

STATE OF CONNECTICUT
OFFICE OF THE CHILD ADVOCATE
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**TESTIMONY OF THE OFFICE OF THE CHILD ADVOCATE FOR
THE STATE OF CONNECTICUT**

**EDUCATION COMMITTEE
FRIDAY MARCH 6, 2020**

Senator McCrory, Representative Sanchez, Senator Berthel and Representative McCarty, this testimony is being submitted on behalf of the Office of the Child Advocate (“OCA”) in support or in response to the below-referenced Bill/s. The statutory obligations of the OCA are to review, investigate, and make public recommendations regarding how our state-funded systems meet the needs of vulnerable children. OCA’s multi-disciplinary staff advocates regularly on behalf of children with disabilities and children in state care, helping them access the services they need from local and state systems.

HB 5216 An Act Eliminating The Licensure Exemption For Certain Organizations Providing Child Care Services.

OCA supports consideration of this bill to eliminate license exemption for certain children’s programs in the state. By statute, most child-serving custodial care programs are subject to licensure by the Office of Early Childhood, with certain programs explicitly exempted from this requirement. A bill was proposed to the Education Committee in 2016 that sought to eliminate the license exemption for certain youth development organizations, thereby requiring that such programs be subjected to oversight by the OEC and that they comply with state requirements regarding background checking and staffing ratios and inspection visits. The bill was opposed on the grounds that such oversight was unnecessary and costly and that complying with a licensing requirement could cause some programs, like the Boys and Girls Clubs, to be unable to affordably serve underprivileged children whose families depend on the programs for after-school care and support. The OEC contended at the time that more oversight was needed due to “numerous complaints from parents about lack of supervision” in unlicensed after-school programs.¹ The bill was not enacted into law.

Licensure by OEC provides oversight and regulation for various child-care, after-school programs and summer camps. Programs are required to adhere to a variety of safety requirements regarding employee background checking, and staffing ratios and programs are subject to routine inspection by

¹ Statement of Myra Jones-Taylor, former Commissioner of the Connecticut Office of Early Childhood.

state regulators. Parents can look up the regulatory and inspection history of any state-licensed after-school program, child care program or camp on the state's E-license database to compare inspection and safety records and make choices for their children's care.

In 2019 Hearst media published an investigative report regarding allegations and findings of abuse and neglect against children in various Boys and Girls Club programs throughout the country. Hearst found that local practices regarding background checking, youth/adult interaction and incident reporting varied considerably, and reporters found hundreds of abuse victims nationwide over a period of many years.

The Boys and Girls Club responded swiftly and thoughtfully to the Hearst reporting, announcing that it would undertake new annual audits of local clubs, new training and additional improvements that would include transparency with parents and communities about allegations of abuse. Boys and Girls Club of America also said it would bring in a third party firm to conduct a review of safety procedures. A current review of information available on the Boys and Girls Club website reveals detailed information for parents and the public regarding steps the Clubs take to ensure child safety through the provision of staff training, background checking, incident reporting and safety assessments of individual clubs.

State rules regarding licensure of programs such as the Boys and Girls Club vary around the country. In Massachusetts, for example, these programs are licensed. According to Hearst reporting, Clubs do not have a requirement for staffing ratios related to child supervision. If a concern is received by DCF or the OEC, neither agency has regulatory authority to make findings or compel changes in a local club, whether about background checking, child safety and supervision, staff training or otherwise. Parents cannot look up health and safety information, *other than description of club commitment and process*, on individual program websites as they can with licensed programs and programs that accept Care4Kids. If there is an investigative finding of child abuse and neglect by DCF and OEC and a resulting corrective action in a licensed program, this information is publicly available to parents and the public at-large. Federal law now has enhanced publication requirements for licensed child-care programs that will dramatically increase transparency around licensing inspections and findings for licensed programs in Connecticut.

OCA recognizes and appreciates the laudable mission of organizations that provide youth with high quality after-school experiences, mentoring and emotional support. The Boys and Girls Club for example, founded in Hartford, Connecticut in the 1800s, serves thousands of children throughout the state, often children who are economically under-privileged and in need of the kinds of opportunities that the Boys and Girls Club has committed to providing.

However, licensure laws exist to support the state's long-established public policy that oversight, including regulation and inspection, is necessary to ensure child safety and transparency for consumers. If certain programs are going to be exempt from licensure, it is appropriate and important for lawmakers to ask 1) why does the exemption serve the public interest; 2) what the criteria for license exemption is or should be; 3) and how exempt programs otherwise meet or should be able to demonstrate that they have an effective and transparent framework *in lieu of licensure, inspection and transparency* to ensure child safety and information-sharing with parents.

HB 5222 An Act Expanding Eligibility in the Care 4 Kids Program for Homeless Families

OCA strongly supports this legislation which would provide essential services such as access to licensed child care for families in their most dire situation—homelessness. The bill would allow a child access to subsidized child care if their parent is literally homeless or fleeing/attempting to flee domestic violence (HUD definitions of homelessness) and the parent/caretaker is seeking employment while living in a homeless shelter. The purpose of the bill is to allow families the support necessary while in shelter to seek and find employment and become fully eligible for Care4 Kids.

In the work OCA does investigating concerns regarding vulnerable children who may be at-risk or victims of abuse and neglect, lack of stable housing and transient living is often a priority concern. Offering stable and high quality licensed child care to a family with young children may be the most beneficial thing the state can do to support better and safer outcomes for our youngest citizens. OCA supports this work in the strongest possible terms.

Respectfully submitted,

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State of Connecticut