

Part 2: State Licensing Programs and Policies

This chapter presents state child care licensing agency responses to *The 2008 NARA Child Care Licensing Programs and Policies Survey*. It focuses on the processes and policies in each state related to licensing program staffing, facility monitoring, and enforcement of licensing regulations. The data cover the following topics:

- Number of licensed facilities;
- Licensing staff;
- Types of inspections;
- Frequency of inspections;
- Frequency of licensing;
- Inspections and monitoring;
- Complaint investigations;
- Enforcement actions;
- Licensing information on the Internet;
- Licensing fees;
- Licensing staff requirements; and
- Licensing's role in quality initiatives.

2.1 Licensed Facilities

A. Types of Licensed Facilities

As shown in Table 2.1, the vast majority of states license child care center and family child care (FCC) home settings. Only one state, ID, does not license child care facilities at the state level; however, some large cities and counties in ID have their own licensing programs.

Facility Type	Number of States
Child care centers	50
FCC homes	48
• Small FCC homes	44
• Large/group FCC homes	39
Other licensed facilities*	17

N=50 states, excluding ID

*"Other licensed facilities" reported by states includes part-day preschools and nursery schools, school-age care facilities, registered FCC homes, Head Start programs, child placing agencies, residential facilities, and others.

Most states license some type of FCC; however, three states (ID, LA, NJ) do not license FCC at all. As mentioned previously, ID does not license child care facilities at the state level. LA has a registration process for FCC homes with no more than six children that is only required if the provider cares for children subsidized by the federal Child Care and Development Fund.¹ NJ has a voluntary registration process for FCC homes that is operated by child care resource and referral agencies in the state.

¹ The Child Care and Development Fund, authorized by the Child Care and Development Block Grant Act, and Section 418 of the Social Security Act assist low-income families, families receiving temporary public assistance, and those transitioning from public assistance in obtaining child care so they can work or attend training/education. For more information, visit the Child Care Bureau's Web site at www.acf.hhs.gov/programs/ccb/ccdf/factsheet.htm.

The following states **do not license** specific types of FCC homes:

- Seven states (AZ, ID, LA, NJ, OH, SD, VA) do not license small FCC homes; and
- Twelve states (AR, DC, ID, KY, LA, MD, ME, NC, NJ, VT, WA, WI) do not license large/group FCC homes.

B. Number of Licensed Facilities

Table 2.2 shows the total number of child care centers, FCC homes, and other licensed facilities in the United States in 2008. State-by-state data are available in *Table 1: Number of Licensed Child Care Facilities in 2008* in the 50-state Data Tables.

Table 2.2: Number of Licensed Facilities Across States	
Facility Type	Number of Facilities
Child care centers	107,199
FCC homes	199,216
• Small FCC homes	155,230
• Large/group FCC homes	43,986
Other licensed facilities*	23,467
Total	329,882

N=50 states, excluding ID

*"Other licensed facilities" reported by states includes part-day preschools and nursery schools, school-age care facilities, registered FCC homes, Head Start programs, child placing agencies, residential programs, and others.

C. Licensed Capacity

Licensed capacity is the maximum number of children a child care facility is licensed to serve. Capacity is also called "child care slots." While there are more licensed FCC homes in the United States, they serve a smaller number of children. More than 75 percent of children are in center-based care.

Fast Facts

- There are a total of 329,882 licensed facilities in the United States. Approximately 60 percent of all licensed facilities are FCC homes.
- There are more than 9.8 million licensed child care slots across the United States.

Table 2.3 shows the total licensed capacity for all facility types. State-by-state data are available in *Table 2: Licensed Capacity in 2008* in the 50-state Data Tables.

Table 2.3: Capacity of Licensed Facilities Across States	
Facility Type	Licensed Capacity
Child care centers	7,435,774
FCC homes	1,775,494
• Small FCC homes	1,271,163
• Large/group FCC homes	504,331
Other licensed facilities*	663,568
Total	9,874,836

N=50 states, excluding ID

*"Other licensed facilities" reported by states includes part-day preschools and nursery schools, school-age care facilities, registered FCC homes, Head Start programs, child placing agencies, residential programs, and others.

Terminology

Inspection: A visit by licensing agency staff to a facility in order to assess its compliance with regulations.

Licensed capacity: The maximum number of children a child care facility is licensed to serve.

Licensing line staff: Staff who work for the state licensing agency and whose primary responsibility is to inspect child care facilities for compliance with regulations.

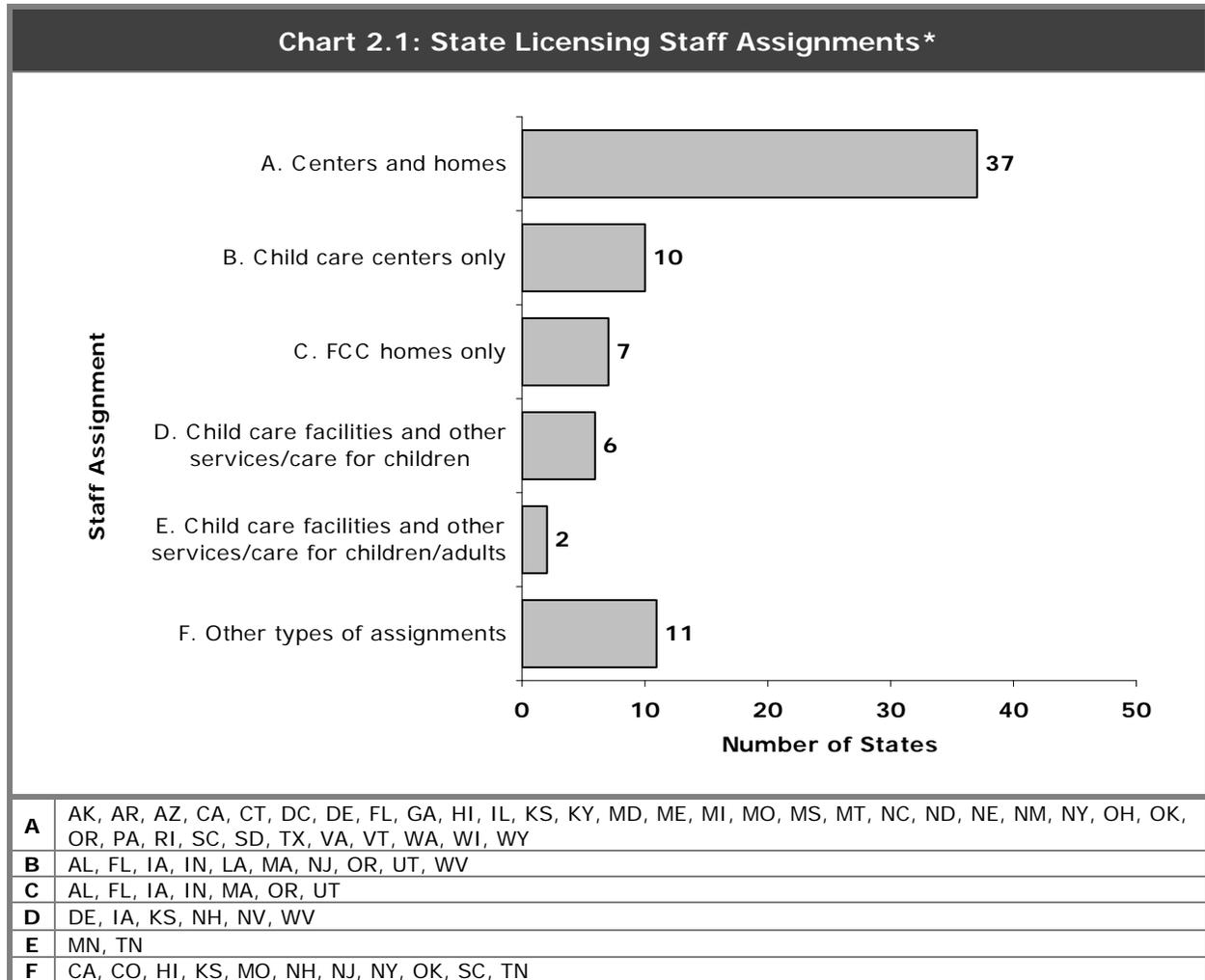
Licensing supervisors: Those who oversee the work of licensing line staff and other aspects of the licensing program.

