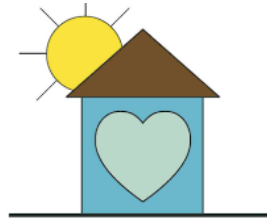




maineaeYC

Maine Association for the Education
of Young Children



**Family Child Care
Association of Maine**

Testimony of Heather Marden,
on behalf of the Maine Association for the Education of Young Children (MaineAEYC),
And Jennifer Wescott,
on behalf of the Family Child Care Association of Maine
before the Health and Human Services Committee, in opposition of
LD 1729: An Act to Reduce Child Care Provider Regulation

May 10th, 2023

Senator Baldacci, Representative Meyer, and distinguished members of the Health and Human Services Committee, we are writing to you in opposition of LD 1729 and ask you to consider solutions to child care challenges that support the needed investments in our vital child care educators who live on poverty wages.

MaineAEYC promotes high-quality early learning for all children, birth through age 8, by connecting practice, policy, and research. We advance a diverse, dynamic early childhood profession and support all who care for, educate, and work on behalf of young children and families.

Regulations are required to cut and style hair, required to fix plumbing, required to serve food, and open a tattoo parlor. Regulation aims to ensure that health and safety standards are being met. There are lots of areas of a society where regulations help keep Mainers safe and Maine's youngest and most vulnerable population should not be an exception.

Baseline safety protections are designed to provide transparency so that parents can be informed consumers. The Child Care Development Block Grant which Maine receives requires states to make provider information public, including licensing and inspection history; quality information; annual number of deaths; injuries and instances of child abuse; and state suspension and expulsion policies. With this information at their disposal, parents can choose a provider that is right for them.

Maine's Child Care Licensing Unit takes on the important work of regulating child care programs and does a tremendous job ensuring that incidents in child care programs across Maine remain low. The Department of Health and Human Services along with the Office of Child and Family Services has worked diligently to bring Maine's Child Care Licensing Rules into compliance with that of the Federal Government. A major addition to these rules was requiring background checks for all licensed child care providers and those who are 18 and older living in the home of a family child care program. DHHS and OCFS have supported free background checks to ensure there is no financial barrier for providers. We trust DHHS, OCFS, and Maine's Child Care Licensing Unit with their oversight of licensed child care providers serving 3 or more

children in their home or program (including license exempt providers utilizing the Child Care Subsidy Program) and we believe this strengthens health and safety for children.

Maine's health and safety standards have helped keep incidents of abuse, neglect, serious injury and death in Maine licensed child care programs low. Ratios are comparable to nationally recommended ratios and group sizes.

The Administration for Children and Families recognizes:

<https://childcareta.acf.hhs.gov/ccdf-fundamentals/child-provider-ratio-standard-and-group-size>

- Smaller group size is associated with a lower risk of infection in child care and lower rates of disease.
- Fewer children per adult reduces the transmission of disease because caregivers are better able to monitor and promote healthy practices and behaviors.
- Lower child-to-provider ratios are associated with fewer situations involving potential danger (such as children climbing on furniture).
- Children in smaller groups are more cooperative and compliant and exhibit more social competence than children in larger groups.
- Caregivers have more positive, nurturing interactions with children and provide children with more individualized attention when they are in charge of smaller groups of children with smaller child-to-provider ratios.
- Smaller group size is associated with more developmentally appropriate classroom activities than larger group size.
- Children in classrooms with lower child-to-provider ratios engage in more talk and play and display more gestural and vocal imitation.
- Smaller groups of children are associated with more developmentally appropriate caregiving and sensitivity; more contact with children (such as talking, playing, touching, and laughing); more responsive and stimulating behavior; and less restriction of children's behavior (such as less commanding and correcting).

Larger group sizes and higher ratios not only risks health and safety of children, it increases burnout in the child care educator workforce. Putting more children in with teachers who are often living off poverty wages with little to no access to benefits, creates spaces of increased stress and unhealthy conditions. To put this on our already hard working and tired educators, does them a disservice and reduces them to babysitters and not the educators they are trying to provide quality care and education.

Instead we must value them, respect them, and pay them for the work they do to keep working families at their job. We must make child care a desirable field that people can make a career out of and not be at the mercy of what families can afford.

The U.S. Treasury deemed child care a broken market. We don't fix it by asking them to do more with less, we fix it by investing and supporting them.

We hope you read the attached information on why deregulation in child care is not the solution to the child care crisis and please oppose LD 1729.

Deregulation Won't Solve Child Care . . . But It Will Decrease Safety and Supply

August 2022

Increasing child care access, quality, and affordability must be a national, state, and local priority. Decades of research, data, and experience make clear, however, that the solution to growing the supply of quality child care supply is not through deregulation that lowers health, safety, staffing, and qualification requirements. The solution, rather, is through significant investments—in the education and compensation of the early childhood workforce, facilities, and family supports.

No Correlation Between Regulations and Child Care Supply

Regulations are often scapegoated for the high price and limited availability of licensed child care. However, previous [analysis](#) has found no correlation between the strictness of state regulations and state levels of child care supply, indicating that more stringent regulation is unlikely to have a large impact on child care supply.

