

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Arlen Siegfroid at 1:30 P.M. on January 31, 2008, in Room 313-S of the Capitol.

All members were present except:

Representative Ruiz - Excused
Representative Donohoe - Excused

Committee staff present:

Kathie Sparks, Kansas Legislative Research Department
Dennis Hodgins, Kansas Legislative Research Department
Mike Heim, Revisor of Statutes Office
Jason Long, Revisor of Statutes Office
Jeannie Dillon, Committee Assistant

Conferees:

Representative Bill Otto
Representative Gary Hazlett
Mary Vanhooser
Sherrie Lovell
Nancy Jensen
Diane Purcell
Holly Turner

Others attending:

See attached list.

The Chair opened the meeting by requesting bill introductions. Representative Mike Peterson requested a bill on a criminal statute regarding crimes and punishment. The Chairman seconded the motion; the bill was accepted.

The Chair opened the meeting for the public hearing on HB 2003 - Exception allowing day care homes to have double the amount of children licensed for during limited time periods before and after school, and SB2053 - Licensure of child care facilities by cities, counties and school districts. He explained that the Committee would hear HB 2003 and HB 2053 simultaneously because we have conferees on both sides that would like to speak to both bills.

Kathie Sparks, Kansas Legislative Research, explained both bills to the Committee. Ms. Sparks spoke first to HB 2003. She stated the bill would allow day care facilities before and after school to exceed the statutory limitation on the number of children that are in their care as long as those children are school age. They would also be exempted up to double what the law allows for inclement weather when school is closed. This would only apply to the school year.

Ms. Sparks spoke to HB 2053 and stated that this bill states that any governing body city, county or school district may opt to license child care facilities within its geographic boundaries in lieu of the Department of Health and Environment.

Chairman Siegfroid recognized Representative Otto who addressed the Committee in support of HB 2003. He stated that this bill would help latch-key kids and would provide a place for them to go before and after school by doubling the number of school aged children in a day care facility. (Attachment 1) Representative Otto gave testimony in favor of HB 2053 and asked the Committee to consider allowing local units of government to license the facilities, regulate these facilities and run these facilities. He further opined that the Department of Health and Environment who regulates these facilities is unbendable given emergency circumstances. He also submitted a possible amended version of the bill. After answering all questions by the Committee, the Chairman thanked Representative Otto for his testimony.

CONTINUATION SHEET

MINUTES OF THE House Federal and State Affairs Committee at 1:30 P.M. on January 31, 2008, in Room 313-S of the Capitol.

Representative Hazlett addressed the Committee as a proponent of **HB 2003** and **HB 2053**. He stated that the bill would alleviate the problems and would be a common sense approach for both providers and the parents of school aged children. (Attachment 2) Mr. Hazlett related some of his experiences dealing with KDHE in the past several years concerning day care and stated his support of **HB 2053**.

After answering all questions asked by the Committee, the Chairman thanked Representative Hazlett for his time.

Mary Vahhooser came before the Committee in support of **HB 2003**. She stated that this bill will benefit child care providers in many ways. It would allow some flexibility in mornings and afternoons. It would benefit children in our state by allowing more families to keep their children in the same child care setting as their siblings. She stated that although the bill sounds like it might be adding a lot of children to day care homes during a few hours, in actuality it would allow only a few more children over the age of 5 for a few hours and that 3 additional school-age children would be the maximum number that any child care provider could add. (Attachment 3)

Sherrie Lovell came before the Committee in support of **HB2003** and **HB 2053** and stated her concern regarding SRS and KDHE and their regulation of day care in Kansas. She gave testimony regarding her experiences with the above mentioned agencies. (Attachment 4).

The City of Wichita was represented by Nancy Jensen with the Child Care Inspector Program. Ms. Jensen opposes **HB 2053**. She stated that although the City of Wichita supports this concept, the city also recognizes the impact of this bill on the regulatory process, childcare facilities and the families with children in out-of-home care. (Attachment 5) Ms. Jensen also submitted the Annual Performance Measures Statistics to the Committee. (Attachment 6)

The Chairman welcomed Diane Purcell, Kansas Association for the Education of Young Children. In her opposition to **HB 2053**, Ms. Purcell stated that this exemption would not benefit children. She stated that over the years she had seen teachers in a licensed program with appropriate staff to child ratios struggle to provide appropriate care and activities for a group of children because one or more of the children were not having a good day. Ms. Purcell stated that she believes that to double the numbers in a child care center would be unthinkable. (Attachment 7)

