



NATIONAL CENTER ON  
Early Childhood Quality Assurance

# Exploring Child Care Licensing Policies and Practices: Current Trends and Questions

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Welcome!

# Presenters

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- ◆ Kelly Maxwell, Child Trends



What do we  
want to know?

# Licensing Research Needed

- ◆ Child care licensing field has best practices and licensur competencies
- ◆ No research base to establish effective practices
- ◆ States need research to justify policy decisions, respond to legislatures, and improve practices

# Unanswered Questions

- ◆ What is a “good” caseload for licensors?
- ◆ How many inspections are needed to impact compliance?
- ◆ Are enforcement actions deterring noncompliance?
- ◆ Is technical assistance effective?



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# National Data on Child Care Licensing Agency Policies

Findings from the 2017 Child Care Licensing Study

A photograph of a young child with dark, spiky hair crawling on a colorful, interlocking foam mat. The child is wearing a white short-sleeved shirt and is looking off to the side. The mat features large, colorful letters and numbers in shades of yellow, pink, blue, and green. The background is a plain, light-colored wall.

# Child Care Licensing Study



# National Data Available

- ◆ Description of state policies and practices
- ◆ Comprehensive in topics covered
- ◆ Respondents are licensing agencies
- ◆ Point in time data collection
- ◆ Trends over time
- ◆ Data sets publicly available

# Child Care Licensing Studies

- ◆ Partnership between ECQA Center and NARA
- ◆ Began in 2005
- ◆ Studies conducted 2005, 2007, 2008, 2011, 2014, 2017 (in process)
- ◆ Purpose is to track changes in child care licensing policies and practices, and requirements for providers

# Components of the Licensing Studies

- ◆ Licensing Policies
  - Facility monitoring, enforcement of regulations, licensing program staffing
  - Results of NARA survey of all licensing agencies
- ◆ Licensing Regulations for Child Care Facilities
  - Requirements that programs must meet
  - Compiled from regulations posted on the National Database of Child Care Licensing Regulations
  - Data collection still in process
- ◆ Comparing 2017 data to 2014 Licensing Study
  - Also some comparisons to the *2005, 2007, 2008, and 2011 Child Care Licensing Studies*

# Source of Data on Slides

- ◆ The data on all slides come from analysis of the *2017 NARA Child Care Licensing Programs and Policies Survey*.
- ◆ Analysis was conducted by the ECQA Center in March 2019.
- ◆ Citation:
  - National Center on Early Childhood Quality Assurance. (2019). Analysis of data from the 2017 Child Care Licensing Study. Unpublished data.

# Survey Respondents

- ◆ NARA sent survey to directors and managers of child care licensing agencies in all 50 states, DC, and 5 U.S. territories.
- ◆ Final set of respondents in 2017
  - 51 states, including District of Columbia
- ◆ Licensing managers or directors are the respondents – referred to as “states” in the presentation.
- ◆ 2014 survey had 53 responses (2 territories and DC)

# Inspection Policies



# Licensing Caseloads

- ◆ Average caseload: 81 centers and homes
  - 97 in 2014
  - 103 in 2011
- ◆ Caseloads range from 26 to 182 (300 in 2014)
- ◆ NARA recommends
  - Licensing agencies calculate workload standards to account for local variables
  - Average caseload should not exceed 50-60
  - More research needed to determine appropriate caseloads

(ECQA Center, 2019; ECQA Center, 2015a, b, c; NARA and Lapp-Payne, 2011)

# Types of Inspections

- ◆ All states that license centers, FCCH, and GCCH conduct an inspection prior to issuing a license.
  - 80 percent of states conduct an announced inspection at that time
- ◆ 49 states conduct routine compliance inspections
  - 2 states – reported no routine inspection, but do conduct renewal inspections
  - All states' report doing routine inspections unannounced.

