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Deregulation Won’t Solve Child Care . . .

A Companion Piece for Advocates

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But It Will Decrease Safety and Supply

- Regulations promote safety and quality in child care providers, and efforts to undermine them won’t solve the supply problem – but will cause harm.
- 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.
- 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 or reduced staff qualifications) will worsen the supply problem those policies are trying to solve.

Read the full piece here.

Here Are Some Options and Advocacy Actions to Explore Instead

While increased investment is the solution to the child care staffing and supply crisis, some states will continue to want to take action on regulations. Rather than looking at ratios, group sizes, and staff qualifications, this resource shares some alternative opportunities advocates might pursue in recognition of the need to improve and modernize some regulations in support of a professional early childhood education workforce.

Opportunites to Improve and Modernize Regulations

Regulations that are sometimes targeted as burdensome, such as staff-to-child ratios, are crucial elements of program quality and safety. However, there may be opportunities to relax, align, or modernize other regulations—reducing costs and administrative burdens to build supply with minimal downside.

- States and localities can improve zoning regulations that impact child care centers and homes.
  - Arlington, VA and Austin, TX both relaxed zoning regulations such as minimum parking requirements for child care facilities.
  - California, Colorado, Connecticut, Oklahoma, and Texas have passed legislation protecting family child care homes from restrictive local zoning ordinances that make it more difficult and expensive for individuals to operate or expand programs.
- States can align requirements across licensing, quality rating systems, accreditation, and other regulatory systems programs may be subject to. Better alignment of staff training and professional development requirements, paperwork and administrative requirements, and other regulations removes disincentives to participate in these systems and reduces confusion and frustration caused by conflicting standards.
- States can consider establishing professional licensure for early educators, as a way to decouple requirements related to the professional judgement and education qualifications of early childhood staff from the facilities licensing process. Vermont has made headway to make early childhood a recognized, licensed, compensated profession in the state.

- States can improve hiring procedures, including reducing and eliminating backlogs on background checks, to get new hires into classrooms more quickly.
  - Currently, 27 states belong to the FBI's **National Fingerprint File** program to conduct interstate background checks. More states should join this national program to facilitate more effective background check processes.
- States should consider the appropriate balance of licensing standards in legislation versus administrative regulations. In some states, the regulatory process may be more ideal for allowing appropriate and timely updates to standards.
- States can cover the costs of facilities improvements, including required construction or required lead or radon testing; these improvements are necessary for keeping children safe but costly for providers to implement and maintain. States should also ensure providers, who are not experts in these types of facilities-related activities, have access to technical assistance and professionals to ensure they can adequately and efficiently meet such requirements.
- States can do more to help providers meet licensing standards, such as covering the expenses of attending trainings, easing paperwork requirements, or providing tools and technical assistance to modernize data systems through solutions such as **Child Care Management Software (CCMS)**.
  - The supports offered through Washington's **Early Achievers program,** including free training and technical assistance to providers, grants to help programs make quality improvements, and scholarships to support early educators' professional development provide one such example.
- **Iowa** is leveraging CCMS technology to modernize early care and education systems, including subsidy payments, CACFP administration, child care search tools, and licensing and quality rating processes.

Recommendations

Areas to Focus on for Investments:

- Analyze licensing standards to identify opportunities to relax, align, and modernize regulations that do not impact safety and quality
- Dedicate funds to support providers to meet licensing standards and move towards supportive licensing systems and structures
- Dedicate funds to support supply building efforts through facilities and workforce investments
- Dedicate funds to higher education access and quality, including through comprehensive scholarships, loan forgiveness, and professional development supports for incumbent and aspiring early childhood educators
- Dedicate funds and time to analyzing licensing standards in pursuit of opportunities to align and modernize regulations that do not impact safety and quality
  - Example: **Minnesota's Family Child Care Task Force Legislative Report**
- Move towards payments for providers that cover the cost of providing quality child care—which includes competitive compensation, low ratios, and smaller group sizes

Areas to Focus on for Advocacy:

- Build coalitions with strong educator presence from all settings, inclusive of family child care, to show support of strong regulations from the field—and advocate for increased investments in early childhood
- Amplify educator perspectives on the importance of ratios, group sizes, and educator preparation and support for educator retention
- Highlight parent and family experiences and their expectations for safety and quality in their child care settings, including parents who have been impacted by harm caused to their child in deregulated or unregulated settings
- Build legislative champions to make the case for the importance of strong regulations and the impact of deregulation efforts on the system
- Foster and leverage partnerships with state administrative leaders

State Examples of Opposing Deregulation Efforts

Opposing a deregulation effort can require substantial advocacy. Here are two state examples:

Idaho

In 2025, Idaho lawmakers considered legislation that would have removed all state-mandated child-to-staff ratios and group size requirements from statute and administrative rule. Instead, child care providers would have been allowed to set their own staffing standards. The original bill also eliminated local authority to establish child care licensing standards and removed the requirement that infants and toddlers remain within sight and sound of educators at all times.