2.2 Licensing Staff

A. Licensing Line Staff Assignments

All state licensing agencies, except ID, reported that they assign line staff to conduct inspections in a variety of ways. Some states assign licensing staff to inspect only centers or only homes, and some assign staff to inspect child care facilities and other human service/care programs.

As Chart 2.1 shows, most states assign line staff to inspect both child care centers and FCC homes. Some states reported multiple ways of assigning line staff and appear in the categories in Chart 2.1 more than once. In addition, 15 states (AK, AL, CA, CT, FL, IA, IL, IN, KY, MN, MT, ND, OH, TX, VA) vary the assignment of licensing staff by county or area of the state.



N=50 states, excluding ID

*Some states indicated multiple types of staff assignments.

B. Number of Supervisors

Table 2.4 shows the number of full-time equivalent licensing supervisors reported to be employed by each state licensing agency. Across the states, there is an average of nine supervisors.

Table 2.4: Number of Full-time Equivalent Child Care Licensing Supervisors by State*									
State	No. of Staff	State	No. of Staff	State	No. of Staff	State	No. of Staff	State	No. of Staff
AK	6	GA	6	ME	2	NJ	4	SD	1
AL	4	HI	4	MI	8	NM	4	TN	17
AR	6	IA	1	MN	1	NV	8	TX	36
AZ	7	IL	26	MO	8	NY	54	UT	3
CA	53	IN	3	MS	3	OH	8	VA	10
CO	11	KS	NR	MT	1	OK	22	VT	1
CT	5	KY	9	NC	16	OR	3	WA	16
DC	1	LA	6	ND	2	PA	12	WI	7
DE	2	MA	10	NE	3	RI	1	WV	5
FL	16	MD	18	NH	NR	SC	4	WY	3

N=50 states, excluding ID

NR=No response

*If states reported the number of full-time equivalent staff as a fraction, NCCIC and NARA rounded the fraction to the nearest whole number.

C. Number of Line Staff

Table 2.5 shows the number of full-time equivalent line staff reported to be employed by each state licensing agency. Across the states, there is an average of 59 line staff.

State	No. of Staff								
AK	24	GA	71	ME	15	NJ	26	SD	13
AL	27	HI	25	MI	81	NM	12	TN	141
AR	40	IA	11	MN	9	NV	24	TX	247
AZ	40	IL	198	MO	55	NY	322	UT	22
CA	254	IN	29	MS	24	OH	54	VA	73
CO	47	KS	78	MT	11	OK	106	VT	9
CT	25	KY	31	NC	108	OR	40	WA	89
DC	8	LA	25	ND	17	PA	58	WI	55
DE	15	MA	66	NE	23	RI	7	WV	46
FL	84	MD	111	NH	9	SC	40	WY	13

N=50 states, excluding ID

*If states reported the number of full-time equivalent staff as a fraction, NCCIC and NARA rounded the fraction to the nearest whole number.

D. Estimated Line Staff Caseload

NCCIC and NARA calculated the estimated caseload ratios by dividing the total number of licensed facilities by the total number of licensing line staff. The data are reported as ratios of the number of facilities assigned to one staff person who conducts inspections (e.g., 60:1). The state with the lowest caseload is TN, which reported having 141 line staff to inspect 3,328 facilities for a ratio of 24:1. The state with the highest caseload is CA, which reported 254 line staff to inspect 58,047 facilities for a ratio of 229:1. These caseload estimates do not take into account the workload and other responsibilities of individual licensing line staff in a state. An indepth analysis of the actual caseloads and workloads of state licensing staff is beyond the scope of this study. The data in this study are presented to show a rough estimate of the number of facilities in each state and how they could possibly be divided across the number of line staff working in the licensing agency. State-by-state data are available in *Table 3: Estimated Licensing Line Staff Caseloads in 2008* in the 50-state Data Tables.

Fast Fact

The average caseload across all states is 108:1.

2.3 Types of Inspections

State licensing inspections are conducted routinely for a variety of reasons, including inspecting to ensure a child care facility's compliance with regulations prior to issuing a new license, at the time of license renewal, and for compliance at other times during the licensing period.

As shown in Table 2.6, all states that license child care centers conduct inspections prior to issuing licenses to child care centers. That is not the case with FCC homes. Several states do not conduct initial FCC home inspections.

Most of the states that conduct inspections prior to licensing reported that they let facilities know when inspections will occur (i.e., they conduct announced visits). The opposite is true for licensing inspections conducted for routine compliance. Most states conduct these inspections, but they do not announce when they will occur to facilities (i.e., they conduct unannounced visits). A large number of states conduct inspections at the time when licenses are renewed; however, there is close to an even distribution of states that conduct these inspections announced and those that conduct them unannounced.

State-by-state data are available in *Table 4: State Policies on Inspections Conducted Prior to Issuing a License in 2008*, *Table 5: State Policies on Inspections Conducted for License Renewal in 2008*, and *Table 6: State Policies on Inspections Conducted for Routine Compliance in 2008* in the 50-state Data Tables.

Terminology

Announced inspection: An inspection that occurs after a child care facility is alerted by the licensing agency that it will be inspected on a certain day and time.

License renewal: The process of continuing an existing license without interruption of child care services.

Routine inspection: An inspection of a facility for compliance with the regulations that occurs periodically throughout the year and is not part of the initial licensure or renewal process.

Unannounced inspection: An inspection that occurs without alerting the facility that it will be inspected.

Table 2.6: Types and Methods of Licensing Inspections			
Inspection Type	Number of States		
	Child Care Centers	Small FCC Homes	Large/Group FCC Homes
Facility regulated	50	44	39
Inspection conducted prior to issuing a license	50	36	37
• Announced only	34	22	26
• Unannounced only	9	8	4
• Both	7	5	6
• No response	0	1	1
Inspection conducted for license renewal*	38	25	31
• Announced only	13	9	13
• Unannounced only	20	13	14
• Both	5	3	4
• No response	0	0	0
Inspection conducted for routine compliance	49	38	37
• Announced only	0	0	0
• Unannounced only	37	28	25
• Both	11	9	11
• No response	1	1	1

N=50 states, excluding ID

*Twelve states (AR, CA, CO, GA, KS, MD, NC, NE, OK, SD, TX, WI) have nonexpiring licenses for centers and/or small or large/group FCC homes. Some of these states reported that they conduct onsite renewal inspections. See "2.5 Frequency of Licensing Renewal" for additional information.

2.4 Frequency of Inspections

Table 2.7 shows how often states conduct routine licensing inspections. State-by-state data are available in *Table 7: Frequency of Licensing Inspections in 2008* in the 50-state Data Tables.

Frequency	Number of States		
	Child Care Centers	Small FCC Homes	Large/Group Family FCC Homes
Facility regulated	50	44	39
More than three times a year	2	1	1
Three times a year	3	2	1
Twice a year	9	7	10
Once a year	26	15	17
Once every 2 years	5	8	5
Once every 3 years	1	2	1
Less than once every 3 years	1	0	0
Facility not inspected	0	4	1
Other frequency of inspection*	3	5	3

N=50 states, excluding ID

*For details about "Other frequency of inspection," see *Table 7: Frequency of Licensing Inspections in 2008* in the 50-state Data Tables.

