

Memorandum

To: Senator White, Chair, Senate Operations Committee
From: Ken Schatz, DCF Commissioner
Date: April 20, 2017
Subject: Office of Professional Regulation and Child Care

It was reported to the Department for Children & Families (DCF) that the Committee discussed adding language to H.506 regarding the regulation of child care. We have not yet seen anything in writing. As we understand it, the Committee discussed asking the Office of Professional Regulation (OPR) to play a significant role in evaluating and changing the regulations in place for child care centers, including the education requirements, because of the Committee's concern that child care centers were closing.

Assuming this is the Committee's intention, please see my response in writing below. I am strongly opposed to the Committee placing any aspect of child care regulation under the auspices of the Office of Professional Regulation.

1. The role of regulating child care falls to the Child Development Division. We license businesses, not individuals, which is very different from the role of the Office of Professional Regulation. This move would create duplication and inefficiency as there are many functions in DCF's child care licensing unit that are not specific to licensing programs that could not be transferred.

DCF's child care licensing staff are educated and trained in the field of children's early care and learning. When DCF licenses a child care program, it licenses a business with a specific location. DCF reviews the physical building, staffing pattern and credentials, curriculum, food and nutrition, fire safety, etc. The purpose of licensing is akin to the licensing of hospitals, nursing homes, etc. as the goal is to ensure the health, safety and well-being of children cared for and educated in these programs. The DCF role in licensing is very different than professional regulation of individuals in occupations such as doctors, attorneys, etc.

It also does not make sense to move DCF's child care licensing to OPR because DCF's child care licensing is tied to many important initiatives including Act 166 Universal PreK and the Stars program. There is an important connection in DCF's child care licensing to DCF's child welfare system that could be lost with this move. In addition, DCF is responsible for administering a state plan related to child care licensing mandated by federal law (Child Care and Development Block Grant Act of 2014) and it is unclear whether it could transfer these responsibilities to OPR.



2. The process for promulgating the new state child care regulations underwent significant public scrutiny and garnered input from stakeholders, approval by the Legislative Committee on Administrative Rules and already has significant oversight in place.
3. Finally, for our center-based child care providers, we have remained steady in capacity in the last year, not lost. While it is true, some home-based child care providers have closed since the new regulations were promulgated, this is part of a steady decline that is consistent with what is occurring nationally. Additionally, we have had a significant number of new individuals applying and becoming registered providers in the last 9 months. We have increased the capacity of high quality programs for both homes and centers. Finally, the capacity of children in 3+ STAR programs moved from 17,377 spaces for children in SFY15 to 20,882 spaces for children in 3 STAR programs as of March 31, 2017.

We ask that you not move the licensing of child care to OPR. I am happy to meet with the Committee in person if that would be helpful.

