

# Safety, Quality, and Accountability: Understanding Child Care and Early Learning Regulations

## HOW FEDERAL REGULATIONS, STATE LICENSING REGULATIONS, AND ACCREDITATION APPLY TO THREE FEDERAL ECE PROGRAMS

	How It Works	Child Care and Development Block Grant (CCDBG)	Head Start/ Early Head Start	Child Care Access Means Parents In School (CCAMPIS)
<b>FEDERAL REGULATIONS</b> (Vary by Program)	<p>Requirements set at the Federal level by the agency responsible for program oversight, funding, and monitoring.</p> <p><i>Note: All programs must also adhere to state and local regs. [More on the next page.]</i></p>	<p>CCDBG funding requires programs to adhere to regs outlined in the CCDBG Act. These include (among others):</p> <ul style="list-style-type: none"> <li>• Background checks</li> <li>• Quality activities</li> <li>• Consumer education efforts</li> </ul>	<p>Head Start funding requires programs to adhere to regs outlined in the Head Start Program Performance Standards. These include (among others):</p> <ul style="list-style-type: none"> <li>• Policies on governance</li> <li>• Educational programming</li> <li>• Family services</li> </ul>	<p>To receive CCAMPIS funding, programs defer to state requirements and national accreditation standards.</p>
<b>STATE LICENSING REGULATIONS</b> (Vary by State)	<p>Operational requirements set at the state level. Cover health and safety, caregiver-to-child ratios, food prep, training, emergency preparedness, and more. Part of broader state regs, which usually include sanitation, building and fire codes, lead clearances etc.</p> <p><i>Note: Licensing requirements are often the basis for state Quality Rating and Improvement Systems (QRIS) standards.</i></p>	<p>States must certify they have child care licensing requirements in effect. Lead agencies must ensure CCDBG recipients comply with health and safety requirements and monitor them for compliance.</p> <p>In most states, license-exempt providers may participate in CCDBG if they meet federal health and safety requirements and have monitoring practices in place.</p>	<p>Programs must meet the rigorous Head Start Program Performance Standards, which must match or exceed state licensing standards.</p>	<p>Participating child care facilities must meet state licensing requirements.</p>
<b>ACCREDITATION</b> (Vary by National Organization/ Association)	<p>Voluntary, rigorous evaluation that demonstrates program quality. Set and administered by national organizations or associations.</p> <p><i>Note: Many states have incorporated accreditation into QRIS.</i></p>	<p>Not required.</p>	<p>Not required.</p>	<p>Institutions of higher education applying for CCAMPIS must include a plan for associated child care facilities to become accredited within 3 years.</p>

Families with young children want peace of mind when it comes to child care. There are numerous policies in place to ensure the safety, quality, and accountability of early care and education (ECE) programs, but the different levels of oversight can be complicated. To elaborate on the table, to follow is additional information on the oversight and accountability measures that programs must adhere to.

All formal child care and early learning programs must be regulated. There is no such requirement for informal care, such as that provided by a family member, friend, or neighbor. Additionally, child care programs receiving multiple funding sources must adhere to all relevant sets of regulations.

## Program Regulations

### ***What are Regulations?***

All legally operated ECE programs must adhere to a combination of local, state, and federal regulations. Regulations vary based on the regulatory body and the purpose.

- Local regulations might include zoning ordinances, fire safety inspection rules, or more prescriptive measures.
- States set minimum health and safety requirements, including around criminal background checks for child care staff, ongoing staff training, sanitation, emergency planning, child and caregiver health, and more. States have ongoing monitoring in place to ensure the child care program continues to meet all health and safety requirements. Most state regulations are codified in licensing requirements.
- Programs receiving federal funding must adhere to relevant federal regulations, which are created by federal agencies to implement and enforce the laws passed by Congress.

Programs are monitored by the appropriate entities to ensure they comply with the applicable regulations. Regulatory agencies may also provide technical assistance and help programs improve the quality of care.

### ***Which ECE Programs are Regulated?***

All formal child care and early learning programs are regulated. Informal care, such as that provided by a family member, friend, or neighbor, may not be regulated.

### ***Relationship to Federal Programs***

Each ECE program must adhere to the regulations set by whichever federal agency is responsible for oversight, funding, and monitoring. Programs receiving CCDBG funds must comply with a wide range of regulations included in the CCDBG Act, such as background checks, quality improvement activities, and consumer education efforts, among others. Head Start programs must adhere to the comprehensive Head Start Program Performance Standards, which include policies on governance, educational programming, family services, finances, and more. Instead of detailing its own set of regulations, CCAMPIS defers to state requirements and accreditation standards. ECE programs receiving multiple funding sources must adhere to all relevant sets of regulations.

