

Child Care Licensing Systems Improvement Budget Efficiency Savings Team (BEST)

Recommendations Regarding the Oversight of Child Care Homes, Child Care Centers and Preschools To The Secretary of the Kansas Department of Health and Environment

Summer 2010

The Child Care Licensing Systems Improvement BEST Team is chartered to advise the Department of Health and Environment on improvements needed to redesign the child care licensing system and the standards of care to meet the child care needs of Kansas children and families in the 21st century. The BEST Team is charged with making recommendations that support families and provide protections for children that:

- provide a solid foundation for child safety and well-being,
- support early learning, and
- enable child care providers to provide quality care that is available, affordable and accessible.

These recommendations strive to achieve a balance between safety, best practice, and marketplace realities.

After careful review of research, including inspection and enforcement protocols from other states, input from the child care community and the public, and the recent passing of Lexie's Law; the following is the second set of recommendations to improve the licensing system in Kansas.

To increase accountability and transparency in the inspection process

- The Department should develop and implement a customer satisfaction survey to measure provider satisfaction with their surveyor and the survey process.
- The Department should fully implement a review process that enables licensees and registrants to request a review of inspection findings at the program level.
- The Department should provide written information to providers on their rights and responsibilities and what to expect during a survey or complaint investigation.
- The Department should increase training for surveyors in assessing compliance, communication, and inspection protocols to increase competence.
- The Department should continue to conduct shadow surveys to assess surveyor consistency from county to county.
- The Department should develop and implement a web based application that would enable parents and the public to look up child care information including licensing or registration status, inspection findings, any corrective action taken and any administrative sanctions.

To increase protections for children and to increase technical assistance provided during inspections

- The number of inspections for all child care facilities should be increased to at least two times a year to allow more time for consultation and technical assistance.
- Inspections should continue to be unannounced. If inspections are increased to two inspections within a year then consideration should be given to permit one inspection by appointment to allow more discussion and education to take place.
- The frequency of additional inspections should be based on risk and should not fall below two inspections every 12 months.
- Collaboration among local and state agencies should be encouraged to support effective communication, sharing of information and efficiencies.

To more closely align sanctions with the noncompliance found and to increase predictability and transparency in the enforcement of the statutes and regulations

- The Legislature should give the Department additional statutory flexibility in assessing progressive sanctions to enable the alignment of sanctions with the severity and scope of the noncompliance found.
- The Department should develop and implement a system of progressive sanctions that identifies classes of regulations based on the degree of impact on the health, safety and well being of children and families and takes into account the severity and frequency of the noncompliance found.
- The Department should involve the BEST Team and other child care partners in the development of the protocols for progressive sanctions.
- The Department should review the protocols for progressive sanctions periodically to determine the effectiveness and whether changes are needed.
- The Department should make public the system of progressive sanctions so that child care providers, parents and the public know under what conditions a sanction would be assessed and what it means.
- The Department should make public written information on the administrative appeal process that includes how to appeal an administrative order and possible dispositions.

To increase efficiencies in the licensing and registration program

- The Department should develop, implement and maintain a series of on line processes that include enabling child care providers to access and update their own facility information, submit applications and application renewals, submit persons for background checks and check the status, add information, track qualifications, training and education and other functionality.
- The Department should update and simplify application and renewal forms in preparation for an online process.
- The Department should enhance the functionality of CLARIS to permit authorized agencies to access, enter and update information.
- The Department should automate the inspection process to enable the surveyor to download and upload information from the central database, enter the inspection findings at the time of the inspection and print out the findings to give to the licensee or registrant.
- The Department should maintain dedicated staff to keep policy and procedure manuals up to date and assign dedicated staff specific responsibility for training and manual revision.

To ensure efficient, effective and sustainable licensing services are provided statewide at the state and local level

- The Department should ensure the timely, accurate and statewide implementation of the provisions in Lexie's Law.
- The Department should continue efforts to strengthen the provision of regulatory services in frontier and rural counties through multi-county contracts, increased surveyor time assigned to the licensing program or regional services.
- The Legislature should increase funding to the Department at a level that will provide consumer protections for children and families, effective licensing services statewide and that will support the BEST Team recommendations.

To assist policy makers in making informed decisions on child care matters

- The BEST Team continues to be available to the Department, the Legislature and the child care community to provide leadership, expertise and recommendations for improvements to better meet the child care needs of children and families in the 21st century.