

Child Care Study Presentation to LWV CVA Members at Sunday Seminar, November 17, 2019
By LWV CVA Child Care Committee, Beth Kariel, Chair

Introduction:

Early childhood care and education is important because childhood is a time of incredible developmental growth and there is not enough affordable, quality child care in our region.

There are four types of child care in Virginia. Our study focused specifically on licensed child care, which is actually the most regulated child care in Virginia. It is under the auspices of the Virginia Department of Social Services.

A few weeks ago, the group "Child Care Aware" came out with a report called, "The Child Care Supply Crisis: Why Deregulation is Not the Answer. I was pleased to see this report because it is similar to the conclusion that we have come to in our study.

We have come to the conclusion that child care licensing regulation in Virginia is not adequate. Improving licensing regulations will improve child care.

For the past two years Kathryn (Dillon) and I have done a study of child care licensing in Virginia. It was very much a local study. We have gathered a lot of information, which will be condensed into a written report which will be on the League website. During this 15 minutes, I'm just giving you a very brief summary.

We were both well suited to do this study. I have a masters of social work and I've worked at Children, Youth and Family Services and at Region Ten. I also have worked in child care. Kathryn is a registered nurse with many years of work experience and she is a Court Appointed Special Advocate (CASA) volunteer.

For our study we interviewed child care owners, directors, teachers, assistants, and parents. We communicated with department of social services staff.

By reading manuals and other online information we learned Virginia's child care standards/regulations. We also compared and contrasted Virginia's child care regulations with those of other states.

We visited a variety of local child care centers and followed the cases of several centers that have had excessive safety violations. Centers with problems do come in all socioeconomic categories.

We learned about child care policy and we communicated with child care professionals associated with "Child Care Aware" and with "The Virginia Association for the Education of Young Children".

During the general assembly we communicated with legislators. We followed two child care related bills and we attended an event put on by "Child Care Aware".

We also had many informal discussions while doing our study. Indeed, it seems as though everyone has a child care story.

Questions:

These are the questions that we studied.

1. Are Standards for Child Care Licensing Thorough enough?
2. Is Enforcement of Child Care Licensing Adequate?
3. Is Training and Education of Child Care Workers Adequate?
4. When Child Protective Services investigates an incident at a Child Care Center, Should Families of the Children Involved in the Investigation be Given Information Regarding the Investigation?

Because I only have 15 minutes, I'm going to just give one or two of the main points we have identified for each question.

Question 1:

No, current standards for child care licensing in Virginia are not thorough enough.

Current Virginia licensing standards meet only 6 percent of the child care standards recommended by the Administration for Children and Families of the U.S. Department of Health and Human Services.

Let's take an example. Imagine working in a child care center and there is no administrator present who is not also directly responsible for the care of children. There is no extra set of hands to help if a child is sick or injured, to make phone calls or answer the phone or to help communicate with parents who have immediate needs.

An extra administrator on site is not required in Virginia. Some centers may choose to have one on site but many don't because it's not required.

Question 2:

Currently, at the beginning of Virginia's child care licensing manual, there is a statement that says that the standards are so minimal that any violation of them poses a safety risk for children.

So, if most violations pose a risk to the safety of children, then enforcement needs to be done very well. Our study found strengths and weaknesses in enforcement.

First, let's look at the strengths.

There is a real commitment on the part of licensing professionals to follow basic protocols such as ensuring that there is a preponderance of evidence to support any violation they cite at a center.

In cases where there are a lot of violations and sanctions, they follow due process.

Now let's look at some of the weaknesses in enforcement.

Currently, inspectors are only required to visit centers twice a year and when there are complaints. They are not required to visit before a center grows. We recommend increased numbers of visits per

year. At least centers should be required to have an inspection before they grow and centers that have received sanctions should be visited more often, as sanctions are often a sign of a systemic problem.

We did find some pretty concerning evidence of lapses in enforcement. For example, inspectors and their supervisors need to be more knowledgeable about mandated reporting. We recommend that there be accountability and ongoing training for inspectors and their supervisors.

The overall approach of child care licensing is that a violation is cited and they expect the violation to be fixed. It takes a lot of violations for a center to be punished. The first level of punishment is an Intermediate sanction, which is like a very serious warning. The second level of punishment is a provisional license, which is when a center has only 6 months to improve and if there is not improvement, it will be closed down.

So, it takes a lot of violations for a center to get an Intermediate sanction. Not only does it take a lot of violations for a center to receive an Intermediate sanction or a Provisional license but it also takes a long time. It can take up to six months from the time of an egregious incident to an Intermediate sanction. While it's important for a center to be given time to improve and it's important for owners to have a right to appeal, we recommend that this process be shortened because children are at risk during this process.

Additionally, there is an irony in Virginia because whereas child care licensing and enforcement are minimal, the legal system in Virginia is, across the board, a punitive system. There have been local cases of harsh punishment against child care workers and centers when the legal system has become involved. There also have been lawsuits.

Question 3:

Virginia's licensing standards do not meet the standards recommended by the U.S. Department of Health and Human services for pre-service training or for continuing education for directors, teachers or caregivers.

We primarily are recommending that licensed child care centers participate in "Virginia Quality", the state's quality rating and improvement system, which includes training and mentoring.

There is good news about the availability of training and education in our region. Trainings include those associated with the community colleges, the American Montessori Society and the Virginia Association for the Education of Young children.

We recommend that safety training be more of a specific priority. There are some local child care centers that use good programs and curriculums but have poor safety records.

Assistants play an important role in child care and yet they are required to have almost no training and there is a high turnover. They often are given a lot of responsibilities, including times of day that are particularly challenging, such as nap time.

One person we interviewed told us that there is a national movement that promotes basic child care training that is similar to the basic training that CNAs (Certified Nursing Assistants) have, with the emphasis being on child care. We think this could be a good idea.

In a field like child care, training really cannot be separated from the culture of child care centers. Management best practices reportedly are not common enough in child care centers. Discord, excessive control and low morale reportedly are common in child care centers.

Question 4:

Sometimes more serious incidents happen at child care centers that become Child Protective Services cases. (CPS cases against individual child care workers)

Currently, there is a blanket law that protects the confidentiality of children and prevents parents from getting information about these cases.

To some extent, this is an issue of government transparency and we think there can be changes in the law so that children's rights are still protected but parents have representation and information about these cases.

Cost:

As we did our study, another question kept emerging. That is the question of cost. This came up in interviews and articles. We recommend that there be more study into how to alleviate child care costs. Most likely, there will have to be more government subsidies for child care.

We realize that when we call for more regulations, that will increase costs for child care owners, in a business model that currently is barely viable.

The average cost for child care in Virginia is 10,000 dollars a year per child and child care teachers in Virginia earn in the low 30,000s. Assistants often make minimum wage.

Conclusion:

As most of you probably know, there are different views of the role of government in society. Some views put more emphasis on individual freedom and responsibility and some place more emphasis on government regulation.

We recognize that government cannot and should not be completely responsible for the well being of children. But, our study has shown that child care licensing in Virginia is far from being over regulated. We are recommending more regulation and enforcement.

It will take a community effort to ensure that children have developmentally appropriate care, that child care workers are given opportunities for professional development and fair wages and that working families have access to affordable, quality child care.

In the past 2 years while we were doing our study, we faced challenges and discouragement. But, what kept us motivated was that we are doing this for children. Children need advocates. We ask you to join us in advocating for improvement in child care licensing and better training for child care workers in Virginia.