(ECQA Center, 2019)

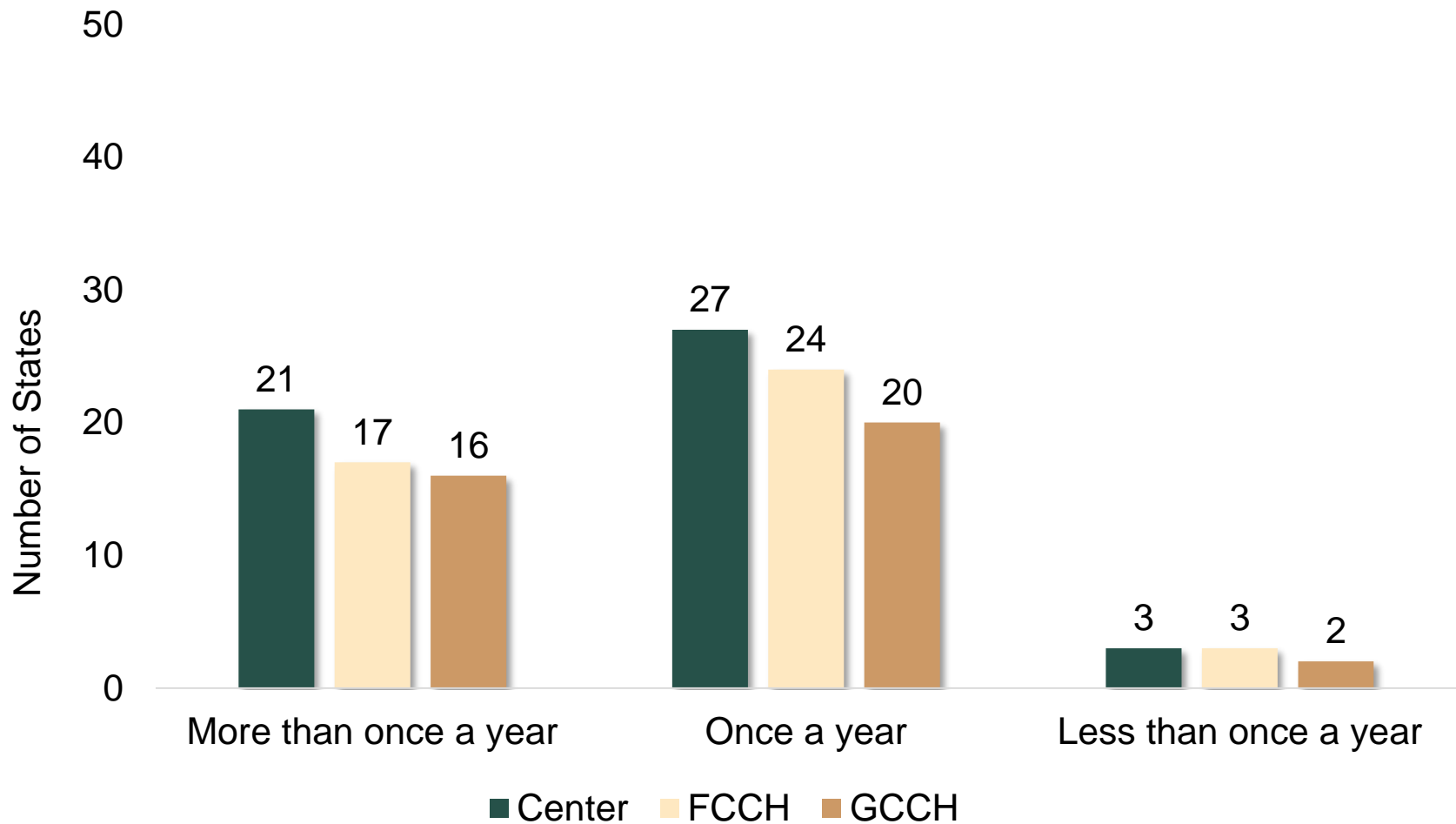


# Frequency of Inspections

- ◆ Most states inspect once a year
  - Number of states that inspect less than once a year has decreased since 2014
  - Inspections are the minimum number of times licensing staff are required to visit a program as set by law/statute/policy.