Holly Turner, Director of Children's Learning Center, Inc., gave testimony in opposition to **HB 2003**. Ms. Turner stated that an exception should not be allowed to care for up to double the number of children at any time. She said that increasing ratios even for a short time, overlooks the basic needs of children and creates a highly stressful work environment for caregivers. (Attachment 8)

Due to time restrictions the Chair asked Christine Ross-Baze, Director of Child Care Licensing and Regulations, if she would be willing to return another time to give her testimony. Ms. Ross-Baze agreed to return.

Written testimony was also submitted in opposition to **HB 2003** or **HB 2053** from the following: Mark Desetti, the Kansas National Education Association opposition to **HB 2053** (Attachment 9) Shannon Jones, Heartland Programs (Attachment 10)

The hearing was closed and the meeting was adjourned at 3:15 pm.



HOUSE FEDEDERAL & STATE COMMITTEE GUEST LIST

DATE: 1/22/08

| NAME | REPRESENTING |
|------------------|----------------------|
| Doug Bowman | CCEDS |
| Ron Seaber | Hum Law Firm |
| Kate Dubroy | McMurry & Associates |
| Tom Kuhn | KRSB |
| Sherric A Lowell | Child Care provider |
| Chad Lovell | Guest |
| Cy Wallace | guest |
| Christi Farn | guest |
| Jennifer Schuman | guest |
| Andrew Hamlin | guest |
| Emma Swendsen | Guest |
| Sarah Swift | Guest |
| Greg White | Guest |
| Chase Madden | Guest |
| Justin Fryman | Guest |
| Bryan Perkins | Guest |
| Phillip Markin | Guest |
| Travis Miller | Guest |
| Cole Hardin | Guest |

HOUSE FEDEERAL & STATE COMMITTEE GUEST LIST

DATE: 1/31
~~1/22/08~~

| NAME | REPRESENTING |
|--------------------|----------------------------------|
| Justin Phillips | guest |
| Colton Feldman | guest |
| Matt Kiehl | Guest |
| Jordan Noll | super guest |
| Matt Scott | guest |
| Andrew Davis | superduper guest |
| Cherifer Housen | teacher, NEA, guest |
| Quentin Fitzgerald | Guest |
| MARK BODANYAK | CAPITOR STRATEGIES |
| Cindy DeRocle | KAC |
| Judy Moore | Ks. Assn of Counties |
| Holly Turner | Director Early Ed Program |
| Diane Purcell | Director Early Education Program |
| Michael Schwiden | Human Govt. Relations |
| ERIK SARTORIUS | City of Overland PARK |
| Susan Kang | ICD WE |
| | |
| | |
| | |

STATE OF KANSAS

HOUSE OF REPRESENTATIVES

SERVING: ALLEN, ANDERSON, FRANKLIN

COFFEY, AND WOODSON COUNTIES

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7th Floor
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Topeka, KS 66612
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LeRoy, KS 66857
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BILL OTTO

HB 2003

Mr Chairman and Committee Members,

A problem for working parents across Kansas is finding good day care. It becomes an even greater problem when children get in school because who can afford a business to look after children before and after school? My bill will help this problem by allowing licensed day care homes to look after these children before and after school by doubling their maximum number of children for those hours. It also allows the same exemption to occur when school is closed due to weather problems. Many times children are home alone or good providers get in trouble for helping parents in desperate situations. If it is O. K. for a teacher to have 20 children in a class, why can we not have 20 in a day care. The reason I used the term double is that all children are not counted the same; the same home could have 8 with some age children and 10 at another time. I ask for your support of this bill so parents can have another option to keep their children safe.

House Federal and State Committee

Date 1/31/08
Attachment

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STATE OF KANSAS

GARY K. HAYZLETT
REPRESENTATIVE, 122ND DISTRICT
GREELEY, HAMILTON, KEARNY,
SCOTT, & PARTS OF
HASKELL & FINNEY COUNTIES
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TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
CHAIR: TRANSPORTATION
MEMBER: ECONOMIC DEVELOPMENT/TOURISM
TAXATION

Testimony for the House Federal and State Affairs Committee Presented January 31, 2008, in Support of HB 2003

Thank you Chairman Siegfried and Members of the Committee for hearing House Bill 2003.