Fast Facts

- The most common frequency of inspection is once a year.
- Licenses are valid in most states for either 1 or 2 years.

2.5 Frequency of Licensing Renewal

As shown in Table 2.8, the length of time a license remains valid varies by state. A total of 12 states (AR, CA, CO, GA, KS, MD, NC, NE, OK, SD, TX, WI) offer nonexpiring licenses for either centers and/or FCC homes. In these states, facilities are inspected on a regular basis, but do not have to complete license renewal paperwork. The license remains in effect until the facility closes or it is suspended or revoked by the state. State-by-state data are available in *Table 8: Frequency of Licensing Renewal in 2008* in the 50-state Data Tables.

Frequency	Number of States		
	Child Care Centers	Small FCC Homes	Large/Group FCC Homes
Facility regulated	50	44	39
Once a year	19	15	13
Once every 2 years	12	12	11
Once every 3 years	5	5	4
Once every 4 years	1	1	1
Nonexpiring license	12	9	8
Other length of license*	1	2	2

N=50 states, excluding ID

*For details about "Other length of license," see *Table 8: Frequency of Licensing Renewal in 2008* in the 50-state Data Tables.

Terminology

Abbreviated compliance form: An abbreviated list of requirements used during inspections. This tool may also be called an "indicator checklist." Some states determine the items included by analyzing common noncompliance issues in the state.

Full compliance review: An inspection that occurs when a facility is assessed for compliance with all child care regulations.

2.6 Inspections and Monitoring

A. Full-compliance Reviews

As shown in Table 2.9, the most common frequency of full-compliance reviews is once a year. The next most common frequency is once every 2 years. State-by-state data are available in *Table 9: Frequency of Full Compliance Reviews in 2008* in the 50-state Data Tables.

Frequency	Number of States		
	Child Care Centers	Small FCC Homes	Large/Group FCC Homes
Facility regulated	50	44	39
More than three times a year	0	0	0
Three times a year	2	1	1
Twice a year	4	3	5
Once a year	23	17	16
Once every 2 years	11	8	7
Once every 3 years	4	5	4
Less than once every 3 years	1	0	0
Other frequency*	5	9	6
Not conducted	0	1	0

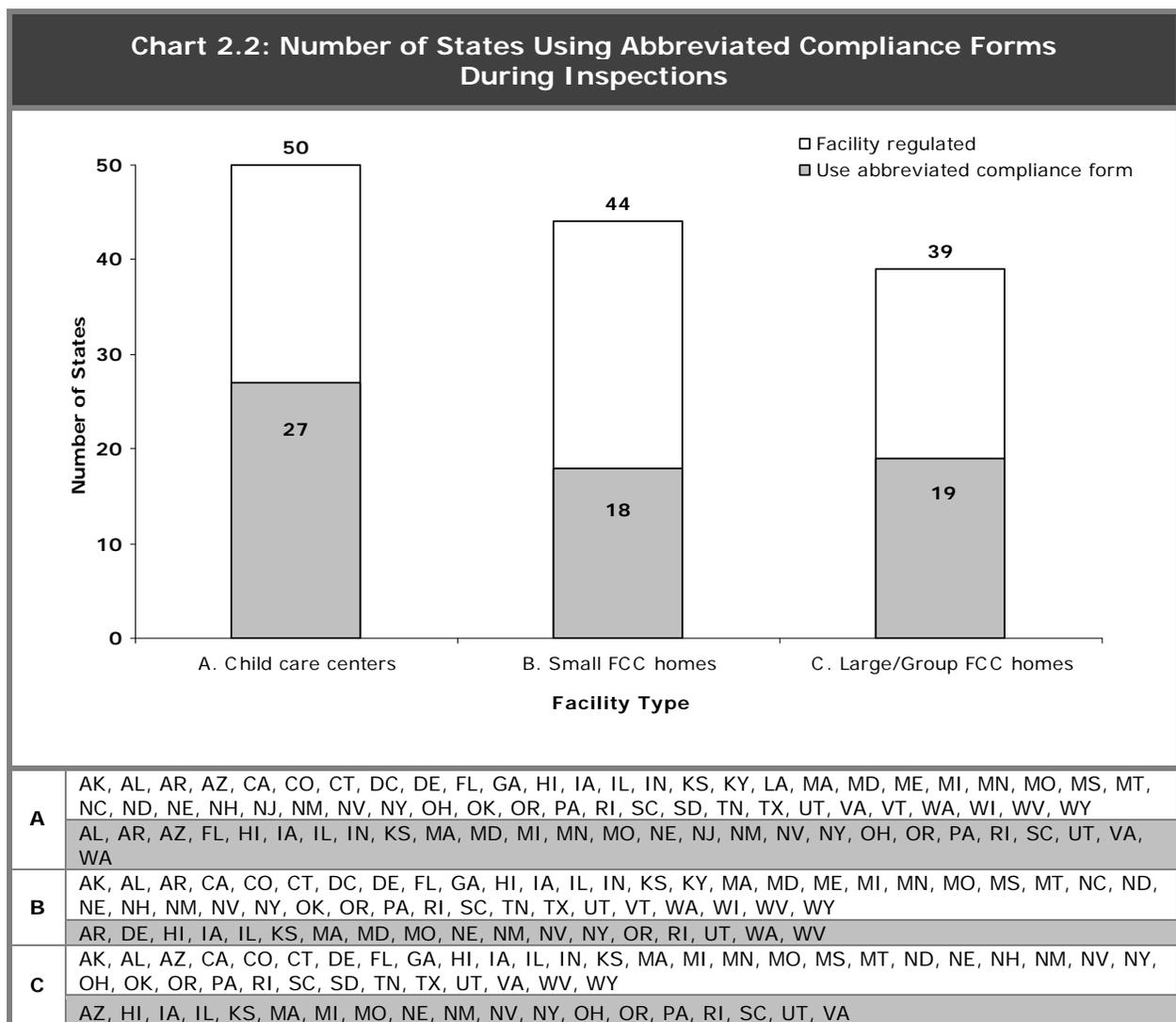
N=50 states, excluding ID

*For details about "Other frequency," see *Table 9: Frequency of Full Compliance Reviews in 2008* in the 50-state Data Tables.

B. Use of Abbreviated Compliance Forms

As shown in Chart 2.2, more than half of states reported that they use an abbreviated compliance form during inspections of centers. Approximately one-third of states use it for inspections of either small or large/group FCC homes.

Of the 27 states that use abbreviated compliance forms when inspecting centers, 20 (AR, AZ, FL, HI, IA, IL, MA, MI, MN, MO, NJ, NV, NY, OH, OR, PA, RI, SC, VA, WA) indicated that they have policies for determining when to switch from an abbreviated compliance form to a full compliance review. Thirteen states (AR, DE, HI, IA, IL, MA, MO, NV, NY, OR, RI, WA, WV) have such policies when inspecting small FCC homes, and 15 (AZ, HI, IA, IL, MA, MI, MO, NV, NY, OH, OR, PA, RI, SC, VA) have these policies for inspecting large/group FCC homes. State-by-state data are available in *Table 10: State Use of Abbreviated Compliance Forms for Inspections in 2008* in the 50-state Data Tables.



