Chapter 1 Family Child Care Home I	44	https://dhhs.ne.gov/Pages/ Child-Care-Subsidy-Informa- tion-for-Providers.aspx	
Nebraska			Chapter 2 Family Child Care Home II	46		
Nevada	Nevada Administrative Code 432A	70			Child Care Policy Manual	156
New Hampshire	He-C 4002 NH Child Care Program Licensing Rules (2022)	113			https://www.nh-connections. org/enroll-to-accept-child- care-scholarship/	
New Jersey	Chapter 52 Manual of Requirements for Child Care Centers (2023)	98	Chapter 54, Manual of Requirements for Family Child Care Registration (2024)	54	https://www.childcarenj.gov/ Providers/CCAP	
New Mexico	ECECD Center Packet 10.25.24	35	ECECD Licensed Homes Packet 10.25.24	29	https://www.nmececd.org/ child-care-assistance/	
New York	Part 418-1 – Child Day Care Centers	73	Part 417 – Family Day Care Homes	58	https://ocfs.ny.gov/programs/ childcare/ccap/#providers	

State	Licensed Child Care Centers	Child Care Center Regulation Manual # of Pages	Licensed Family Child Care Homes	Family Child Care Home Regulation Manual # of Pages	Child Care Subsidy	# of Pages
New York	Part 418-2 – Small Day Care Centers	60	Part 416 – Group Family Day Care Homes	58		
North Carolina	Chapter 09 - Child Care Rules (November 2024)	137			https://www.ncdhhs.gov/ providers/provider-info/ child-care	
North Dakota	Chapter 75-03-10, Child Care Center Early Child- hood Services	32	Chapter 75-03-08, Family Child Care Early Childhood Services	23	https://www.hhs.nd.gov/hu- man-services/providers/ccap	
North Dakota			Chapter 75-03-09, Group Child Care Early Childhood Services	29		
Ohio	https://emanuals.jfs.ohio. gov/ChildCare/ChildCare- Center/Rules/  Chapter 5104 – Child Day-care		Chapter 5104 - Child Day-care		https://jfs.ohio.gov/child- care/information-for-pro- viders	
Oklahoma	Licensing Requirements for Child Care Programs (2022)	171	Licensing Requirements for Family Child Care Homes & Large Child Care Homes (2024)	88	https://oklahoma.gov/okdhs/ services/child-care-services/ providers-educators.html	
Oregon	Rules for Certified Child Care Centers (CCLD-0084)	117	Rules for Certified Family Child Care Homes (CCLD-0085)	66		
Oregon			Rules for Registered Family Child Care Homes (CCLD-0086)	53	Rules for Regulated Subsidy Child Care (UnL-0221)	18
Pennsylvania	Chapter 3270. Child Care Centers	71	Chapter 3280. Group Child Care Homes	62	Subsidized Child Care Eligibility	
Pennsylvania			Chapter 3290. Family Child Care Homes	48		
Rhode Island	Child Care Licensing Regulation Guidance for Child Care Center and School Age Programs (2022)	19	Child Care Licensing Regulation Guidance for Group and Family Child Care Homes (2022)	18	Child Care Assistance Program Provider Handbook (2020)	31
South Carolina	Child Care Center Licens- ing Regulations	39	Group Child Care Home Regulations	33	SC Child Care Scholarship Program Policy Manual Vol. 37	309
South Carolina	Family Child Care Home Policy Manual (2023)	51	Family Child Care Home Regulations	20		
South Dakota	Guide to Child Care Licensing Rules and Resources for Licensed Programs (2024)	91	Guide to Child Care Licensing Rules and Resources for Family Child Care (2024)	85	Child Care Assistance Program Provider Information	