For the record, I am Representative Gary Hayzlett, from the 122nd District.

I am in favor of HB 2003 because of many of the before mentioned complaints, but mainly because of working couples and single parents who have a school-age child that can't get into the school before 8:00 - 8:15. These parents do not have a choice as to when school is out or going to start or if there is an inservice day or a snow storm and buses are sent home and the town children have to leave the school.

HB 2003 would alleviate the problem both for the provider and the parents. Your utmost consideration of this bill would be greatly appreciated.

House Federal and State Committee

Date 1/31/08

Attachment

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GARY K. HAYZLETT
REPRESENTATIVE, 122ND DISTRICT
GREELEY, HAMILTON, KEARNY,
SCOTT, & PARTS OF
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TOPEKA

HOUSE OF
REPRESENTATIVES

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CHAIR: TRANSPORTATION
MEMBER: ECONOMIC DEVELOPMENT/TOURISM
TAXATION

Testimony for the House Federal and State Affairs Committee Presented January 31, 2008, in Support of HB 2053

Thank you Chairman Siegfried and Members of the Committee for the opportunity to offer testimony in support of HB 2053.

For the record, I am Representative Gary Hayzlett, from the 122nd District. My district has the Cities of Lakin, Syracuse, Deerfield, Coolidge, Tribune, Horace, Holcomb, Scott City, Shallow Water and probably some very small cities I have missed naming because of the hurry I was in to finish preparing my testimony.

The reason I am so interested in the passage of this legislation is because of my dealings with KDHE in the past several years concerning daycare facilities. I have had more phone calls and complaints than I care to remember. Tearful calls from providers in my district and even outside my district have been very disturbing to me and many of the calls were from the childrens' parents. This came to a climax during last year's session. I agreed to appear with my daycare provider and speak on her behalf before the judge because she was quite emotional and nervous. This particular hearing, or Kangaroo Court as I would prefer to call it, was the worst experience any taxpayer should have to endure.

With this written testimony and further examples I have given verbally, you can see why I am very interested in putting the licensure and governing of these daycare facilities back in the hands of locals where it should be.

Testimony on HB2972

Mary Vanhooser
TLM Childcare
Overland Park, KS

913-707-4314
maryuarda@hotmail.com

Good afternoon, I am here today to discuss why HB2972 will benefit children in Kansas and improve the quality of child care across the state. I have worked with children for more than 7 years and have run a group child care home for more than 3 years. My business partner and I have helped raise more than a dozen children, many of whom we have had from infancy through Kindergarten.

I want to address to specific aspects of HB2972 that I have personal experience with, although, I generally support all aspects of the bill.

First, I want to address the fiscal age of Kindergarten children. As the law is currently written, children who turn 5 after August 31 do not count as 5 (or school age) until the following June. The causes a hardship for parents and child care providers because these 5 year olds must be counted in the toddler age group. Parents pay more for children in the toddler age group, so they must pay higher rates for a longer period of time. The toddler age group for child care currently ranges from 18 months to the fiscal 5. Clearly there is a huge difference in the level of care children need in that age group and 5 year olds quickly become helpers for the smaller children. Allowing 5 year olds to count as Kindergarten age on their birthday instead of fiscally will provide parents with a child care cost savings, will allow older children to stay with provider they have built a relationship with, and allow providers to take in an additional toddler or two, helping to alleviate some of child care shortages we face.

Secondly, I want to look at developing new rules and regulations that would allow two licensed professional child care providers to join together and have double the capacity that two providers have separately. Right now, if I left my partner and did care in my own home we could have 6 more children separately than we can together. I have truly thought of buying the house next to my partner so we could take the children currently sitting on our waiting list. To me, it just seems ridiculous that if we separate our business and take away another adult supervisor we can actually care for more children.

We would love to be able to serve up to 16 children and are willing to hire a 3rd part-time helper to help with the most stressful parts of the day, including lunch and nap. If we look at the current regulations, 1 person can care for 3 infants, 3 toddlers and 2 school age children. Therefore 2 adults should be able to care for 6 infants, 6 toddlers and 4 school age children, and in many cities across the state 2 adults do care for this amount of children, they just do so in 2 separate houses.