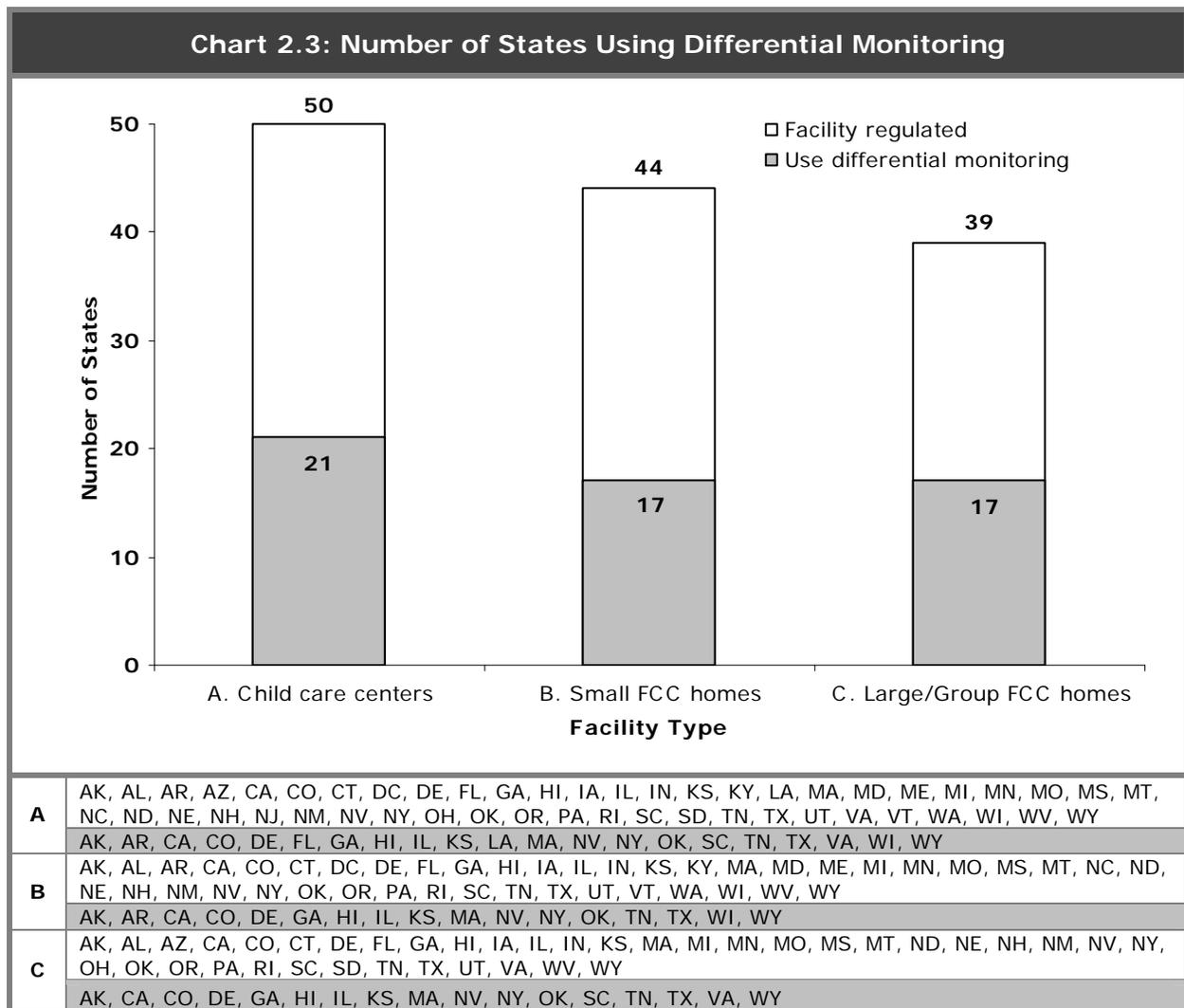
N=50 states, excluding ID

Terminology

Differential monitoring: A method for determining the frequency and/or depth of monitoring based on an assessment of a facility's level of compliance with regulations. This process may also be called "risk assessment monitoring" or "risk-based monitoring" and can be used to determine the number of inspections needed for a particular facility and the content of inspections.

C. Differential Monitoring

Another method states use is differential monitoring. Chart 2.3 shows which state licensing agencies use this method. State-by-state data are available in *Table 11: State Use of Differential Monitoring in 2008* in the 50-state Data Tables.



N=50 states, excluding ID

D. Technical Assistance and Consultation

Most state licensing agencies reported that they provide technical assistance and/or consultation to child care facilities as part of the licensing process. As shown in Table 2.10, almost all states provide technical assistance and/or consultation to help child care facilities achieve compliance with licensing regulations. Many states also reported that they provide assistance to help facilities move beyond minimum licensing standards.

Technical Assistance and/or Consultation Type	Number of States		
	Child Care Centers	Small FCC Homes	Large/Group FCC Homes
Facility regulated	50	44	39
To help facilities achieve compliance with licensing regulations	48	41	38
To help facilities move beyond minimum licensing standards	31	29	26

N=50 states, excluding ID

*Some states indicated multiple types of technical assistance and/or consultation.

As shown in Table 2.11, state licensing agencies reported that they use a variety of methods to provide technical assistance and/or consultation to child care facilities, including assistance during licensing inspections, on the telephone, and on an as-needed basis. In addition, most states refer facilities to other agencies, organizations, or people when deemed necessary to meet facilities' needs. Other methods of providing assistance include provider orientation and other meetings, newsletters, training workshops, and inspection visits related to enforcement actions.

Table 2.11: Methods of Providing Technical Assistance and/or Consultation*			
Method	Number of States		
	Child Care Centers	Small FCC Homes	Large/Group FCC Homes
Facility regulated	50	44	39
Referrals made to other agencies, organizations, or people	50	42	38
As needed by licensee	47	42	38
On the telephone	46	41	36
During routine inspection visits	45	39	35
During application inspection visits	45	36	35
During renewal inspection visits	35	27	29
Other method	13	12	12

