



For Our Youngest Learners, We Cannot Compromise on Health and Safety

Families want peace of mind knowing that when their child is in child care, they are in the reliable hands of a provider that supports their child's healthy development, safety and overall well-being. To give families this assurance, health and safety regulations have been enacted to provide important safeguards for children and program staff while upholding the quality of care.

Navigating State and Local Regulations

State child care regulations provide important guardrails for the health and safety of children and program staff. Some local governments may create and enforce their own licensing requirements in addition to what the state mandates.

Group Sizes and Ratios:

Group sizes refers to the maximum number of children allowed in each child care center room or class or the maximum number of children allowed in a family child care home. Staff-to-Child Ratios refers to the minimum number of adults required for a specific number of children, based on the ages of the children.

Research shows that fewer children per educator and smaller group sizes overall contributes to health and safety, as well as stronger child development, especially for [infants and toddlers](#). [National standards](#) and [accreditation](#) requirements reflect these learnings.

Smaller groups of children and lower ratios allow staff to provide adequate supervision of children and respond in emergencies, including when evacuations are needed. [Studies](#) show that children who are in programs with lower ratios receive more stimulating and responsive care and have been linked to higher social competence, communication and language skills, and cognitive development.

Low ratios and group sizes also [benefit providers](#). They lessen stressful situations for staff, which can decrease burnout, demoralization, and turnover when classroom settings are more manageable.

Licensing Requirements:

A child care license addresses the minimum acceptable health, safety, and program standards for the legal operation of a program in a state or locality. Some child care programs may be exempt from licensing, depending on the type of program, where and when it operates, and the number of children in care.

All program settings can demonstrate a commitment to providing safe and healthy child care for the families and children in their community by becoming licensed, even when it is not required. While not the case everywhere, licensing standards should be setting-appropriate and reflect the expertise and input of impacted communities such as providers and educators. As part of their licensing requirements, states inspect child care programs to look for hazardous conditions or practices that may put children in harm's way. Federal law requires states to post the results of child care inspection reports online so families can make an informed decision when selecting care.

Bipartisan Support for Ensuring Health and Safety

The [2014 reauthorization](#) of the Child Care and Development Block Grant (CCDBG) drew bipartisan support from members of Congress and included additional child care health and safety protections.

States must establish health and safety requirements, establish group-size limits and age-based staff-to-child ratios. They must also conduct criminal background checks for all child care staff and perform pre-licensure and annual inspections. Child care providers serving subsidy-eligible children must receive pre-service and ongoing training on topics like CPR, first aid, and safe sleep practices. Additionally, the updated law also directs states to make information available annually regarding the number of deaths, serious injuries and instances of child abuse in child care settings.

Provider Qualification Requirements:

Provider qualification requirements include education and credential attainment, experience, ongoing training, and professional development opportunities needed to be a successful educator.

Staff who meet qualification requirements are trained to provide health and safety assistance in emergencies, as well as promote the physical and mental health and cognitive development of the children in their care. State lead agencies monitor programs to ensure that providers meet all training required under its regulations.

Policy Solutions

For years, the supply of quality child care programs has struggled to match the demand of families. This is due to the lack of significant, sustained public investment and a heavy reliance on a financing structure that isn't designed to cover the full cost of high-quality child care. But efforts to undermine health, safety and quality won't solve the long-term child care crisis. In fact, an [analysis](#) of regulations in all 50 states and child care supply found there is little correlation between the two, indicating less stringent regulations do not help grow the supply of child care in a state.

At a minimum, policymakers should:

- **Keep group sizes and ratios aligned with [national standards and best practices](#).**
- **Maintain strong licensing requirements around health and safety.** States and localities should ensure that licensing requirements reflect stakeholder input from all program settings. Funding must be available for programs in all settings to meet, and exceed, requirements.
- **Invest in the child care workforce to increase the supply of quality care.** Providing high-quality early learning education and care takes a wealth of knowledge, experience, skills and competencies. The solution is increased public investment in the child care workforce. State regulations should ensure that provider qualifications are culturally and linguistically appropriate and accessible and recognize the important work of family child care and family, friend and neighbor providers.

Zoning Ordinances

Child care programs typically must comply with local zoning, building and fire safety, and health and sanitation codes in addition to licensing. Some regulations, like zoning laws, unintentionally drive-up costs and reduce supply, but do not impact a program's quality or safety. In some cities or counties, zoning laws restrict the hours child care programs may operate. Family child care programs may struggle to obtain costly zoning permits or business licenses or may be prohibited by Homeowner Associations (HOAs) from establishing their business at all.

There may be [opportunities to reduce or modernize burdensome regulations](#) that do not make concessions on the health and safety of children and staff, like addressing local zoning ordinances and building codes that impact child care costs and operations.

State and local governments should ensure regulations in place have a clear purpose and avoid unintended consequences.

The Bottom Line: Child Care Needs Investment

Policymakers must consider solutions that invest in child care to address the root causes driving the sector's supply challenges. Instead of relaxing health and safety regulations, solving our child care crisis will require large-scale public investment that supports health, safety, and quality, and leads to the viability of the system long-term.