We would be willing to work with the state and KDHE if they would like to use our child care home as a pilot program for this idea. We are willing to take additional training hours, if needed. The parents who have chosen our child care home have told us many times that they went with us because we have two adult supervisors with their children at all times. They appreciate that level of additional care. They know that their tiny baby will be able to be held while the other adult cooks lunch. They know that in case of an emergency, action can immediately be taken without other children losing supervision. They appreciate that one of us can take vacation or sick time without having to close the entire facility.

Thank you for listening today. I hope action on these issues can be taken quickly.

House Federal & State Committee

Attachment

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January 31, 2008

Hello, my name is Sherrie A. Lovell, I want to thank you all personally for listening to me and what I have to say about daycares in Kansas. Last year Mr. Jordan asked for my story, but I couldn't begin to write such a novel!

Firstly, let me tell you a little bit about me. I have made my in-home daycare into a successful small business. Currently, I employ fourteen females and males that range in pay from \$10- \$15 an hour. My business is open 365 days a year from 5:30 AM to 11:30 PM. I believe being open those hours has helped out a lot of single mothers and fathers and has made my business profitable.

Mostly, I want other daycare providers in Kansas to achieve such success or even more. Such dreams are hard to reach because of the constant battle with KDHD. It seems that the rules are always changing and we are rarely notified. In 2006, KDHD changed 430 rules without advance warning or notification.

There has been no updated information sent to me. The only materials I have in my possession were published fifteen to twenty years ago (*Childcare Licensing Laws: amended 1992*, and *Regulations for Licensing Day Care Home and Group Day Care Home: amended May 1, 1987: revised February 26, 1990*). And still in 2008, I have received no new publications.

Consequently, because we are not being updated we are violating these rules and being fined. This happened to my daycare on January 10, 2007. The surveyors were Rebekah Bahner and Nancy Johnson. Upon arriving the two ladies informed me that they were just doing a routine check. I asked them if there was a complaint and they replied "no". When we sat down to look at files they revealed that there was a complaint filed but they could not write me up on it at the time because there was no rule written for it yet. The issue was that my dogs' hair was in excess.

My house is very clean and can be verified by any employee or parent and also no previous violations. Their tone was not the nicest and I was the one who felt violated after they did a search through my whole house trying to find something, anything to write me up for. No violations regarding that complaint issue or anything else was recorded.

It is my belief that they came with the complaint after receiving a call from an SRS parent who was not responsible enough to pay me with her Vision card after 3 months. After speaking with her case worker, I was told to deny her daycare and that upset her, causing her to come up with something like "too much dog hair in the house" as a violation against me.

SRS expects us to treat SRS parents as equals to private pay parents but it seems the majority of case workers do not return my calls or are too busy to hear our concerns. In the case mentioned above, I called almost everyday for three months trying to reach the case worker and resolve the issue. I continued providing her daycare services through most of that time knowing that she may not even be getting daycare funding through SRS. I had no way of knowing for sure because of the lack of communication. Please note private pay parents pay in advance before daycare services are even provided.

On February 2, 2007 I contracted with the state of Missouri (Jackson County). The parent lives in Missouri but works in Olathe, Kansas (where I am located). On February 5, 2007 this parent called and talked to her Missouri case worker and that day paperwork was sent to me. It arrived February 11, 2007 and I was paid. House Federal and State Committee

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Attachment 4

In a more current case, right now to be exact, a mother in our daycare has not made payments for 2 months for her 3 children. When trying to reach her SRS case worker, Robert Nevil, I get his voicemail almost every time. The few times I did reach him, I was given the statement "Sorry, I can't give you any information."

All we are wanting is security in knowing that we are being treated fairly and our parents are being held somewhat accountable. Before, SRS parents had to pay a family fee or daycare was denied. Now we know nothing about it. The parents are able to hide the true amount of the family fee from the provider, where before the amount was mailed to us. Unless each parent is completely honest, in which some case they are, we as providers do not get paid the family fee. In that case, what is the point of having a family fee at all?

With private pay parents we know we are going to get paid and do not have to spend valuable time hounding and begging them (or in SRS case, the case worker) for money. I do not mind contracting with SRS but I just would like to see more common courtesy and respect.

