



The Importance of Child Care Safety Protections

By Leila Schochet

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When Vicky Dougherty dropped her 17-month-old son, Warren, off at a family child care home, she assumed that he would be well-cared-for and safe. There was a certificate hanging on the wall from the Commonwealth of Pennsylvania, and the provider had been operating in the community for decades. But on September 5, 2007, Vicky and her family received the tragic news that Warren had been injured when his head got stuck in an outdated, defective crib, causing him to suffocate. He passed away two weeks later.¹

After the death of her son, Vicky was surprised to discover that many of the safety standards she had reasonably assumed to be in place were not being practiced. It turned out that the seemingly official, framed certificate hanging on the wall of the child care home was merely a self-certification checklist that the child care provider had completed herself. No official or inspector had actually come to the provider's home to inspect its compliance with health and safety measures. At the time, inspections of family child care homes were random in Pennsylvania, meaning that providers could go several years without an inspection designed to identify safety hazards such as outdated cribs.²

Child care is a necessity for most working families, and millions of parents across the country rely on it each day.³ Like Vicky, they expect that providers have successfully passed a background check, are well-trained, and are recipients of regular inspections that ensure that the children in their care remain safe. Health and safety standards are not unique to child care, but in some states, standards for child care are minimal compared with other industries such as beauty salons and barbershops.⁴

Child care safety protections have garnered bipartisan support. In 2014, Congress reauthorized the Child Care and Development Block Grant (CCDBG) and included additional safety protections for child care programs. States have also been making gradual progress toward improving child care standards.⁵ This issue brief discusses the importance of child care safety protections and explores how these protections can help ensure that parents are able to choose among child care providers who provide safe, high-quality child care.

Child care licensing and health and safety standards

States have the freedom to choose which child care providers are licensed in their state and may exempt certain categories of providers, such as relatives or faith-based providers, from licensure. It is the state's role to decide the number of children that a child care provider's home can accommodate before the provider must become licensed. Therefore, licensing only covers a subset of providers and varies considerably from state to state.⁶

Ensuring that the youngest and most vulnerable among us are safe is something on which Democrats and Republicans agree. The Child Care and Development Block Grant of 2014 (CCDBG)—the most recent reauthorization of the grant, which received almost unanimous support in Congress—includes protections such as low adult-child ratios, first aid and CPR trainings, and comprehensive background checks.⁷

Most providers that receive public funding must now abide by the regulations established in the CCDBG. However, states can exempt from health and safety requirements providers who do not receive federally funded subsidies. While the federal government sets broad standards and issues guidance, in many cases it is up to states to define specific regulations. This means that safety standards can vary dramatically based on where a family lives and the type of child care setting that a child attends. For example, fewer than half of states require license-exempt providers that receive subsidies to receive annual inspections.⁸ Some providers are not subject to licensing or CCDBG requirements at all.

Practices necessary to ensure that providers offer safe, quality child care

As reflected in the CCDBG, there is a set of basic, evidence-based practices that help keep children safe and healthy in child care. Among these are background checks, trainings for child care providers, and maintaining certain teacher-child ratios. These practices ensure that teachers are qualified and prepared to care for young children as well as give parents peace of mind that their children will be in a safe and enriching environment while they are at work.

Background checks

Vicky Dougherty and her husband own a television repair company, and their employees must pass a background check before they can enter a home to repair a television. Vicky assumed that since her own employees were vetted, the woman caring for her child would be as well. She was surprised to find that at the time of Warren's death, his provider had not been required to pass a comprehensive background check.

Background checks are commonplace across most industries. Most parents receive background checks before they can start a job, so they assume that their child care provider is also carefully vetted. A national poll found that 85 percent of parents think that all "child care providers undergo a background check."⁹

The CCDBG includes important steps toward making comprehensive background checks a standard in the child care industry. The law requires states to implement a comprehensive criminal background check—which includes a fingerprint check against state and federal criminal records; the sex offender registry; and the child abuse and neglect registry—for all child care providers.¹⁰ Background checks that include fingerprinting are critical for protecting against providers’ use of aliases. While a person could change the spelling of their name or use a different name altogether to conceal their identity, fingerprints positively identify an individual.

Beyond direct care providers, background checks should also be conducted on adults who are around children throughout the day, such as volunteers, janitors, bus drivers, or adults living in a family child care home. However, only Maryland and Wyoming had fully implemented this requirement as of March 2016, for which the most recent data are available.¹¹

It is crucial that all children are safe no matter where they live or what kind of child care program they attend. Young children should not be in the care of people with a record of endangering children. Background checks are commonplace for employees across industries, and the adults who are entrusted to care for and educate young children must be held to the same standard.

Teacher trainings

Child care providers should have training that reflects the most recent research in safety and child development. Three in 4 parents assume that “providers have training before caring for children”, and 96 percent of parents with young children “support requiring child care providers to have basic training in health and safety and child development before working with children.”¹²

Training in basic safety practices equips early educators with the skills to keep children safe during their daily routine and in emergency situations. The CCDBG requires provider trainings in first aid and CPR, safe sleep practices, prevention of shaken baby syndrome, and emergency preparedness. Beyond initial trainings, it is crucial that caregivers participate in ongoing trainings and professional development to keep their skills up to date.