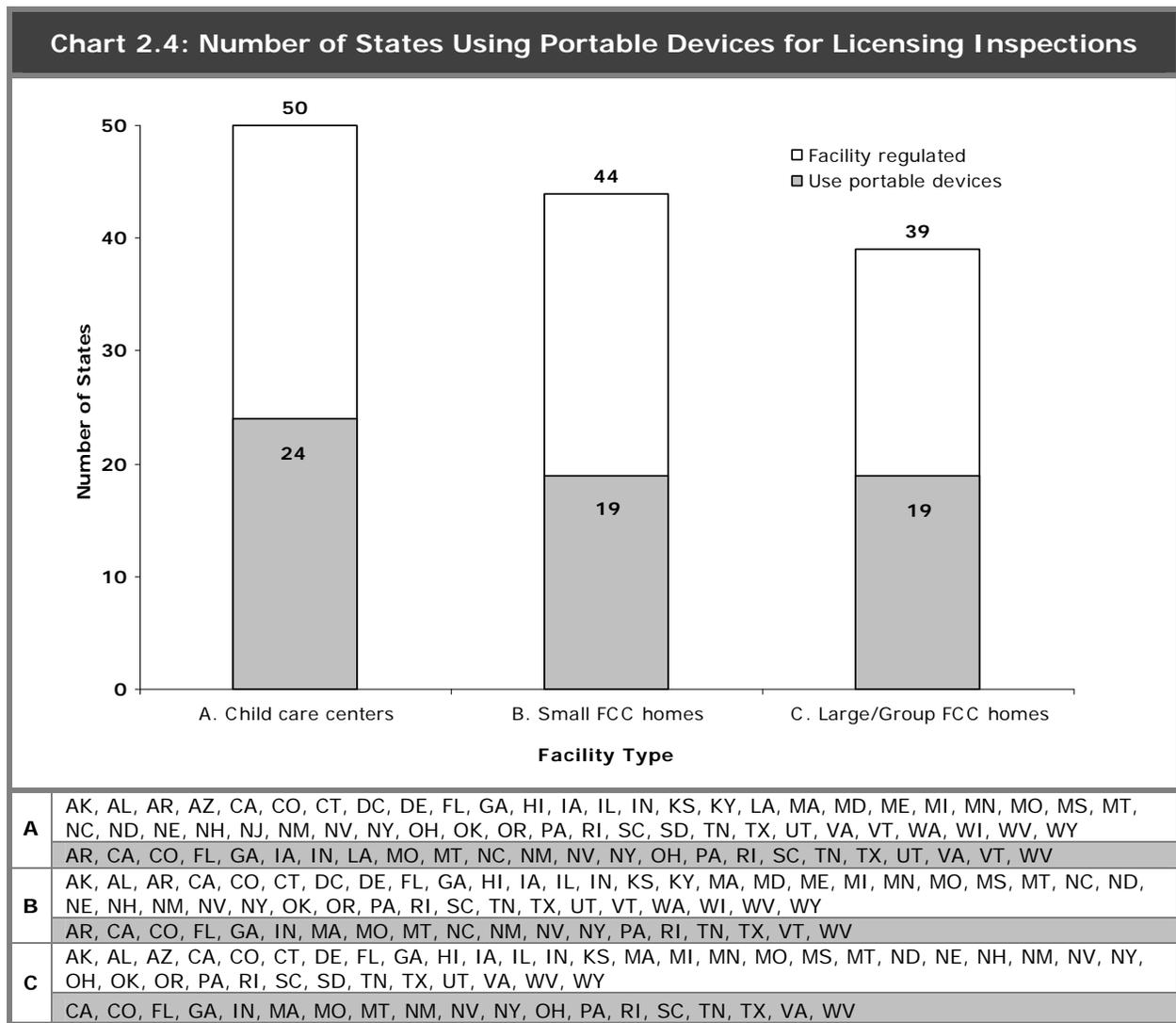
N=50 states, excluding ID

*Some states indicated multiple types of methods used for providing technical assistance and/or consultation.

E. Automation

States are also streamlining the licensing process through the use of automation and technology. All state licensing agencies, except ID, reported that they have computer databases to store information about licensed facilities.

State licensing agencies are also using portable, hand-held devices such as laptops, portable digital assistants, and computer tablets with specific software for capturing information during licensing inspections. Chart 2.4 shows which states reported using these portable devices.



N=50 states, excluding ID

In addition, 25 states (AR, AZ, CT, DC, DE, FL, IL, IN, KS, LA, MD, MN, MO, MS, NE, NM, NY, OK, OR, RI, SC, TN, TX, VA, WV) reported either using or considering the use of other automated tools for licensing inspections, including the following:

- Devices that determine areas where moisture is evident to spot potential mold growth;
- Devices that measure openings in playground equipment for entrapment dangers;
- Digital cameras;
- Laser measuring devices;
- Light meters; and
- Thermometers.

2.7 Complaint Investigations

A. Investigations

All state licensing agencies, except ID, reported that they conduct complaint investigations in child care facilities. As Table 2.12 shows, most state licensing agencies reported that the same staff who conduct inspections for initial licensure and routine compliance checks also conduct investigations of complaints. One state (CT) uses only investigation staff dedicated to work exclusively on complaints; a few states reported that they have both types of staff to investigate complaints.

Staff	Number of States		
	Child Care Centers	Small FCC Homes	Large/Group FCC Homes
Facility regulated	50	44	39
Same staff who conduct inspections for initial licensure and routine compliance	42	36	33
Separate staff who only work on complaint investigations	2	2	2
Same staff and separate staff	3	3	2
Other type of staff for complaint investigations	9	9	6

N=50 states, excluding ID

*Some states indicated multiple types of staff used for complaint investigations.

Excluding ID, which does not have state licensing, only two state licensing agencies (CO, UT) reported that they do not investigate complaints against licensed facilities that are filed anonymously.

B. Types of Licensing Complaints

Thirty-one states (AL, AR, AZ, CT, DC, FL, GA, HI, IN, KS, KY, LA, MD, MI, MN, MO, MS, MT, NJ, NM, NV, OH, RI, SC, SD, TN, TX, UT, VA, WA, WI) reported the most common types of complaints that are filed against licensed facilities. An analysis shows many commonalities among states. The top four most common are included in Table 2.13.

Complaint Type	Number of States	State
1. Child-staff ratios	24	AL, AR, AZ, DC, FL, GA, IN, KY, LA, MD, MI, MN, MO, MS, MT, NM, NV, OH, RI, SC, SD, TX, UT, VA
2. Supervision	23	AL, AR, FL, GA, IN, KS, KY, LA, MD, MI, MN, MO, NJ, NV, RI, SC, SD, TN, TX, UT, VA, WA, WI
3. Discipline/behavior management	15	AL, AR, AZ, GA, KS, MI, MO, NM, NJ, NV, OH, SD, TN, UT, WI
4. Condition of the facility and environment	15	AZ, DC, GA, IN, KS, KY, LA, MD, MN, NJ, OH, RI, SC, SD, WA

N=31 states, excluding AK, CA, CO, DE, IA, ID, IL, MA, ME, NC, ND, NE, NH, NY, OK, OR, PA, VT, WV, WY

Table 2.14 shows other common types of complaints filed against licensed facilities.

Table 2.14: Other Common Types of Licensing Complaints		
Complaint Type	Number of States	State
Poor care of children/child abuse and neglect	9	CT, HI, KS, MD, NM, OH, TX, VA, WA
Poor administration/record keeping	7	FL, HI, MS, NV, UT, WA, WI
Lack of staff qualifications/suitability	6	DC, IN, KY, MS, MT, VA
General health and safety issues	4	AL, HI, MI, MT
Illegal operation	4	CT, HI, SC, WI
Transportation issues	3	AR, MO, TN
Licensed capacity exceeded	2	MS, RI
Other type of complaint*	4	CT, DC, TN, TX

N=31 states, excluding AK, CA, CO, DE, IA, ID, IL, MA, ME, NC, ND, NE, NH, NY, OK, OR, PA, VT, WV, WY

*"Other type of complaint" includes complaints relating to program issues, staff lack of judgment, and general licensing violations.

C. Child Abuse and Neglect

All states, except ID, reported the types of agencies that investigate child abuse and neglect complaints against licensed child care facilities. As shown in Table 2.15, most states reported that the protective services agency investigates these types of complaints. In addition, most states reported that more than one agency conducts investigations.

Agency Type	Number of States	State
Protective services	37	AK, AL, AR, CA, CO, CT, DC, GA, HI, IA, IL, KS, KY, LA, MA, MD, MI, MN, MO, MS, MT, NC, ND, NE, NY, OH, OK, OR, PA, RI, SD, TN, UT, VA, WI, WV, WY
Police/law enforcement agency	30	AK, AL, AR, AZ, CA, CT, DC, FL, GA, HI, KS, KY, MD, MI, MN, MO, MS, NE, NH, NV, NY, OH, OR, PA, RI, SC, SD, TN, UT, WI
Licensing agency	23	AK, AZ, CA, CT, DC, FL, GA, HI, KY, MI, MN, MO, MS, NC, ND, NE, NH, NM, NV, NY, RI, SC, TX
Specialized unit for child abuse and neglect	18	AK, AR, CA, DE, FL, KY, ME, MN, MS, NC, NJ, OH, SC, TN, TX, VT, WA, WV
Other agency	8	AK, AR, IN, KS, OR, RI, TN, TX

N=50 states, excluding ID

*Most states indicated multiple types of agencies that investigate child abuse and neglect complaints.

Fast Fact

The most frequently used enforcement actions are revocation of a license, denial of a license, immediate closure of a facility, nonrenewal of a license, and a civil fine.

2.8 Enforcement Actions

A. Use of Actions

State licensing agencies reported which enforcement actions they use with facilities that are in violation of licensing regulations, as shown in Table 2.16.