Speaking of respect, I feel it is my duty since I have all your attention to tell you now what KDHD told one of my daycare mothers on the phone regarding her child and her services. The mother's daughter is on a feeding tube and has had 32 major surgeries in her short three years of life and requires special care. Even so, the mother chooses work, which is admirable. Well, the KDHD person on the phone did not think so and asked the mother on the phone why she was working and not taking care of her daughter. To say the least, the mother was offended and felt discriminated against.

Recently, a mother, who is also an employee at my daycare, was also targeted by KDHD. Her son was required to get a physical two times and had to go back to the doctor's office a third time because the signature was not acceptable. Two of the trips to the doctor's office cost \$78 and precious time. (Note: She is a working mom who can't afford insurance).

There is another issue with physicals; Missouri families that contract with us are required to get Kansas physicals even if the Missouri physical is up-to-date.

KDHD also has expectations of following unwritten rules. I personally was let off the hook when my medicine bottles were not five feet high because mine were really close, but after talking with a friend, I was informed that another provider was fined for not having her medicine bottles at the level of five-feet or higher. When she tried to complain that there was no written rule, she was still fined for the violation.

Unfortunately, I have many more stories regarding SRS and KDHD's services and the way they treat my employees, my daycare parents, and me. I hope now that you see how we are being treated and are still getting by. Think of how much more prosperous daycares in Kansas could be with change. Daycare has been my business for thirty years and I feel it is time to take a stand. I want to say that it is a privilege and an honor to be standing in front of you. I am humbled. Thank you for letting me tell my story. We as providers want KDHD and SRS workers to know that they are not gods. Kansas has great rules and laws. That is why we have been so successful. Small business is the root of all businesses. Thank you so much for taking the time to listen and for caring.



TESTIMONY

City of Wichita

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Dale Goter

Government Relations Manager

**House Federal and State Affairs Committee
House Bills 2053 and 2003
January 31, 2008**

**Testimony by Nancy Jensen, Child Care Program Supervisor
City of Wichita Environmental Services Child Care Inspection**

House Bill 2053, currently before the committee, is consistent with the City of Wichita position on Home Rule, that local communities should be given the greatest flexibility to design regulations tailored to meet local needs. The City of Wichita supports this concept, but also recognizes the impact of this bill on the regulatory process, childcare facilities, and most importantly, the families with children in out-of-home care.

This bill would replace many of the current and important provisions in KSA 65-501, et seq. For example, KDHE now requires facilities to conduct criminal background and sexual predator checks on potential employees. It has procedures in place to ensure these checks are conducted. It would be prudent to retain those requirements for local communities. A theme verbalized by childcare providers during the recent statewide KDHE Listening Tour was a desire for consistent enforcement of regulations.

While the City of Wichita, like other urban areas, currently handles local licensing and enforcement in Sedgwick County on behalf of KDHE, the City of Wichita is not ready to enforce its own regulations in lieu of State regulations. The City of Wichita recently adopted its own childcare ordinances to establish the KDHE regulations as minimum protection standards. Rarely does our agency receive complaints about our program or the quality of our inspections. Wichita and Sedgwick County have the greatest number of regulated facilities in the state.

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Attachment **5**

ther, the bill as drafted also raises the specter of conflicting regulations between various school districts and their cities and counties. The interplay of these regulations needs further review.

Also, federal Child Care Block Grant pass-through monies come to the State and are dispersed to Kansas's communities for the purpose of pursuing quality childcare. In the absence of this monetary support, many Kansas communities, urban and rural, would suffer including our program.

House Bill 2003, currently before the committee, is neither consistent nor reflective of current research and trends in child care. The National Association of Child Care Resource and Referral Agencies (NACCRRRA) recently released a report on childcare in the State. Staff to child ratios was named as one of the areas in need of improving. HB 2003 does not provide for staff to child ratios, nor does it take into account the limited space, equipment, and supervision that occur in a childcare facility when the only change is "more children".

My personal experience of witnessing situations where too many children are confined in an inadequate room raises great concern.. In one situation, a room was filled wall to wall with playpens containing infants and toddlers. In another, a toddler was caged in an overturned playpen to avoid disturbing 19 other napping children. These are just two disturbing situations that show how the number of children in a home affects the quality of care. Many of these situations require Child Protective Social Workers to intercede when existing KDHE regulations are not followed.

