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STATE OF CONNECTICUT

OFFICE OF EARLY CHILDHOOD



Beth Bye
Commissioner

**Testimony of Beth Bye, Commissioner
Office of Early Childhood
Before the Education Committee
Various Early Childhood Bills
March 6, 2020**

Good morning Senator McCrory, Representative Sanchez, Senator Berthel, Representative McCarthy and distinguished members of the Education Committee. My name is Beth Bye, Commissioner of the Office of Early Childhood (OEC).

I am here today to testify concerning our three agency bills – H.B. 5216, 5218, and 5219 - and four other early childhood proposals – H.B. 5213, 5220, 5222, and 3579. I will start with our three agency bills, which are proposed after much thought and discussion within the OEC and with the Governor’s Office and the Office of Policy & Management. Our proposals support the health and safety of children in early childhood settings – family child care homes, group child care homes, child care centers, and youth camps. As the agency that is responsible for the licensure of these childhood programs, we place the basic health and safety of children as our highest priority.

**H.B. 5216 – An Act Eliminating the Licensure Exemption for
Certain Organizations Providing Child Care Services**

H.B. 5216 would improve the health and safety of children by requiring child care programs that are operated by various organizations to be licensed. The bill seeks to eliminate the licensure exemptions for the following programs: nationally chartered boy’ and girls’ clubs that are exclusively for school-age children; Solar Youth Inc.; Cardinal Shehan Center; Organized Parents Make a Difference (OPMAD); and Leadership, Education and Athletics Partnership (LEAP).

The regulations that govern licensing establish the minimum health and safety requirements that programs must meet and are designed to protect the health, safety and well-being of participating children. Licensing ensures accountability, oversight, and transparency of these baseline standards in critical areas such as abuse and neglect, staff-child ratios, staff qualifications, health care, educational requirements and physical plant safety. Over 4,000 child care programs throughout the state, including youth camps, are licensed and uphold the standards outlined in legislation.

The fact that some child care programs are not required to be licensed creates a lack of equity and fairness when regulations that serve children of the same age and needs are not applied universally.

Children served by unlicensed exempt programs do not benefit from the same level of health and safety protection offered by licensed programs through the conduct of staff criminal record checks, ongoing unannounced inspections and complaint investigations by an outside source. All children, regardless of the financial status of the child care program they attend, should be afforded the same health and safety protections.

The OEC receives complaints from parents, child care staff, local officials and others about programs that are licensed and license-exempt. Such allegations involve such things as child abuse and neglect, health and safety hazards, and lack of supervision. While these allegations may be particularly alarming, the OEC has no authority to investigate such concerns when allegations are made against license-exempt programs that fall outside the OEC's reach. We are concerned that these programs have no outside health and safety oversight to protect children in their care. In multiple cases, the organization sought and secured the licensure exemption through legislation *after* the OEC responded to a complaint, investigated, and determined the program needed to be licensed.

The OEC is available to provide technical assistance to these programs to support them through the licensure process. We can help them identify what they see as hurdles to licensure and work to find solutions.

H.B. 5219 – An Act Concerning Youth Camps

H.B. 5219 would require licensed youth camps to have staff 18 years and older undergo comprehensive fingerprint-based background checks. Background checks help to protect the health and safety of children. This requirement would align background check policy with that which is currently applied universally to all licensed family child care homes, group child care homes, and child care centers.

Current federal Child Care Development Fund (CCDF) law requires that any youth camp - licensed or license-exempt - that receives Care 4 Kids child care subsidy must have staff undergo comprehensive fingerprint-based background checks. This policy is currently in place. This bill would expand the comprehensive background checks to all licensed youth camps regardless of the Care 4 Kids subsidy participation. The OEC staff have thought long and hard about this situation and believe that all children attending camp, regardless of Care 4 Kids participation, deserve the same health and safety protections.

Furthermore, the OEC has concerns that if background checks do not apply to all licensed youth camps, camps that have a long history of accepting Care 4 Kids will stop doing so, leaving hundreds of lower-income households with no care for their children during the summer months. This would potentially leave young children in unsafe conditions without access to licensed youth camp care.

The OEC has made significant strides over the past 12 months to improve the background check system. By working collaboratively with the Department of Emergency Services and Public Protection (DESPP), the time to process checks has been reduced from as long as four months to two to four weeks. LiveScan fingerprint devices that allow for digital collection and electronic submission of fingerprints to the State Police have been purchased and are ready to be made available locally to providers. These machines increase the availability of fingerprint collection sites, dramatically reduce fingerprint rejections, and eliminate collection fees.

In addition, the OEC will launch a background check information management system that will allow programs to verify when fingerprints have cleared for each individual staff member. Finally, DESPP is building out a new criminal background check system that, once in place, will reduce turnaround to 24-48 hours.

The OEC has met with the Connecticut Youth Camp Association leadership and the Youth Camp Safety Advisory Council to discuss our proposal. There are areas of disagreement and we want to continue that conversation throughout the session and beyond. We acknowledge improvements to the background check process are ongoing and some issues are unresolved. The OEC is open to thoughtful discussion and planning around timelines, modifications, and implementation of background check requirements for youth camps. Ultimately, OEC's priority is to ensure the health and safety of children.

H.B. 5218 – An Act Implementing the Recommendations of the Office of Early Childhood

HB 5218 amends statutory language for licensed family child care homes, child care group homes, child care centers, home visiting, and Birth to Three.