States listed different types of enforcement actions, including suspension of a license, suspension of part of the program (e.g., transportation), warning notice/letter, cease and desist order, order to correct, safety plan, and mandated training.

Additional data are available in *Table 12: State Use of Enforcement Actions With Child Care Centers in 2008*, *Table 13: State Use of Enforcement Actions With Small FCC Homes in 2008*, and *Table 14: State Use of Enforcement Actions With Large/Group FCC Homes in 2008* in the 50-state Data Tables.

Table 2.16: State Use of Enforcement Actions With Licensed Facilities*			
Enforcement Action	Number of States		
	Child Care Centers	Small FCC Homes	Large/Group FCC Homes
Facility regulated	50	44	39
Revocation of license	39	33	25
Denial of license	35	32	25
Immediate closure of facility	27	25	20
Conditional license	26	17	22
Civil fine	22	18	17
Nonrenewal of license	20	18	15
Consent agreement	20	15	11
Probation	18	15	12
Criminal fine	2	2	1
Imprisonment	1	1	0
Other enforcement action**	16	11	11

N=50 states, excluding ID

*Some states indicated multiple types of enforcement actions used with licensed facilities.

**For details about "Other enforcement action," see Tables 12, 13, and 14 in the 50-state Data Tables.

B. Legal Representation

All states, except five (CO, ID, MO, ND, NV), provided information about the type of legal representation available to the child care licensing agency for various legal matters. Overall, the two most common types of legal representation are the assignment of a representative from the state's attorney general's office to the licensing agency, and an inhouse attorney on staff or in a legal unit within the department where the agency is located.

2.9 Licensing Information on the Internet

Twenty-one states (AR, AZ, CO, FL, GA, IN, LA, MD, MI, NH, NY, OH, OK, OR, PA, SC, TX, UT, VA, VT, WI) reported that they post licensing information about child care facilities on their Web sites for access by parents and the general public. Table 2.17 shows the types of inspection reports and licensing complaint information that are available on these sites.

In addition, 17 states (CA, CT, DE, IA, KY, MA, MN, MO, MS, MT, NE, NM, NV, TN, WA, WV, WY) reported that they do not make inspection reports available to the public on their Web sites, but are planning to do so in the future.

State	Licensing Inspection Report		Licensing Complaints	
	Full Report	Inspection Summary	All Complaints	Substantiated Complaints
AR		✓		✓
AZ	✓		✓	
CO		✓		
FL	✓			✓
GA	✓			✓
IN	✓			✓
LA		✓		
MD		✓		
MI	✓			✓
NH	✓			✓
NY		✓		
OH	✓			✓
OK		✓	✓	

State	Licensing Inspection Report		Licensing Complaints	
	Full Report	Inspection Summary	All Complaints	Substantiated Complaints
OR				✓
PA	✓			✓
SC		✓		
TX	✓		✓	
UT*		✓		✓
VA	✓		✓	
VT				✓
WI	✓			✓
Total	11	8	4	12

N=21 states, excluding AK, AL, CA, CT, DC, DE, HI, IA, ID, IL, KS, KY, MA, ME, MN, MO, MS, MT, NC, ND, NE, NJ, NM, NV, RI, SD, TN, WA, WV, WY

*Note: Utah reported that the information available on the Internet is made available to the public by a local newspaper, not the licensing agency.

2.10 Licensing Fees

As shown in Table 2.18, 32 states (AR, AZ, CA, CO, CT, DC, FL, KS, KY, LA, MA, ME, MI, MN, MS, NC, ND, NE, NJ, NM, NV, OH, OR, RI, SC, TN, TX, UT, VA, WA, WI, WY) reported that they charge fees to child care centers for obtaining licenses. Twenty-four states (AR, CA, CO, CT, DC, KS, KY, MA, ME, MI, MS, ND, NE, NM, NV, OR, RI, SC, TN, TX, UT, WA, WI, WY) that license small FCC homes charge fees, and 21 states (AZ, CA, CO, CT, KS, MA, MI, MS, ND, NE, NM, NV, OH, OR, RI, SC, TN, TX, UT, VA, WY) that license large/group FCC homes charge fees.

A little more than half of state licensing agencies reported that the fee charged to child care centers is based on the maximum number of children allowed in the facility. Licensing agencies reported the opposite for small and large/group FCC homes—most states with fees to obtain a license charge a flat fee to home-based facilities. Information about the actual dollar amount charged by each state for licensing fees is included in *Table 15: Child Care Licensing Fees in 2008* in the 50-state Data Tables.

Fee Type	Number of States		
	Child Care Centers	Small FCC Homes	Large/Group FCC Homes
Facility regulated	50	44	39
Licensing fee charged	32	24	21
Flat fee amount for all facilities	9	19	13
Fee based on maximum number of children allowed in facility	17	5	6
Both fee types	3	0	1
Other fee types	3	0	1

N=32 states, excluding AK, AL, DE, GA, HI, IA, ID, IL, IN, MD, MO, MT, NH, NY, OK, PA, SD, VT, WV

As shown in Table 2.19, close to an equal number of states reported that the revenue collected from licensing fees is used to support the licensing agency or put into the state's general fund.

Fee Use	Number of States	State
Fees are put into state's general fund	15	AZ, CT, KS, LA, MA, MN, NJ, NM, OH, RI, SC, TX, UT, WA, WY
Fees are used to support the licensing agency	13	CA, CO, DC, FL, KY, MI, MS, ND, NE, NV, OR, WA, WI
Other use	4	AR, OR, TN, VA

N=32 states, excluding AK, AL, DE, GA, HI, IA, ID, IL, IN, MD, ME, MO, MT, NC, NH, NY, OK, PA, SD, VT, WV

*Some states identified more than one use of revenue from licensing fees.

2.11 Licensing Staff Requirements

A. Licensing Staff Positions

All state licensing agencies, except ID, MA, WY, reported the position title for “licensing line staff.” As Table 2.20 shows, the most common title for a line staff person is “licensing specialist.”

Position Title	Number of States
Licensing specialist	19
Child care/licensing consultant	6
Licenser	5
Surveyor	4
Licensing worker	2
Licensing inspector	2
Other title	10

N=50 states, excluding ID

Other reported titles include the following:

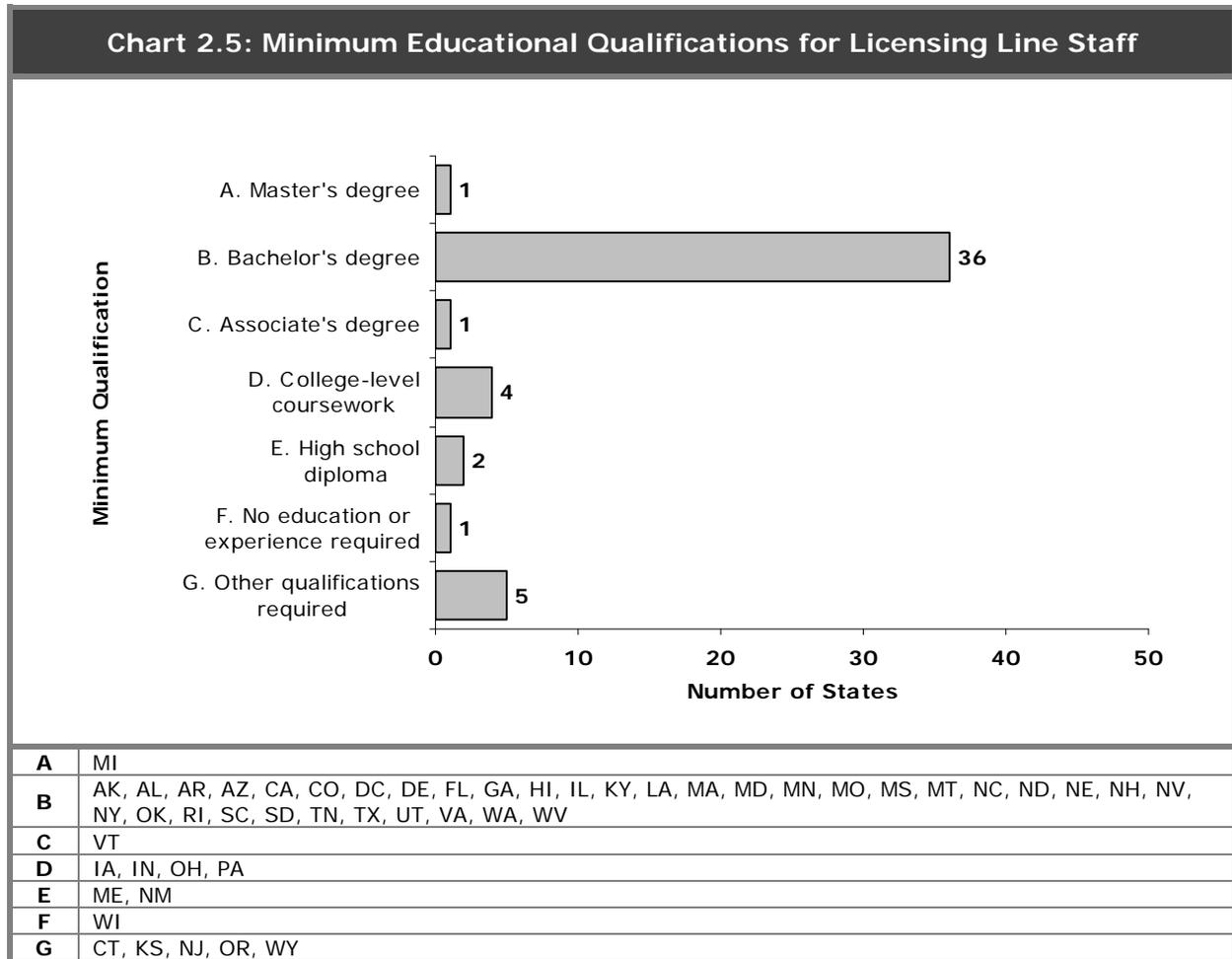
- Certification representative;
- Child care licensing official;
- Child care quality assurance inspector;
- Compliance officer;
- Licensing coordinator;
- Licensing counselor;
- Licensing program analyst;
- Licensing representative;
- Program evaluator; and
- Social caseworker.

Fast Facts

- Most state licensing agencies require staff to have at least a bachelor’s degree to work as a child care licenser.
- Most state licensing agencies use funds from the federal Child Care and Development Fund to hire and support child care licensing staff.

B. Staff Qualifications

All states that license child care facilities reported minimum qualifications for licensing line staff. As shown in Chart 2.5, most state licensing agencies require staff to have at least a bachelor's degree to work as a child care licenser. Nineteen states (AL, AZ, CT, DC, GA, IL, MA, MI, MN, NC, NH, NM, NV, PA, UT, VA, VT, WA, WY) also require experience working in a setting with children in addition to one of the educational qualifications listed in Chart 2.5. Also, 14 states (AL, AZ, CT, DC, GA, MD, NC, ND, NH, NV, OH, VA, VT, WY) reported that the content and/or major of the required degree or coursework must be in early childhood education, child development, or a related topic.



N=50 states, excluding ID

C. Staff Training

More than 40 percent of state licensing agencies reported that child care licensing staff are required to complete additional training each year. Of these states, all but two (DE, OK) reported that staff must take training in one or more of the topics shown in Table 2.21. The most common required training topics are related to regulations and licensing policies, followed by health and safety issues, early childhood education/child development, and identifying child abuse and neglect. State-by-state data about the amount of training required are available in *Table 16: Amount of Training Required for Child Care Licensing Staff in 2008* in the 50-state Data Tables.

Training Topic	Number of States	State
Training required	21	AR, AZ, CO, CT, DE, FL, GA, KS, KY, LA, MN, MS, MT, NE, OK, RI, TX, UT, VA, VT, WY
Topics specified	19	AR, AZ, CO, CT, FL, GA, KS, KY, LA, MN, MS, MT, NE, RI, TX, UT, VA, VT, WY
State licensing policies and procedures	15	AR, AZ, CO, CT, GA, KS, KY, LA, MN, MS, MT, NE, RI, TX, UT
State regulations	15	AR, AZ, CO, CT, FL, GA, KS, KY, MN, MS, MT, NE, RI, TX, UT
Regulatory issues	14	AR, AZ, CO, CT, GA, KS, KY, LA, MS, MT, NE, RI, TX, UT
Health and safety issues	13	AR, AZ, CO, CT, GA, KS, KY, LA, MN, MS, MT, RI, TX
Early childhood education/child development	10	AR, AZ, CO, CT, GA, KS, KY, MS, MT, RI
Identifying child abuse and neglect	9	AZ, CO, CT, KS, KY, MS, MT, RI, TX
Fire safety	6	AZ, CO, CT, KS, MS, MT
Supervision	3	CO, CT, MT
Adult development	3	AZ, CT, KY
Business administration/management	2	AZ, CT
Other topic	8	CT, FL, KY, RI, TX, VA, VT, WY

N=21 states, excluding AK, AL, CA, DC, HI, IA, ID, IL, IN, MA, MD, ME, MI, MO, NC, ND, NH, NJ, NM, NV, NY, OH, OR, PA, SC, SD, TN, WA, WI, WV

*Some states identified more than one training topic.

D. Sources of Training

While less than half of the state licensing agencies reported that licensing staff are required to complete training each year, all states, except AK, DC, ID, TN, reported that there is training available for licensing staff to attend, as shown in Table 2.22. Nearly all states reported that licensing staff are allowed to attend local and/or state conferences. Nearly all agencies also reported that they provide training themselves to staff.

Source of Training	Number of States	State
Local and/or state conferences	43	AL, AR, AZ, CA, CO, CT, DE, FL, GA, HI, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, PA, RI, SD, TX, VT, WA, WI, WV, WY
Licensing agency	43	AL, AR, AZ, CA, CO, CT, DE, FL, GA, HI, IA, IL, IN, KS, KY, LA, MA, MD, ME, MI, MN, MO, MS, MT, NC, ND, NE, NH, NJ, NV, NY, OH, OK, OR, PA, RI, SD, TX, UT, WA, WI, WV, WY
Community-based organizations	35	AL, AR, CA, CO, CT, DE, GA, HI, IL, IN, KS, KY, MA, ME, MO, MS, MT, NC, ND, NE, NH, NJ, NM, NV, NY, OH, OK, OR, RI, SD, TX, WA, WI, WV, WY
National conferences	24	AL, AR, CO, CT, FL, GA, IA, IL, IN, KS, MD, ME, MO, MS, NE, NM, NV, OH, OK, SD, TX, VT, WI, WY
Outside consultants	22	AR, AZ, CA, FL, IL, IN, KY, LA, MD, ME, MO, MS, MT, NM, NV, OK, PA, RI, SD, TX, WA, WY
Arrangement with college/university	19	AR, CA, CO, CT, DE, IN, MD, MO, MS, ND, NH, NV, NY, OH, OK, RI, TX, WA, WY
Other training source**	15	CT, FL, IL, LA, MA, MI, MS, ND, NV, NY, PA, SC, VA, WV, WY