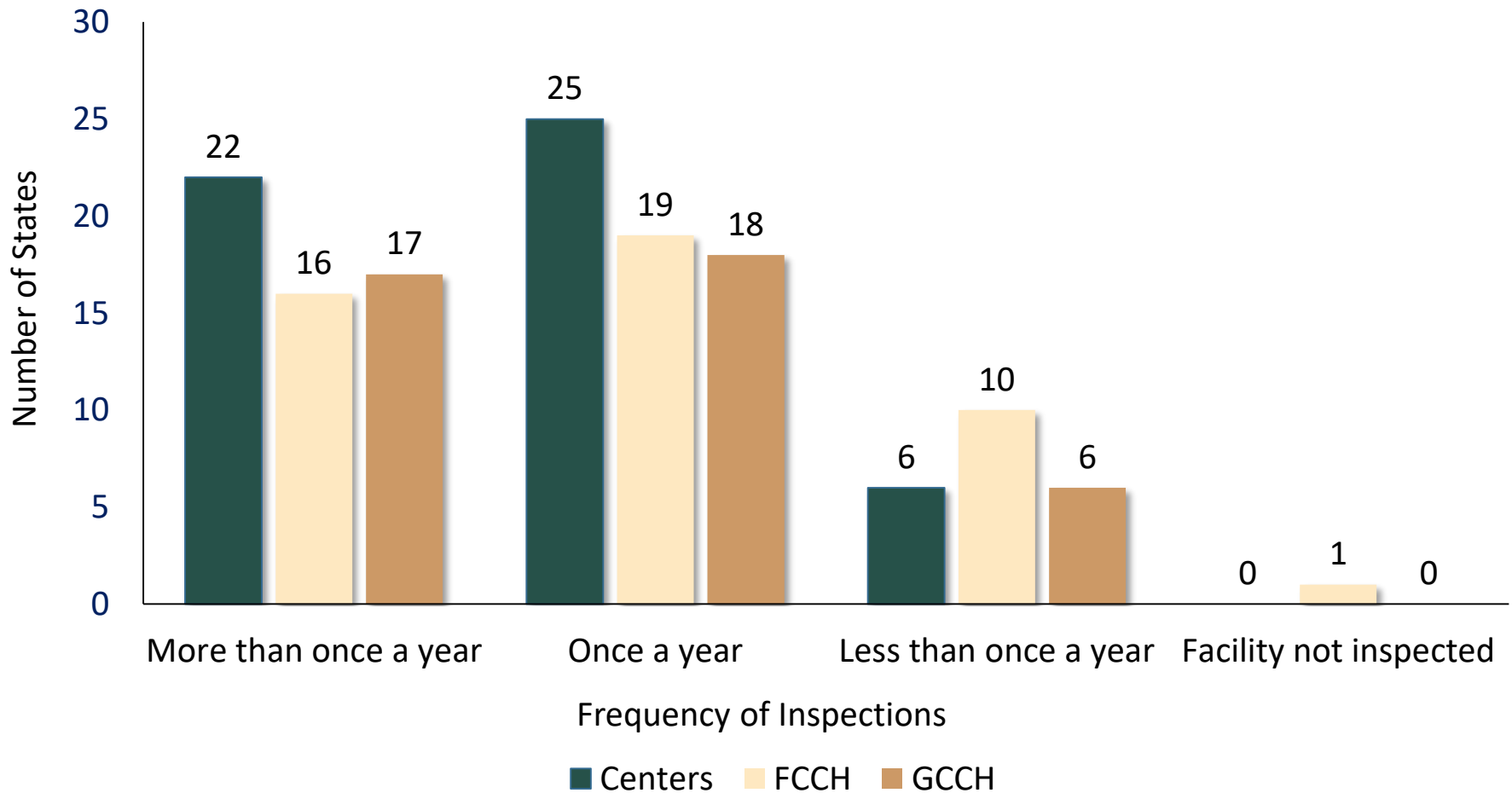
(ECQA Center, 2019)