When providers have basic training and skills, they are more likely to practice procedures that keep children safe. Sudden infant death syndrome (SIDS) is one of the leading causes of death for infants in the United States and can occur when infants are not placed in a safe sleeping position.¹³ The Safe to Sleep campaign—an initiative backed by the U.S. National Institute of Child Health and Human Development—educates child care providers, parents, and the public about safe sleep practices and has played a critical role in reducing the prevalence of SIDS. In the first five years of the campaign, which began in 1994, the prevalence of SIDS decreased by more than 50 percent.¹⁴

Unsurprisingly, providers who are trained in SIDS prevention are more likely to utilize safe sleep practices than those who do not receive training.¹⁵

In addition to establishing safety requirements, states must develop a framework to support providers as they pursue trainings and professional development opportunities by offering technical assistance, financial support, and paid time off to complete trainings.¹⁶

Teacher-child ratios and group size limits

Teacher-child ratios set a minimum number of adults needed to care safely for a group of children, and group size limits cap the maximum number of children under the provider's care in a given child care setting. In Pennsylvania, for example, there is a maximum limit of six children in a family child care home.¹⁷ Yet although this was the limit at the time of Warren Dougherty's death, he was one of 10 children in his child care home on the day he died.¹⁸

Low teacher-child ratios ensure a basic level of child safety and set the stage for high-quality caregiving. Small group sizes and low teacher-child ratios are associated with fewer situations that threaten child safety, as well as more positive caregiving.¹⁹

Research demonstrates that the best indicator of high-quality child care is positive and engaging interactions with an adult. Caregivers who make eye contact; are responsive and supportive of a child's emotions; and engage in activities that teach the child new words and concepts create a high-quality early learning environment. Low teacher-child ratios and group size limits help ensure that educators have the bandwidth to give children the kind of careful attention that they require.

Research shows that providers in settings with lower ratios tend to be less stressed, engage in more dialogues with children, provide them with more individualized attention, spend less time managing children, and spend more time educating them.²⁰ These kinds of quality interactions contribute to important outcomes for children, including enhanced cognitive, linguistic, and academic development.²¹ When even the most qualified teacher has too many children in her care, it is impossible for her to engage with every child enough for them to benefit fully.

States establish ratios, which can vary depending on where a family lives. There is, however, a consensus in the early childhood community about the acceptable standard for ratios and group sizes. The National Association for the Education of Young Children—a national organization whose accreditation is regarded as the gold standard in child care—requires a teacher-child ratio of 1-to-3 or 1-to-4 for infants and toddlers and a maximum group size of six to eight children.²²

Safety protections help parents make informed decisions

Baseline safety protections are designed to provide transparency so that parents can be informed consumers. The CCDBG requires states to make provider information public, including licensing and inspection history; quality information; annual number of deaths; injuries and instances of child abuse; and state suspension and expulsion policies. With this information at their disposal, parents can choose a provider that is right for them. While many states are in the process of developing these systems, in 2016, only eight states reported having fully implemented a publicly accessible website for licensing and monitoring reports of child care programs.²³

As consumers, Americans expect that their health and safety will be protected in their daily lives. Things such as health inspections, building codes, and safety regulations ensure that people can safely perform everyday activities. For example, people eat at a restaurant without inspecting the kitchen, trusting that health inspectors have confirmed that food safety measures are in place and the building is up to code. When questions pertaining to this minimum level of safety are no longer a concern, the customer can make judgements about the restaurant based on its food quality, service, and atmosphere.

Thus, it only makes sense that a service as important as child care—where the well-being of vulnerable children is at stake—would receive at least as much safety oversight as a restaurant. Parents leave their children with a child care provider trusting that while they are gone, minimum safety protections are in place. With the assurance that these basic practices are being followed, parents can focus on other important aspects of child care like quality, location, and affordability.

Rolling back regulations will not solve the child care crisis

There is no doubt that there is a child care crisis in the United States. Parents are paying more than they can afford in tuition, and providers are going out of business due to insufficient revenue.²⁴ The lack of affordable, high-quality child care has become a significant barrier to parents' participation in the workforce, so increasing access to child care must become a national priority.²⁵

But rolling back vital safety protections for young children is not the solution to making child care more affordable or accessible. In fact, deregulating the child care system would limit a family's access to high-quality child care, as they would have a smaller pool of regulated, high-quality providers from which to choose.²⁶ Reducing this access would have serious consequences for working parents who rely on child care each day, forcing them to drop out of the workforce, change jobs, or settle for an unsafe care environment.²⁷

Some proponents of deregulating child care argue that with higher adult-child ratios, providers would be able to pay teachers more and charge parents less by hiring fewer, but more highly qualified educators.²⁸ However, this disregards several key components of providing children with high-quality care. It would be impossible for even the most highly qualified, attentive caregiver to keep track of 20 infants or toddlers in a chaotic environment, let alone engage them in the high-quality interactions and activities that they need to thrive. Basic safety protections are just the first step in ensuring quality child care. Their adoption must be nonnegotiable.

Conclusion

Tragedies like the death of Warren Dougherty happen when child care providers do not abide by safety regulations, demonstrating just how important it is to have them in place. Children's basic safety should not depend on how much money their parents have or where they live.²⁹ The federal government needs to make a public investment in child care to ensure that programs are safe and high-quality and to support providers with the resources that they need to practice these critical safety measures.³⁰

Deregulating the child care system would be a step in the wrong direction for families and providers alike, and millions of children's lives would be put at risk as a result. While stakeholders have varying opinions on how to best solve the child care crisis, basic safety protections for young children must not get caught in the debate.

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Endnotes

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