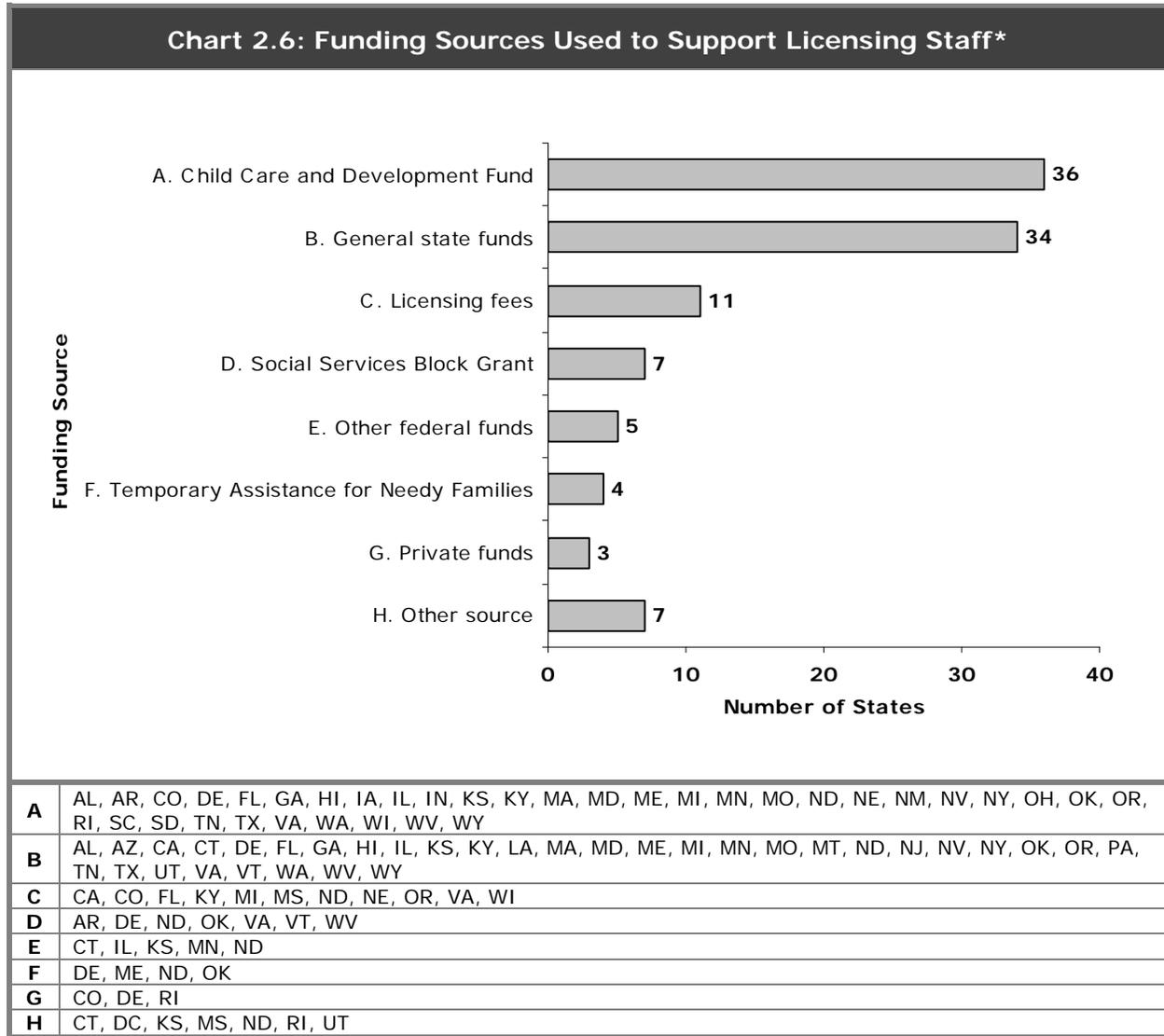
N=47 states, excluding AK, DC, ID, TN

*Some states identified multiple sources of training.

**"Other training source" includes on-the-job training; national certified investigator/inspector training; training provided by or shared with other state agencies; training that is available for child care providers; training provided by NARA; and other national training programs and certifications.

E. Funding to Support Licensing Staff

As shown in Chart 2.6, all states, except AK, ID, NC, NH, reported that they use several different sources of funds to hire and support child care licensing staff. Many states use general state funds for this purpose. Other sources of funds include union dollars, funds collected from civil penalties, and funding transferred from human service departments.



N=47 states, excluding AK, ID, NC, NH

*Some states identified multiple sources of funding.

**“Other source” of funds include union dollars, emergency planning funds, local funds, county funds, funds collected from civil penalties, funds from community agencies, and funds transferred from human service departments.

2.12 Quality Initiatives and Resources for Formulating Regulations

A. Licensing's Role in Quality Initiatives

Child care licensing plays a critical role in the infrastructure of the early and school-age care and education system. In most states, licensing agencies are involved in planning and implementing various initiatives designed to improve the quality of child care. Table 2.23 illustrates state responses to a question included in *The 2008 NARA Child Care Licensing Programs and Policies Survey* about the role licensing agencies play in key quality initiatives, such as tiered quality strategies, accreditation facilitation, professional development systems, and program assessments. The data show that licensing agencies in many states are either the lead agency for an initiative, the administrative home for an initiative, and/or a partner in planning for quality improvement.

Quality Initiative Type	Role of Licensing Agency					
	Licensing Is Lead Agency for Initiative	Initiative in Same Agency as Licensing	Licensing Participates in Planning	Licensing Not Involved	State Does Not Have Initiative	No Response
Accreditation facilitation project	5	7	11	8	11	8
Assessing quality with environment rating scale	6	9	13	11	7	4
Professional development system	6	9	27	4	1	3
Tiered quality strategy*	7	11	18	5	7	2

N=50 states, excluding ID

*A tiered quality strategy can be a quality rating system, quality rating and improvement system, tiered reimbursement, and/or rated licensing.

B. Resources for Formulating Regulations

State licensing agencies reported the types of resources they use when creating and updating child care licensing regulations. As shown in Table 2.24, most states reported that they look at other states' regulations and the *Caring for Our Children Health and Safety Standards*. These guidelines include more than 600 performance standards or best practices for child care facilities. Each standard in *Caring for Our Children* includes a rationale supported by research. This resource is available at <http://nrc.uchsc.edu/CFOC/index.html>. The National Resource Center for Health and Safety in Child Care and Early Education has the full text of state child care licensing regulations on its Web site at <http://nrckids.org/STATES/states.htm>.

Resource	Number of States
State child care licensing regulations	42
<i>Caring for Our Children Health and Safety Standards</i> ¹	42
<i>Stepping Stones to Using Caring for Our Children</i> ²	30
NARA services	30
National Association for the Education of Young Children (NAEYC) Early Childhood Program Accreditation Standards and Criteria ³	26
Head Start Performance Standards ⁴	23
National Association for Family Child Care (NAFCC) Accreditation Standards ⁵	20
Other resource	24

N=50 states, excluding ID

¹ American Public Health Association (APHA), the American Academy of Pediatrics (AAP), and the Health Resources and Services Administration (HRSA), U.S. Department of Health and Human Services. (2002). *Caring for our children: National health and safety performance standards: Guidelines for out-of-home child care programs, 2nd edition*. Retrieved March 24, 2010, from <http://nrckids.org/CFOC/index.html>

² APHA, AAP, & the National Resource Center for Health and Safety in Child Care and Early Education. (2003). *Stepping stones to using caring for our children, 2nd edition*. Retrieved March 24, 2010, from <http://nrckids.org/STEPPING/SteppingStones.pdf>

³ Information about NAEYC accreditation is available at www.naeyc.org/academy/primary/standardsintro.

⁴ Title 45 – Public Welfare, 4 C.F.R. § 1304 (2009); and Title 45 – Public Welfare, 4 C.F.R. § 1306 (2009).

⁵ Information about NAFCC accreditation is available at www.nafcc.org/accreditation/about_accreditation.asp.