State	Licensed Child Care Centers	Child Care Center Regulation Manual # of Pages	Licensed Family Child Care Homes	Family Child Care Home Regulation Manual # of Pages	Child Care Subsidy	# of Pages
Tennessee	Chapter 1240-04-01 Licensure Rules for Child Care Agencies	90	Chapter 1240-04-07 Report Cards and Rated Licensing For Child Care Agencies	6	https://www.tn.gov/ humanservices/for-fam- ilies/child-care-services/ child-care-payment-assis- tance.html	
Texas	Minimum Standards for Child-Care Centers (2024)			295	https://www.twc.texas.gov/ programs/child-care/for-pro- viders	
Utah	R381-100. Child Care Centers	22	R430-90. Licensed Family Child Care	20	https://jobs.utah.gov/cus- tomereducation/services/ childcare/	
Utah	Child Care Center Interpretation Manual	8				
Vermont	Licensing Regulations for Center Based Child Care and Preschool Programs (2022)	123	Licensing Regulations for Registered and Licensed Family Child Care Homes (2022)	108	https://dcf.vermont.gov/cdd/ providers/care/ccfap	
Virginia	Standards for Licensed Child Day Centers (2021)	111	Standards for Licensed Family Day Homes (2021)	63	https://www.childcare. virginia.gov/providers/ child-care-subsidy	
Washington	Child Care and Early Learning Licensing Guide- book (2020)	446			Licensed and Certified Child Care Centers Billing and Payment Guide (2024)	20
Washington					Licensed Family Home Child Care Provider Subsidy Guide (2024)	22
West Virginia	Child Care Centers Licensing	84	Family Child Care Facility Licensing Requirements	35	https://dhhr.wv.gov/bfa/ partnersandproviders/Pages/ Financial-Forms-and-Tools. aspx	
Wisconsin	Group Child Care Centers and Child Care Programs Established or Contracted for by School Boards (2023)	75	Licensing Rules for Family Child Care Centers (2023)	56	https://dcf.wisconsin.gov/ wishares/providers	
Wyoming	Chapter 7: Rules For Certification Of A Child Care Center (CCC) (2022)	81	Chapter 6: Rules For Certification Of A Family Child Care Center (FCCC) (2022)	77	https://dfs.wyo.gov/services/ family-services/child-care/	
Wyoming			Chapter 5: Rules For Certification Of A Family Child Care Home (FCCH)	76		

Source: State licensing web sites, January 2025.