If child care availability in a safe and healthy environment is the focus of this bill, then it should promote the retention and recruitment of quality child care providers and quality child care facilities.

We share the common goal of doing what is best for our children. And, for this reason, the City of Wichita opposes HB 2053 and HB 2003.



ENVIRONMENTAL SERVICES

Child Care Licensure

Annual Performance Measures - 2007

| Measure | Type | 2007 | 2006 | 2005 | 2004 | 2003 | 2002 |
|---|------------------|--------|-------|--------------------------------|--------|-------|-------|
| Facilities surveyed with no violations | Outcome | 239 | 102 | 179 | 138 | 137 | 147 |
| Initial and re-licensure surveys | Demand | 1086 | 1193 | 1421 | 1,404 | 1,150 | 1,158 |
| Total field contacts | Output | 2,502 | 2,516 | 2,481 | 2,449 | 3,973 | 3,270 |
| Complaints | Demand | 280 | 838 | 727 | 704 | 374 | 477 |
| Provider orientation attendance | Demand | 835 | 1028 | 1037 | 1161 | 977 | 1,105 |
| Telephone contacts | Demand | 3,715* | 9,082 | 10,078 | 10,180 | 8,798 | 9,202 |
| Outreach Presentations | Output | 498 | 2032 | 861 | 932 | 313 | 520 |
| Percentage of providers rating surveyor conduct good or excellent | Customer Service | NA | 99% | New Measure Developed for 2006 | | | |

*Staffing issues resulted in fewer calls being received by childcare surveyors. Administrative clerks received the balance of calls, but were not tracked separately from other admin calls.

**Total number of licensed and registered facilities in Sedgwick County for 2007 – 2,391.

***Total number of FTE positions: 5 surveyors, 1 supervisor.

Complaints are those regarding operation of a childcare facility not program or staff complaints.

House Federal and State Committee

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Attachment *6*

Diane Purcell
Kansas Association for the Education of Young Children

Speaking in Response to House Bill No. 20⁹33

In my more than 30 years experience working with children I have worked in a variety of capacities and in a number of different educational settings, consequently, I feel qualified to comment on this bill though I have never been a family child care provider.

As the director of an early care and education program I have seen many times over the years when teachers in a licensed program with appropriate staff to child ratios would struggle to provide appropriate care and activities for a group of children because one or more of the children were not having a good day. To double these numbers would be unthinkable in a child care center where teachers have back-up and help, if needed. In a family child care home, with a single adult responsible for the welfare and safety of children it would be irresponsible.

The before and after school hours combined total 4 1/2 hours per day a person could have twice as many children is considered safe. On days when school is not in session –in our local Topeka district there are 32 scheduled days out this school year, not including snow days- many providers would have twice as many children for more than twelve hours for more than 30 days.

Who would benefit from this exemption? Certainly not the children. Kansas currently ranks 41 out of 50 states in a recent report issued by NACCRRRA (National Association of Child Care Resource and Referral Agencies). We obviously need to be making improvements in our child care regulations in the state of Kansas, not providing exemptions to them.

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Diane Purcell
Kansas Association for the Education of Young Children

Speaking in response to House Bill No. 2053

I am a teacher with a degree in education from Washburn University. I have experience teaching at the elementary level in both public and private schools, I have directed children's programs for the YWCA, directed a church affiliated early care and education program, and am currently working as a professional in the field of Early Care and Education, specifically as the director of a corporate sponsored Early Care and Education program serving children from 2 weeks through 12 years.

In my more than 30 years as a professional working with children my goal has always been to see that all children get the very best we have to offer them – a safe, nurturing environment with the very best care and highest quality learning experiences that we can provide. Each and every child deserves that.

This bill would exempt cities, counties and school districts from oversight that assures minimal health and safety standards be provided for our youngest citizens. I have to ask, why would anyone think this is a good idea? Who does this bill benefit? It would certainly not be the children involved. This would not even be a benefit to the state of Kansas, as we as a state already suffer under the dubious distinction of ranking 47 out of the 50 states in a recent ranking of State Child Care Center Standards and Oversight by NACCRRRA (National Association for Child Care Resource and Referral Agencies).

