



Interpretive Guides for Child Care Licensing Regulations

Ensuring the health and safety of children in child care is a top priority for the Office of Child Care, Administration for Children and Families, U.S. Department of Health and Human Services (OCC). In *Pathways and Partnerships for Child Care Excellence* (2010), OCC states:

Health and safety is the foundation of quality in child care. It is the paramount concern of every parent. Under the Child Care and Development Block Grant Act, every State must operate a system of child care licensing, but in many States, those standards are not high enough to ensure the health and safety of children, they do not apply to many settings in which young children are cared for, and monitoring to ensure compliance with standards is not adequate. OCC is stepping up our work with States, Territories, and Tribes to strengthen standards to ensure safety, health, and well-being, while supporting child care providers to meet standards.

OCC has made a commitment to work with States to strengthen licensing systems. These systems, which include child care licensing regulations and monitoring and enforcement policies, help provide a baseline of protection for the health and safety of children in out-of-home care. Licensing helps prevent various forms of harm to children—risks from the spread of disease, fire and other building safety hazards, injury, and developmental impairment from the lack of healthy relationships with adults, adequate supervision, and/or developmentally appropriate activities.

The Office of Child Care's National Center on Child Care Quality Improvement (NCCCQI)¹ presents the following information about seven States that have developed interpretive guides for their child care licensing regulations. These guides generally help child care licensing staff understand the purpose of licensing requirements and the methods they should use to assess facilities' compliance with the requirements. Child care providers can also use these guidelines to help them understand how they will be assessed during licensing inspections.

According to the National Association for Regulatory Administration (NARA) Licensing Program and Policies Survey for 2011, 24 States have developed interpretive guidelines for their child care licensing regulations. For many of these States, the guidelines are internal agency documents that are not available to the public on the agency Web site or are limited in scope. The States chosen for this paper have their interpretive guidelines on a public Web site.

¹ The Office of Child Care's National Center on Child Care Quality Improvement does not endorse any non-Federal organization, publication, or resource.

State Examples

California

Community Care Licensing Division

California Department of Social Services

Phone: 916-651-6040

<http://www.cclid.ca.gov/PG411.htm>

California has a set of Evaluator Manuals that provide a self-contained resource for the application and enforcement of laws, policies, and procedures. The intent of utilizing one reference source is to ensure statewide consistency in the administration of the licensing program. The Evaluator Manuals are also used to train new employees of the Community Care Licensing Division's (CCLD) Regional Offices and the county offices that contract with the State to administer the Family Child Care Home and the Foster Family Home programs. The Evaluator Manuals are available on the CCLD Web site for child care providers to review at

<http://www.cclid.ca.gov/PG395.htm>. The following are links to the manuals for specific types of child care facilities:

- *Evaluator Manual: Regulation Interpretations and Procedures for Child Care Centers* (February 2010)
<http://www.cclid.ca.gov/res/pdf/ChildCareCenters.pdf>
- *Evaluator Manual: Regulation Interpretations and Procedures for Family Child Care Homes* (January 2006)
<http://www.cclid.ca.gov/res/pdf/FCCH.pdf>

Georgia

Bright From The Start

Georgia Department of Early Care and Learning

Phone: 404-656-5957 or 888-442-7735

<http://dec.al.ga.gov/ChildCareServices/ChildCareServicesMain.aspx>

Georgia's Guidance Manuals focus on Core Rules which have been identified to be directly related to children's health and safety. Core Rules are evaluated by Child Care Program Consultants during every licensing study and monitoring visit. The rule guidance manuals are posted on the agency's Web site at

<http://dec.al.ga.gov/ChildCareServices/RulesAndRegulations.aspx>.