Section 1 would prohibit an individual 18 years of age or older and seeking employment in a group child care home or child care center from beginning work until that individual's criminal background check is cleared. This would bring Connecticut into compliance with federal Child Care Development Fund (CCDF) requirements regarding background checks for all licensed child care centers, child care group homes, and any license-exempt programs receiving CCDF Funds.

Section 2 would change the age of a family child care home household member who must submit to a comprehensive background check from age 16 to 18. This would align with Connecticut's raise the age policy. Since juvenile records are currently sealed, information cannot be released to the OEC, and therefore, a background check has little value.

Section 3 would provide the OEC Commissioner the authority to waive the fingerprints portion of a comprehensive background check for individuals whose fingerprints are unavailable due to a variety of medical conditions. The Commissioner would have the opportunity to review each situation, ensuring that proper medical documentation supports these waiver requests. The language is modeled after language from the U.S. Citizenship and Immigration Services.

Section 4 through 8 deletes reference to “Nurturing Families Network” and replaces with “Connecticut Home Visiting System”. Rather than focusing on one particular program, known as Nurturing Families Network, the OEC is now approaching home visiting services holistically through several evidence-based models.

Section 9 expands the types of teacher endorsements eligible under the Birth to Three system. The Birth to Three System is experiencing a severe shortage of teachers qualified to work with families of infants and toddlers with disabilities. Teachers working in Birth to Three are currently considered to be working under their certification only if they hold the #112 endorsement - Integrated Early Childhood/Special Education, Birth-Kindergarten. Consideration of teachers holding other endorsements, who have the appropriate skills to work in Birth to Three, would help alleviate this shortage. In addition, Birth to Three has a mandatory comprehensive system of personnel development for all staff based on trainings and successful completion of exams that further supports the knowledge and skills necessary to use evidence-based practices in Birth to Three.

Section 10 clarifies that a person who may be a subject to a civil penalty for operating a youth camp without a license has the right to an administrative hearing. This aligns with policy for licensed family child care homes, group child care homes and child care centers.

H.B. 5213 – An Act Concerning the Creation of a Pilot Program for an Early Childhood Business Incubator Model

The OEC supports HB 5213, which is supported by the Governor’s Council on Women and Girls. This bill would establish a pilot program in five communities to allow a family child care home license to be issued to a provider who wishes to operate outside a residence in an incubator, shared space. This bill would require programs to demonstrate compliance with local codes and ordinances while also affording the Commissioner discretion in the application of requirements.

The OEC supports this type of innovative pilot in efforts to expand licensed family child care availability, particularly for infants and toddlers. This model allows licensed family child care providers to work in shared space, create business efficiencies such as backroom administrative operations, and work together as a team. A business incubator provides a supportive place to launch a child care business and learn business skills that are necessary to building a profitable enterprise.

H.B. 5220 – An Act Expanding Eligibility in the Care 4 Kids Program to Parents Participating in an Even Start Program or Enrolled in Certain Secondary Education Programs

H.B. 5220 would expand Care 4 Kids eligibility to parents enrolled in the Even Start Program or enrolled in certain education, training and certification programs, an associate’s or bachelor’s degree program with a concentration in early childhood education, or a nursing program. While we support the goal of moving lower-income parents up the education ladder, previous cost estimates make this unattainable given the state’s budget constraints.

H.B. 5222- An Act Expanding Eligibility in the Care 4 Kids Program for Homeless Families

H.B. 5222 would expand Care 4 Kids eligibility for a three-month period to families with children who are homeless and have been seeking employment while living in a homeless shelter for at least two consecutive weeks. In the bill, homeless aligns with the Department of Housing and Urban Development definition under category 1 (literally homeless) or category 4 (fleeing/attempting to flee domestic violence). This expands work-related activities under the Care 4 Kids program, which is not included in the Governor's budget.

H.B. 5379 – An Act Concerning the Allocation of Slots for State-Funded Child Care Centers

H.B. 5379 would allow state-funded Child Day Care programs to allocate up to 30 percent of the spaces to children in household with incomes above 75% of the state median income (SMI). The OEC understands that there are differences in policies between our state-funded early childhood funding streams. The Child Day Care program is currently required to enroll 100 percent of spaces from households with incomes under 75% of SMI while School Readiness is currently allowed to enroll at least 60 percent of spaces with household incomes under 75% of SMI. Child Day Care programs may continue to serve enrolled families whose income increases beyond 75% SMI until the family's children age out of the program. Currently, on average, 10% of School Readiness spaces enroll households with incomes over 75% of SMI, far below the allowable 40% threshold.

While this bill seeks to address this inequity in policy, it will result in fewer low-income households served. Of the approximately 4,400 available spaces under the CDC program, this bill could potentially reduce by 1,200 spaces the capacity available for low-income families. Given the significant unmet need in this state for child care for families of limited economic means, this bill will only exacerbate this situation.

The OEC is happy to discuss this issue with the Child Day Care program providers because we understand that the fiscal stability of programs is a challenge and of critical importance.

In closing, I want to thank the Education Committee for raising these early childhood bills and for its long-standing investment in our youngest children and their families. I am happy to answer your questions now and/or at a later date. The OEC is committed to work together – with legislators, the executive branch, providers, advocates and parents - to better serve our families with young children.

About the OEC

The Connecticut Office of Early Childhood (OEC) advances a two-generation family-centered approach in our pursuit of optimal health, safety and learning outcomes for young children. Through our core programs, we support infant and toddler care, preschool, after-school care, child care and youth camp licensing, home visiting, and early intervention to address developmental delays. The OEC is working toward better coordinated, cost-effective services that support Connecticut's youngest children and families.