Although legislative committees in both chambers recommended the bill for passage, parents, early childhood educators, and other advocates mobilized quickly in opposition. They had little time to respond: fewer than 24 hours passed between the bill's introduction and its first public hearing in the House before moving to the Senate for consideration.

Strategies

- Advocates organized a broad coalition of opponents, including pediatricians, nurses, fire marshals, state police representatives, child welfare experts, child care providers, and parents.
- One testimony highlighted the death of an 11-week-old infant in a child care setting that was not complying with state ratio requirements, underscoring the importance of basic safety standards.
- Outreach to legislators, who received thousands of calls and emails opposing the measure

The strong public response helped defeat the bill's most sweeping provisions. Facing significant opposition, the bill's sponsor withdrew it from the Senate floor and introduced major amendments. While the final version, signed into law in March 2025, still loosened ratio requirements for some age groups and prohibited local governments from setting their own ratios, it stopped short of eliminating child-to-staff ratios entirely.

Illinois

Several deregulation bills have been introduced in recent years' legislative sessions, primarily focused on reducing qualifications for lead teachers in licensed centers. These bills have gained the support of some directors and owners, who have been experiencing challenges finding and hiring qualified staff to fill vacancies. Other bills have sought to expand license exemptions by, for example, allowing license-exempt programs to care for more children, younger children, etc. These bills have typically been brought to legislators by one or two providers in their district in response to their specific issues and circumstances.

Strategies

- Advocates worked hard to educate key legislators—especially those on the committees hearing the bills—on the importance of licensure and core regulations: minimum staff qualifications, group sizes, ratios, etc.
- Focused messages on what is best for the entire early childhood system and children in that policy changes should not be driven by individual provider needs or wants
- Found compromises; for example, time-limited relief through an administrative policy rather than long term, permanent, legislative change to address immediate staffing shortages while pursuing long-term solutions and investments in the workforce
  - In one example, rather than reduce qualifications overall, a temporary policy was put in place to allow for lead teachers in child care centers to complete the early childhood coursework requirement (6 semester hours, or 2 college courses) while employed. These educators were directed to targeted supports to ensure they were enrolled and progressing in their courses and completed in the specified timeframe in order to remain in their role. Parents were notified of these temporary educators in their child's classrooms and how the educator was working toward their full qualifications. This solution, while not perfect, was an attempt to provide much needed temporary support to providers to get otherwise qualified staff in classrooms, while maintaining the position that educators' education and preparation is a priority—and investing in supports for more to meet those qualifications and be in classrooms.

In some cases, the portion of the child care sector most active in support of deregulation is the same portion that does not receive public funding. These providers may not have access to the resources required to help invest in compensation, staffing, and higher cost regulatory requirements. Addressing their lack of access to supports on the front end may help to minimize their support of a deregulation agenda on the back end. The American Rescue Plan Act (ARPA) appropriated $24 billion to make child care stabilization grants available to provide predictable funding to improve quality and support workforce development across all types of child care programs. After ARPA's $24 billion child care stabilization grant program ended in 2023, some states established or sustained state-funded programs to continue supporting providers and the early childhood workforce. This includes:

- Since 2023, Massachusetts continues to use state funding to support its Commonwealth Cares for Children (C3) operational grant program at $475 million annually. The program supplements existing subsidy funding and provides non-competitive grants to eligible licensed child care providers serving families in Massachusetts. The grants help cover workforce investments, program quality improvements, and facility and operating costs, with a focus on advancing equity (starting in 2025, providers must either show they are willing to accept children with subsidy, or offer care services equivalent to what the family would receive through subsidy assistance).
- Minnesota replaced its pandemic-era stabilization grant program with the Great Start Compensation Support Payment Program, a permanent, state-funded initiative established in 2023. The noncompetitive program provides monthly payments to eligible licensed and certified providers to support increased compensation and benefits for early educators. Designed to strengthen workforce recruitment and retention, the program is funded at $260 million per biennium, making it one of the nation's first state-funded direct compensation support programs for the child care workforce.