# Buffett Early Childhood

Institute

at the University of Nebraska

2111 S. 67th St., Suite 350 Omaha, NE 68106 402.554.2924 buffettinstitute.nebraska.edu











#### **References**

- 1 42 U.S. Code Subchapter II—B CHILD CARE AND DEVELOPMENT BLOCK GRANT. <a href="https://www.law.cornell.edu/uscode/text/42/chapter-105/subchapter-II-B">https://www.law.cornell.edu/uscode/text/42/chapter-105/subchapter-II-B</a>
- <sup>2</sup> IZA Institute of Labor Economics, Chris M. Herbst, IZA DP No. 17351: The Declining Relative Quality of the Child Care Workforce, 2024. <a href="https://www.iza.org/publications/dp/17351/the-declining-relative-quality-of-the-child-care-workforce">https://www.iza.org/publications/dp/17351/the-declining-relative-quality-of-the-child-care-workforce</a>
- 3 South Dakota Administrative Rules, 67:42:17:12. Assistant qualifications -- Family day care program.
- <sup>4</sup> U.S. Government Accountability Office (GAO), Early Childhood Learning and Child Care: Overview of Federal Investment and Agency Coordination, GAO-17-671T, 2017. <a href="https://sdlegislature.gov/Rules/Administrative/67:42:17:12">https://sdlegislature.gov/Rules/Administrative/67:42:17:12</a>
- <sup>5</sup> Bipartisan Policy Center, Revisiting Integrated Efficient Early Care and Education Systems, 2023. https://www.gao.gov/products/gao-17-671t
- 6 U.S. Department of Health and Human Services, Office of Child Care, FY 2022 Preliminary Data Table 1 - Average Monthly Adjusted Number of Families and Children Served. <a href="https://acf.gov/occ/data/fy-2022-preliminary-data-table-1">https://acf.gov/occ/data/fy-2022-preliminary-data-table-1</a>
- U.S. Department of Health and Human Services, Office of Child Care, FY 2022 Preliminary Data Table 7 - Number of Child Care Providers Receiving CCDF Funds. <a href="https://acf.gov/occ/data/fy-2022-preliminary-data-table-7">https://acf.gov/occ/data/fy-2022-preliminary-data-table-7</a>
- 8 U.S. Department of Health and Human Services and U.S. Department of Agriculture, Joint Guidance Document on Coordinated Efficiencies in Monitoring and Oversight of Early Care and Education Programs, 2016. <a href="https://acf.gov/sites/default/files/documents/ecd/final\_hhs\_usda\_ioint\_monitoring\_policy\_statement.pdf">https://acf.gov/sites/default/files/documents/ecd/final\_hhs\_usda\_ioint\_monitoring\_policy\_statement.pdf</a>
- U.S. Department of Education, Individuals with Disabilities Education Act, Part 303 (Part C) Early Intervention Program For Infants And Toddlers With Disabilities. <a href="https://sites.ed.gov/idea/regs/c">https://sites.ed.gov/idea/regs/c</a>
- U.S. Department of Education, Individuals with Disabilities Education Act, Subchapter (Part B)— Assistance for Education of All Children with Disabilities (§§ 1411 to 1419), §1419. Preschool grants. <a href="https://sites.ed.gov/idea/statute-chapter-33/subchapter-ii/1419">https://sites.ed.gov/idea/statute-chapter-33/subchapter-ii/1419</a>
- 11 Caring for Our Children Basics Health and Safety Foundations for Early Care and Education, U.S. Department of Health and Human Services, Administration for Children and Families, 2015. https://users.neo.registeredsite.com/0/8/7/11474780/assets/caring\_for\_our\_children\_basics\_HHS\_2015.
- Utah Department of Health and Human Services, R381-100 Child care centers, Interpretation Manual. <a href="https://docs.google.com/document/d/1TbmCQnqEtcE">https://docs.google.com/document/d/1TbmCQnqEtcE</a> nOVqNQSOuSkSl1gbj4x dOq0xoFAwAQ/edit?tab=t.0
- We Can Do Better, Child Care Aware® of America's Ranking of State Child Care Center Regulations and Oversight, 2013. <a href="https://info.childcareaware.org/hubfs/wecandobetter-2013-final-april-11\_0.pdf">https://info.childcareaware.org/hubfs/wecandobetter-2013-final-april-11\_0.pdf</a>; and Leaving Children to Chance, NACCRRA's Ranking of State Standards and Oversight for Small Family Child Care Homes, 2012. <a href="https://info.childcareaware.org/hubfs/lcc-executivesummaryapril2012.pdf">https://info.childcareaware.org/hubfs/lcc-executivesummaryapril2012.pdf</a>
- Why Aren't We Outraged? Children Dying in Child Care Across America, NACCRRA White Paper, July 30, 2012. <a href="https://users.neo.registeredsite.com/0/8/7/11474780/assets/Why\_Aren\_t\_We\_Outraged\_aug\_8.pdf">https://users.neo.registeredsite.com/0/8/7/11474780/assets/Why\_Aren\_t\_We\_Outraged\_aug\_8.pdf</a>
- 15 42 U.S. Code Subchapter II—B CHILD CARE AND DEVELOPMENT BLOCK GRANT. <a href="https://www.law.cornell.edu/uscode/text/42/chapter-105/subchapter-II-B">https://www.law.cornell.edu/uscode/text/42/chapter-105/subchapter-II-B</a>
- 16 Ibid.
- 17 Ibid.
- Monitoring Practices Used in Child Care and Early Education Licensing, U.S. Department of Health and Human Services, Office of Planning, Research, and Evaluation, Administration for Children and Families, OPRE Report #2022-137, Miranda, B., Ekyalongo, Y., Franchett, A., & Maxwell, K. (2022). https://acf.gov/sites/default/files/documents/opre/TRLECE-Licensing%20Monitoring%20 Practices-FINAL%204-28-23.pdf
- 19 Ibid.
- <sup>20</sup> Ibid.