## State Licensure

### ***What is Licensure?***

Licensure is a process where state and territory governments set a baseline of requirements that child care programs must meet to legally operate. Each state has specific licensing standards, which differ depending on the type of facility and provider. Licensing regulations cover health and safety, caregiver-to-child ratios, group size, food preparation and serving, staff training requirements, emergency preparedness plans, background checks for staff, and more. Each state has an agency that issues child care licenses and ensures all licensed child care programs undergo regular monitoring to meet licensing requirements. State licensing standards are part of broader state regulations.

### ***Which ECE Programs are Licensed?***

The vast majority of formal ECE programs are licensed. Some states allow certain programs to be exempt from licensing requirements, such as religiously affiliated institutions or certain family child care providers. Licensed-exempt programs are still monitored to ensure they are complying with regulations.

### ***Relationship to Federal Programs***

Many licensed providers choose to solely serve private-paying families, while others receive federal funding. To receive federal CCDBG funds, states and territories must certify that they have child care licensing requirements in effect. Most states allow license-exempt providers to participate in CCDBG if they meet the federal law's health and safety requirements, have training on those topics, and have monitoring policies and practices in place to ensure that child care providers are in compliance with these requirements. CCAMPIS regulations also specify that participating child care facilities must meet state licensing requirements. Head Start statute requires programs to meet the rigorous Head Start Performance Standards, which must meet or exceed state licensing standards.

## Program Accreditation

### ***What is Program Accreditation?***

Accreditation is a voluntary, rigorous evaluation process programs can undergo to demonstrate quality and commitment to ongoing program improvement. Accreditation is often administered by national organizations or associations. There are several accrediting bodies. Providers who pursue accreditation commit to continuous improvement and adhere to best practices in areas such as curriculum, health and safety, staff training, and family engagement. Many states have incorporated accreditation into their Quality Rating and Improvement Systems (QRIS) as a pathway to quality.

### ***Which ECE Programs Are Accredited?***

Accreditation is time-consuming and costly, making it prohibitive for many programs that are already operating on tight margins. Over 7,000 early learning programs are currently accredited by the nation's largest accrediting body, which is less than ten percent of programs nationwide. Only 10,000 of roughly one million family child care providers are nationally accredited.

### ***Relationship to Federal Programs***

CCDBG and Head Start do not require program accreditation. States may use CCDBG quality funds to support providers in the voluntary pursuit of accreditation. Institutions of higher education applying for CCAMPIS funding must include a plan for associated child care facilities to become accredited within three years of the date the institution first receives CCAMPIS assistance.



## QRIS

### ***What is QRIS?***

Quality Rating and Improvement Systems (QRIS) allow states to measure ECE program quality based on a common set of metrics established by the state. Almost all states have a QRIS in place and each system is unique. All QRIS have multiple levels of standards that progress from basic health and safety requirements to the highest level of quality. Licensing standards are usually the foundation on which higher QRIS standards are built. In some states, compliance with licensing requirements is equivalent to the first tier in QRIS, whereas other states set the first tier to a higher bar. Some states build accreditation into their QRIS system, such as by tying the top rating level to national accreditation standards.

### ***Which ECE Programs Participate in QRIS?***

Program eligibility and participation rules vary significantly from state to state. Some states automatically enroll all licensed programs in QRIS, some require participation for programs receiving certain funding streams, and in other states participation is completely voluntary. As of 2019, over 92,000 programs had a QRIS rating.

### ***What is the Relationship to Federal Programs?***

Federal regulations for CCDBG, Head Start, and CCAMPIS do not require states to have QRIS in place and do not tie funding to QRIS participation. However, many states have incorporated QRIS participation and ratings into their ECE programs in various ways. In multiple states, QRIS participation is mandatory for programs approved to receive subsidies. States have taken different approaches to encourage Head Start participation in QRIS, such as by offering alternative pathways for Head Start providers, or granting higher rating levels for documented compliance with the Head Start Performance Standards.

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## Resources

1. National Association for the Education of Young Children, “[Benefits of Accreditation.](#)”
2. Bipartisan Policy Center, “[Are Networks the Key to the Future of Family Child Care?](#)”
3. Administration for Children and Families, [QRIS Resource Guide.](#)
4. National Center on Early Childhood Quality Assurance, “[Program Participation Fact Sheet.](#)”
5. National Center on Early Childhood Quality Assurance, “[QRIS Resource Guide.](#)”



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