

Florida Child Care Licensing Exemptions November 2010



Recommendation

The Association of Early Learning Coalitions recommends the removal of child care licensing exemptions.

Background

Child care licensing regulations and monitoring and enforcement policies are set by individual states and define minimum acceptable health, safety and program standards for the legal operation of out-of-home care for children and are part of Florida's core elements of public safety. Child care licensing is regarded as a baseline below which it is illegal to operate. According to a national survey of families with young children, 81% of parents assume that all child care programs are licensed in their state.¹ In Florida, this is not the case. Numerous types of programs providing out-of-home care of children are exempt from licensure, regulation, and/or monitoring.

Issue

A search of media outlets across Florida will reveal a surprising number of articles about children put in jeopardy and even dying due to negligence in child care settings. Although licensure cannot guarantee the health and safety of children, it greatly increases the likelihood, and programs with violations must face sanctions and possible loss of licensure.

Florida statutes require regulation of family child care homes that provide care to children from two or more unrelated families through a registration process. Some counties require licensure (and inspection) of family child care, and some family child care providers voluntarily elect to be licensed. Approximately one-half of family child care programs are registered in Florida, and registered family child care providers are not monitored and do not receive any on-site visits by licensing staff.² Florida statutes exempt religious-based child care programs. Although their accrediting bodies are required to publish their standards and indicate a compliance protocol, there is no state oversight of these organizations and no specific ongoing requirements for monitoring of their accredited programs. Summer and seasonal day camps, preschool programs operated by public and private schools and systems, and many afterschool clubs and programs are also exempt from child care licensing and monitoring.

Although Florida is recognized as having strong child care licensing oversight standards (ranked 3rd), it is ranked 30th among states in terms of its licensing standards.³ One of the areas of concern is license exemptions. ***National data highlight that most states are not providing the license-exemptions that Florida allows, and 36 or more states license all family child care, private school preschool programs, and child care programs operated by religious organizations.*** Numerous national organizations, including the National Association for the Education of Young Children, the National Association of Child Care Resource and Referral Agencies, the National Association of Regulatory Administrators, the National Child Care Association, and the American Academy of Pediatrics, recommend licensure for every child care setting.

Conclusion

When categorical child care licensure exemptions are made, children are less protected and the entire regulatory system is weakened. Removing child care licensure exemptions will help to establish a more acceptable minimum standard of health, safety, and well-being in Florida. There is no more important issue than the safety and well-being of Florida's children.

¹ National Association of Child Care Resource and Referral Agencies (NACCRRRA), (2009). We can do better. Available on-line: www.naccrra.org.

² DCF, (2007). Child care licensing overview. Available on-line: www.dcf.state.fl.us/programs/childcare/pubs.shtml.

³ NACCRRRA, (2009). We can do better. Available on-line at: www.naccrra.org.