Prior to the pandemic, [researchers examined how state regulations correlate with supply shortages](#) by scoring the following regulations in each state:

- › Teacher-to-child ratios
- › Group sizes
- › Minimum number of children at which point licensing is mandatory
- › Teacher and director qualification requirements

The stricter a regulation, the higher its score. When overlaid with data on child care supply, however, the analysis found no correlation between the state regulations examined and child care supply. Further, none of the individual factors that contributed to the overall regulation score were shown to have a statistically significant impact on the supply of child care slots. While a wide array of factors affect child care supply, these results indicate that more stringent regulations aren't driving the problem.

Ratios and Group Sizes are Necessary for Safety and Quality—and Prevent Educator Burnout and Turnover

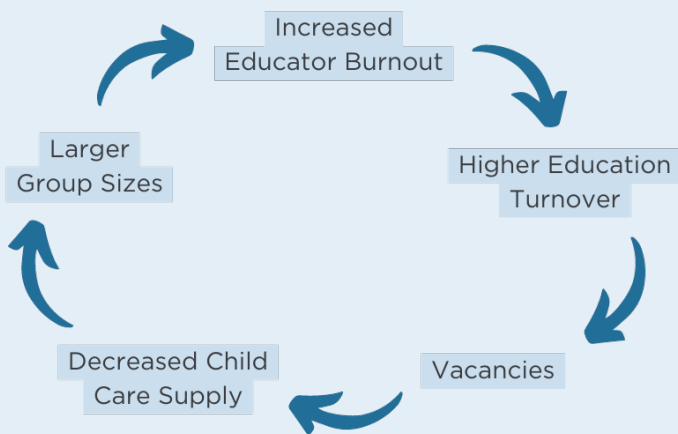
Regulations provide [important safety protections](#) for children and uphold the [quality](#) of early education and care. Regulations such as staff to child ratios and maximum group sizes ensure adequate supervision and interaction with children to keep them safe and engaged in learning, while requirements regarding qualifications and professional development recognize and uplift the depth of knowledge, skills, and competencies it takes to deliver on the complex science of early learning in the early years.

Recommended [developmentally appropriate maximum group sizes and staff to child ratios](#) in center- or school-based settings:

Age	Ratio	Max. Class Size
Infant (Birth-15 months)	1:4	8
Toddler/Two (12-36 months)	1:6	12
Preschool (30 months-5 years)	1:10	20

Maintaining low ratios and group sizes are also key to early childhood educator success and well-being. During the early stages of the pandemic, when classrooms were capped at much smaller group sizes to promote health and safety, [anecdotal evidence](#) suggests educators saw positive changes regarding interactions with children and were feeling less burnt out at the end of the day.

Lower ratios and smaller group sizes are necessary to keep children safe – but they also keep educators in their programs by limiting staff burnout, turnover, and [staffing shortages](#). Efforts to loosen regulations, driven by a goal of increasing supply and program revenue, will actually have the opposite effect by driving educator burnout and turnover even higher.



“Having worked in settings with different ratios, I can assure you that the lower the ratio, the better the quality of care. To increase ratios would not only be detrimental to the developing child, it would increase burnout rates for a workforce that already carries a heavy load for minimal pay and benefits.” – Jenn Boisvert, Early Childhood Educator from Westbrook, Maine

Solutions Require Public Investment

While there are opportunities to streamline and lessen paperwork burdens, and target the revision of regulations that undermine the expertise and autonomy of early childhood educators, policies that make child care less

attractive to educators by making their jobs harder (via increased ratios and group sizes) will worsen the supply problem those policies are trying to solve.

The foundational problem underlying the child care crisis is the lack of adequate public funding; without substantial and sustainable investments, our nation will continue to struggle to address the scale and urgency of the challenges of [high child care prices](#), [child care deserts](#), and [low compensation](#). Quality child care is resource-intensive, but unlike in the K-12 education system or the ECE system in many other countries, parents in the U.S. must shoulder the brunt of the cost, along with the educators who subsidize the system through their own low wages. Unfortunately, this cost is more than most working families can afford, and far beyond what most states pay providers who participate in the child care subsidy system.

This is especially true for infant and toddler care, where the science of early learning is just as complex as in the older years, and where parents expect and educators need low ratios and group sizes to keep children safe and thriving.

- On average, and even before the pandemic, infant care cost 60% more to provide than pre-K, yet subsidy rates were just **27% higher**.
- At the same time, provider compensation accounts for **almost 70%** of the cost of providing child care for infants, yet early childhood educators working with infants are earning disproportionately low wages within an already underpaid field.

The solution is to increase public investment in child care to cover the cost of providing quality care. This by definition must include competitive compensation that recognizes the skill, competency, and value of early childhood educators, and allows for the recommended ratios and group sizes that are needed for educators to want to do their jobs, and to do them safely and well.

As states attempt to address critical child care supply issues, policymakers must remember that regulations promote safety and quality in child care providers, and efforts to undermine them won't solve the supply problem—but will cause harm. Solving our child care crisis will require a large-scale public investment that allows providers to meet regulations based on best practices and do right by children and families.