Federal law requires that states have policies in place to protect the health and safety of children in child care in three areas:

- The prevention and control of infectious diseases
- Building and physical premise safety
- Health and safety training appropriate to the program setting

The state of Kansas won't meet that mandate, and more importantly, do what is in the best interest of children, if we exempt cities, counties and school districts from the minimal protection state licensing provides our children. Rather than exempting large groups of programs from oversight, we should be looking at the regulations in place and asking how they can be revised to offer all of our children the best that we can give.

January 31, 2008

Testimony on House Bill 2053

Holly Turner
Executive Director
Children's Learning Center, Inc
Kansas Association for the Education of Young Children
BGS in Early Education, MS in Early Childhood Special Education,
The University of Kansas

This bill would exempt cities, counties and school districts from oversight that assures minimal health and safety standards be provided for young children. Currently, I am part of the BEST Team, **working to upgrade Kansas regulations**. Fragmenting regulations by allowing cities, counties and school districts to adopt their own licensure requirements would be a step backwards for our children.

- Current licensing guidelines are minimal health and safety standards, and aid in an effort to strive towards quality child care.
- Exempting cities, counties and school districts from the oversight of the state health and safety standards is not in the best interest of children.
- Instead, as a state we should ban together, and as new knowledge and innovative practices evolve, the standards should be modified or updated.

Through the years as director of an early education program, I have had to make some difficult decisions. I always put the safety of the child first.

House Federal and State Committee

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Attachment 8



Making public schools great for every child

KANSAS NATIONAL EDUCATION ASSOCIATION / 715 SW 10TH AVENUE / TOPEKA, KANSAS 66612-1686

Mark Desetti, Testimony
House Federal and State Affairs Committee
January 31, 2008

House Bill 2053

Mr. Chairman, members of the Committee, thank you for the opportunity to appear before you today to share our thoughts on **House Bill 2053**.

KNEA believes that licensure of child care facilities is important in ensuring the safety of our state's most precious resource – our children. We believe that child care facilities need to be held to high standards of care, cleanliness, and safety and that all such facilities should be held to the same high standards.

The licensure system we have today is the appropriate system. House Bill 2053 proposes a world in which any city, county, or school district can set their own licensing standards for their own particular geography. Such a system would create numerous problems.

- Licensure standards and fees might vary dramatically across borders creating an uneven playing field for child care providers.
- Parents seeking child care would have difficulty determining which unit of government was the licensing agent for the various child care providers they were considering.
- Parents would not know what standards applied to which facilities and could find those standards lowered after contracting with a provider if a city chose to become a licensing agent, taking that authority from a county.
- Providers would have to keep up with the possibility of changing standards and fees as various units of government made the decision to become a licensing agent.

House Bill 2053 would create a mish mash of standards and fees that would at best simply create confusion and at worst dramatically lower licensing standards for child care facilities.

The current system works – all licensed providers are held to the same standards and the same fee schedule. There is a level playing field that has created a single set of standards in which parents can place their confidence.

We urge the committee to reject HB 2053.

House Federal and State Committee

Date 1/31/08
Attachment 9

My name is Shannon Jones. I am very concerned about the bill being proposed to allow double the amount of children in a home child care before and after school. I believe that such a high number of children in one home at the same time will not be receiving the high quality of care that a smaller number could. My son was in a home daycare for after school care only in 2005 and 2006. My husband and I discovered that the child care provider had more children than she should have for licensing standards. A couple different days a neighbor observed 20 children coming off the bus and into her home. We also found out that my son was doing nothing but watching television during this time. He was not playing with toys or going outside, as we had originally been told by the provider that he would be doing during this time. I was very upset about this, and we pulled my son and put him into another home setting where the provider followed licensing standards. I believe that because the child care provider had so many children in her home, she was not able to provide the standard of care that she should have. There was not enough room in her backyard for 20 children to play comfortably, and her play room was not large enough to house that many children either.

I also feel that having that many children in a home care setting at one time is a safety concern. If there were a fire, there would only be one adult in that house responsible for getting all of the children out by herself. Also, the less supervision there is, the more trouble that children can and will get into. I am a teacher, and I know that one person is not capable of watching so many children at the same time, while providing them safe and quality care. I feel that it is in the best interest of children that this bill not be passed. Quality of care and safety should be top priorities in any child care setting, and I feel that this bill would be compromising both of these.

Shannon M. Jones
Heartland Programs
Salina, Kansas
785-309-5090

House Federal and State Committee

Date 1/31/08

Attachment 10