# Frequency of Inspections, 2017



(ECQA Center, 2019)

# Frequency of Inspections, 2014



(ECQA Center, 2015a, b, c)

# Licensing Renewal

- ◆ Two-thirds of states renew licenses every 1-2 years
  - 45 percent – 1 year
  - 34 percent – 2 years
- ◆ Most states conduct unannounced inspections for license renewal
- ◆ Eight states have non-expiring licenses

(ECQA Center, 2019)

# Monitoring Strategies



# Monitoring Based on Compliance History

- ◆ Increase monitoring frequency for programs with low levels of compliance;
- ◆ Identify providers in need of technical assistance;
- ◆ Recognize programs with strong compliance records with abbreviated inspections; and
- ◆ Use staff resources efficiently.

(National Center on Child Care Quality Improvement, 2014)

# Differential Monitoring

- ◆ 35 percent of states report using “differential monitoring”
  - Method for determining the frequency of monitoring based on an assessment of a facility’s level of compliance with regulations
  - Used to determine the number of inspections needed for a particular facility
    - More if there are serious or numerous violations
    - Fewer if compliance history is strong (less common)
- ◆ Up from 25 percent in 2014

(ECQA Center, 2015a, b, c; ECQA Center, 2019)

# Abbreviated Inspections

- ◆ 69 percent of states report using abbreviated compliance forms that shorten the list of requirements that are checked in programs during inspections.
  - 69 percent of states in 2014
  - 55 percent in 2011
- ◆ Method to reward strong compliance history
- ◆ Most states switch to full set of regulations if issues are found in during inspection

(ECQA Center, 2015a, b, c; ECQA Center, 2019)



# Choosing Rules for Abbreviated Inspections

- ◆ Most states chose the requirements reviewed during abbreviated inspections based on
  - a consensus about rules considered most critical to protecting children's health and safety, and
  - an assessment requirements that lead to risk of harm for children.
- ◆ 10 states reported using a set of key indicators that could statistically predict overall compliance

(ECQA Center, 2019)

# Risk Assessment of Rules

- ◆ 65 percent of states have conducted a process to identify licensing requirements that pose the greatest risk of harm to children if violated
  - 39 percent have assigned a risk level/weight to all requirements.
  - Remaining states have identified categories of high-risk requirements or identified the highest risk requirements.
- ◆ 53 percent reported having done this process in 2014

(ECQA Center, 2019)

# Uses of Risk Assessment

Use of Risk Assessment of Requirements	Percentage of States
Determining frequency of inspections based on risk level of violations	52%
Determining enforcement actions based on risk level of violations	45%
Categorizing violations	45%
Monitoring the high risk rules during abbreviated inspections	42%

(ECQA Center, 2019)

# Enforcement Actions



# Enforcement Actions

Most common enforcement actions are

- ◆ revocation of a license,
- ◆ emergency/immediate closure of a facility
- ◆ denial of a license,
- ◆ non-renewal of a license,
- ◆ conditional license, and
- ◆ civil fines.

(ECQA Center, 2019)

# Licensing Provides TA

- ◆ Nearly all states report providing TA during monitoring activities to help facilities achieve compliance with regulations.
- ◆ 67 percent of states report that they provide TA to assist facilities in improving quality and exceeding minimum licensing regulations.
- ◆ No change since 2014

(ECQA Center, 2015a, b, c; ECQA Center, 2019)



# Questions

# Resources

- ◆ Licensing Study Data Sets  
<https://www.researchconnections.org/childcare/series/231>
- ◆ Child Care Licensing Tools and Resources  
<https://childcareta.acf.hhs.gov/child-care-licensing-tools-and-resources>
- ◆ *Caring for Our Children*  
<http://nrckids.org/CFOC>
- ◆ CCDF Reauthorization Resources  
<http://www.acf.hhs.gov/programs/occ/ccdf-reauthorization>





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