

Nevada Association for the Education of Young Children

October 21, 2009

Board Response to op-ed in the Las Vegas Review-Journal titled: BUREAUCRATIC ACTIVISM IN NEVADA: Regulating child care out of financial reach; Expensive 'developmental' model not backed by lawmakers By Steven Miller, October 15, 2009

The Nevada Association for the Education of Young Children (NevAEYC) is our state's affiliate of the National Association for the Education of Young Children (NAEYC), which is dedicated to improving the well-being of all young children, with particular focus on the quality of educational and developmental services for all children from birth through age 8. The governing board of NevAEYC was therefore quite concerned by the article recently published (in the Review-Journal by Steven Miller, Vice President for Policy at the Nevada Policy Research Institute. The board's primary concern is the numerous inaccuracies expounded by Mr. Miller, which we are compelled to correct as a group.

The first inaccurate statement by Mr. Miller is, "in state-conducted regulatory "work groups" -- Nevada's process for vetting possible new regulations -- objecting owners of small, private preschools were threatened that if they themselves did not produce a bogus "compromise" backing stiffer staffing ratios, bureau officials would push to impose even harsher rules."

Many NevAEYC board members served on workgroups. One of the workgroups was told it had to develop recommendations that all in the group agreed to, and this was achieved by the facilitator. No threat was made by bureau officials to "impose even harsher rules." The Bureau Chief did advise workgroup members however, that if they could not develop a recommendation that everyone agreed to, suggested regulations from the previous workgroup would be resubmitted. This was not a threat, simply a recognition that the previous workgroup had agreed on the recommendations they had developed.

The second statement made by Mr. Miller requiring correction is, "Although both [Melissa] Faul [bureau chief] and Amber Howell, acting deputy administrator for the Division of Child and Family Services, told the subcommittee that their controversial proposed regulations were based on "national standards," that appears inaccurate."

Caring for Our Children: National Health and Safety Performance Standards: Guidelines for Out-of-Home Child Care Programs, 2nd edition was published in partnership between the American Academy Of Pediatrics, American Public Health Association, and National Resource Center for Health and Safety in Child Care and Early Education in 2002. The companion document, *Stepping Stones to Using Caring For Our Children, 2nd Edition* contains 233 standards selected as a subset of the 659 national health and safety performance standards in [*Caring For Our Children: National Health and Safety Performance Standard: Guidelines for Out- of-Home Child Care Programs, 2nd Edition \(CFOC\)*](#). This subset includes the standards that have the greatest impact on

disease, disability and death (morbidity and mortality) in out-of-home child care. *Stepping Stones, 2nd Edition* contains only the unaltered text of the selected standards without the rationale, comments or references. Faculty at the UNR Cooperative Extension used these standards to conduct a study on the number of guidelines that Nevada's child care regulatory standards aligned with. During the study UNCE researchers found that 34 of Nevada's regulations did not meet recommendations from the national guidelines; 170 partially met the recommended guidelines; and just five of Nevada's child care regulations fully met the national guidelines for keeping children safe and healthy in out of home licensed care environments. Each state in the union had access to federal funding through *Community-Based Integrated Service Systems Early Childhood Systems grants* from the Human Resources Services Administration; Legislative Authority: Special Projects of Regional and National Significance (SPRANS); Code: Social Security Act, Title V, Section 501(a)(2-3); 42 USC 701.

Funding for comparative analysis of state's child care regulations with the national performance standards developed by the American Academy Of Pediatrics, American Public Health Association, and National Resource Center for Health and Safety in Child Care and Early Education was allocated after numerous studies found that programs not meeting those standards actually caused harm (<http://nrckids.org/STATES/states.htm>).

Although not technically inaccurate, the NevAEYC board wishes to refute one final statement, "Parents in Nevada weren't pushing for a makeover of private child care across the state. So why did state government set out to force it?"

State government in this case opened the workgroups up to anyone that wanted to participate. This could have included parents, but as often occurs, parents did not choose to participate (or couldn't). Notices were sent to all licensed child care facilities in private homes and in commercial buildings inviting participation. All were invited to the table. Additionally, the Board for Child Care has appointed representatives including a parent, a family child care provider, a child care center representative, a pediatric health care professional, and an early childhood education representative. So, while parents did not initiate the process, there was a parent representative to hear the proposed changes. Also, regulations MUST be reviewed at least every 10 years by state law. So, this was not simply an exercise that the Bureau pursued for no reason. It was mandated to do so.

Groups such as NAEYC and Nevada's affiliate NevAEYC do not exist to harm private businesses, and in fact serve that population by responding to their input regarding the greatest needs of the community. However, when the well-being of children is at stake such as in recent tragedies when parents were left with so few options that they asked neighbors or boyfriends to care for their children only to find their children dead on arrival, one can see the need for better care options for parents. Although these are extreme circumstances and luckily do not represent the norm, regulations are intended to protect all of Nevada's children in licensed environments.

Mr. Miller's opinion demonstrates one of the most pressing early childhood issues in Nevada that the general public does not understand what to demand or look for in

environments for their children. This is not an issue of child-advocacy groups and large unions looking to make a lot of money insisting that parents are ignorant. This is an instance where the general public simply needs standards that protect their children so they are safe and well-cared for. One of the key elements, as Speaker Buckley said, is children being happy to attend their place of care.

To learn more about NevAEYC go to www.nevAEYC.org.