- *Child Care Learning Centers Rule Guidance Manual* (March 2014)
http://dec.al.ga.gov/documents/attachments/CCLC_Rule_Guidance.pdf
- *Group Day Care Home Rule Guidance Manual* (March 2014)
http://dec.al.ga.gov/documents/attachments/GDCH_Rule_Guidance.pdf
- *Family Day Care Home Rule Guidance Manual* (March 2014)
http://dec.al.ga.gov/documents/attachments/FDCH_Rule_Guidance.pdf

Indiana

Bureau of Child Care

Family and Social Services Administration

Phone: 877-511-1144

<http://www.in.gov/fssa/2552.htm>

Indiana's interpretive guides help child care licensing staff determine providers' compliance with particular licensing requirements. The guides include the complete text of the requirements, intent statements that summarize the purpose of the requirements, assessment methods for determining compliance, and thresholds for determining whether providers should be cited as out of compliance.

- *Interpretive Guide for Child Care Center Rules (7/1/2013)*
http://www.in.gov/fssa/files/BCC_Centers_Interpretive_Guide.pdf
- *Interpretive Guide for Child Care Home Rules (7/1/2013)*
http://www.in.gov/fssa/files/BCC_Homes_Interpretive_Guide.pdf

Michigan

Bureau of Children and Adult Licensing

Department of Human Services

Phone: 517-335-6124 or 866-685-0006

<http://www.michigan.gov/michildcare>

Michigan's interpretive guidelines are used for technical assistance to providers who have questions about the interpretation of a licensing rule. Licensees receive notices electronically when rules and interpretations are changed. Additional technical assistance resources are available at http://michigan.gov/dhs/0,4562,7-124-5529_49572_49580--,00.html.

- *Technical Assistance and Consultation Manual: Child Care Center Rules (June 2014)*
http://michigan.gov/documents/dhs/Center-TA_Consultation-Manual-New-Rules-Draft_442196_7.pdf?20140604165545
- *Technical Assistance and Consultation Manual: Family and Group Child Care Home Rules (June 2014)*
http://michigan.gov/documents/dhs/Home_TA_410282_7.pdf?20140604165545

Utah

Bureau of Child Development

Utah Department of Health

Phone: 801-538-9084

<http://health.utah.gov/licensing/>

Utah has an Interpretation Manual for each of the different types of child care providers they regulate—licensed family child care, child care centers, out-of-school time programs, and hourly centers. Each manual has a rationale/explanation and an enforcement section for each rule. The manuals are used for training licensing staff

and providers so they have a better understanding of regulations. All of Utah's Interpretation Manuals are available at <http://health.utah.gov/licensing/rules.htm>.

Virginia

Division of Licensing Programs

Virginia Department of Social Services

Phone: 804-726-7165 or 800-543-7545

<http://www.dss.virginia.gov/family/cc/index.cgi>

Virginia has documents that provide technical assistance information and interpretation of its licensing standards and general procedures. The technical assistance documents are written in a question and answer format. The interpretation guidelines include boxes of text to help providers better understand the rules.

- *Standards for Licensed Child Day Centers: Technical Assistance* (November 2012)
http://www.dss.virginia.gov/files/division/licensing/cdc/intro_page/code_regulations/tech_assist/ta.pdf
- *General Procedures and Information for Licensure: Technical Assistance* (January 2014)
http://www.dss.virginia.gov/files/division/licensing/cdc/intro_page/code_regulations/tech_assist/gp_ta_01_14.pdf
- *Standards for Licensed Family Day Homes With Interpretation Guidelines* (July 2013)
http://www.dss.virginia.gov/files/division/licensing/fdh/intro_page/code_regulations/regulations/final_fdh_manual_071713.pdf

Wisconsin

Bureau of Early Care Regulation

Wisconsin Department of Children and Families

Phone: 608-266-9314

<http://dcf.wisconsin.gov/childcare/licensed/>

Wisconsin publishes a version of its licensing rules that includes written commentary by Department of Children and Families staff on how to interpret them. The text is within boxes and is italicized.

- *DCF 251 – Licensing Rules for Group Child Care Centers With Commentary* (January 1, 2009)
http://dcf.wisconsin.gov/childcare/licensed/CommManuals/GCC/DCF_p_pfs4024.pdf
- *DCF 250 – Licensing Rules for Family Child Care Centers With Commentary* (January 1, 2009)
http://dcf.wisconsin.gov/childcare/licensed/CommManuals/FCC/DCF_p_pfs4069.pdf