

Department of Social Services
State Board of Social Services

22 VAC 40-185 (Repeal) and 22 VAC 40-186 (Proposed) – Standards for Licensed Child Day Centers

Agency Response to Economic Impact Analysis

The Department of Social Services generally concurs with the June 6, 2013 Economic Impact Analysis (EIA) prepared by the Department of Planning and Budget, but has the following concerns relative to reflecting the diversity of enrolled children’s families, cultures and ethnic backgrounds and limitations on screen-time.

DPB EIA, page 6, Enrolled Children’s Families, Cultures and Backgrounds:

Current regulations require that child day centers provide a variety of age appropriate activities for children in care. The Board proposes to expand what is required for activities by requiring centers to provide activities that are “reflective of the diversity of enrolled children’s families, cultures and ethnic backgrounds”. Adding this requirement may increase costs for centers that might be responsible for buying more toys or planning alternate activities if their toy or activity selection does not currently reflect the ethnic diversity of the children they care for or if they start caring for a different ethnic mix of children. While there is likely some benefit that accrues to children who have, for instance, dolls that look like them to play with, this benefit is likely outweighed by the costs to providers and to parents who might have those costs passed along in the form of higher fees. In any case, parents are likely the best judge of whether their child has a proper play environment at daycare and are able to address any perceived deficiencies by sending some of the child’s own toys with them to daycare without the need for a regulatory mandate.

Agency Response:

The addition of including a variety of daily activities for each age group that is reflective of the diversity of enrolled children’s families, culture, and ethnic backgrounds will not increase operating costs for centers or tuition rates for parents. Including the cultural backgrounds of the children in care can be as simple as reflecting culture through the choices of foods and art activities, appropriate selection of books and music from local libraries, and utilizing numerous resources available to child care providers on the web to “make” materials from collected reusable items. Utilization of these types of resources is common in most early childhood programs and any new costs would routinely be included in the center’s yearly materials replenishment budget.

The Department wholeheartedly agrees that parents are the best judge of their children’s play environment, however, it is likely that most centers do not allow toys brought in from home due to the potential increase of safety, sharing, and emotional attachment concerns that can accompany toys/materials from home. Children who participate in programs that reflect and show respect for the cultural diversity of their family and communities learn to understand and value themselves and their families. Materials, displays, music, literature and learning activities

that represent the cultural heritage of the children in care instills a sense of pride and respect in all children and staff.

Programs that offer a variety of choices and materials that mirror the backgrounds of the children and families in care, thereby instilling a sense of pride and familial respect, are supported by the following:

- *Virginia Department of Social Services' ongoing work of the Engaging Families for Success, part of the National Strengthening Families Protective Factors Framework.*
http://www.cssp.org/reform/child-welfare/ppf/SF_ProtectiveFactors.pdf
- *Virginia's Foundation Blocks for Early Learning: Comprehensive Standards for Four-Year-Olds, VDOE, 2007*
- *Milestones of Child Development – A Guide to Young Children's Learning and Development from Birth to Kindergarten, and Competencies for Early Childhood Professionals, Virginia's Early Childhood Development Alignment Project, 2008, Office of Early Childhood Development and Virginia Department of Social Services*
- *The National Health and Safety Performance Standards – Guidelines for Early Care and Education Programs, Third Edition, A Joint Project of The American Academy of Pediatrics, The American Public Health Association, The National Resource Center for Health and Safety in Child Care and Early Education, and The U.S Department of Health and Human Services, Maternal and Child Health Bureau*

DPB EIA, page 7, Limitations on Screen-time, Use of Television, Computer and Electronic Media: Current regulations are silent on the topic of television and video game/computer usage. The Board proposes to prohibit the use of these media for children under the age of two and limit their use to not more than two hours per day for all other children. While the media policies proposed by the Board do mirror American Academy of Pediatrics' recommendations for screen time, there does not seem to be a solid empirical basis for policies that, in particular, completely prohibit screen time for infants and toddlers. An empirical study, "Television Viewing in Infancy and Child Cognition at 3 years of age in a U.S. Cohort" published in 2009 in *Pediatrics*,¹ for example, concluded that "TV viewing between birth and 2 years of age was neither beneficial nor deleterious to child cognitive and language abilities" as measured at age three. While a survey of research published in 2011 in *Pediatrics*² supports the notion that there likely is a level of TV watching/video game playing to the exclusion of all other activities that is bad for children's development and health, that level is likely far beyond what children likely currently experience in child day centers.

Child day centers would likely incur some implicit costs from this regulatory change as it limits flexibility in choosing center activities, particularly for children under two years of age. The few child day centers that operate in private homes might also incur explicit costs for hiring extra staff or changing their center layout so that age groups are separated and children under two are excluded from rooms where older children are watching television or playing video or computer games. Toddlers in child day centers might also be made worse off as this regulatory change bans an activity (watching a favorite TV show) that may serve as a source of comfort and continuity between home and daycare. Absent some showing by the Board of harm currently

caused by TV viewing in child day centers as it occurs now, costs likely outweigh benefits for this proposed regulatory change.

Agency Response:

Staffing costs will not be affected by this requirement, because ratios and staffing patterns remain the same regardless of the type of activity children are engaged in. Costs for equipment and activities will also remain constant because centers are already required to have a variety of daily activities that are age and state appropriate, provide a balance of learning opportunities, and include arts and crafts, texture and construction materials, music, books, social living and manipulative equipment.

Prohibiting the activity of passive screen-time viewing for children under the age of two and establishing time limits for passive screen-time activities for children over the age of two is supported by an expanse of scientific and health focused research organizations. Research includes a wide array of interests and associated childhood outcomes in focusing on child development, the developing organ of the brain, combating childhood obesity, and attention disorders. Passive screen-time viewing, especially in group care settings, diminishes the opportunities caregivers and very young children have to form and maintain secure relationships.

The conclusions published in the two studies included in the EAI also stated the following:

- *“Television Viewing in Infancy and Child Cognition at 3 years of age in a U.S. Cohort” 2009, Pediatrics,
“...The potential benefits of limiting exposure to TV in early childhood are multiple and include less exposure to violent media content, improved diet quality, lower risk of overweight and obesity, lower risk of attention problems ,and improved sleep quality.”
<http://pediatrics.aappublications.org/content/123/3/e370.full.pdf+html>*
- *“Media Use By Children Under the Age of Two”, 2011, Pediatrics
“This updated policy statement provides further evidence that media—both foreground and background—have potentially negative effects and no known positive effects for children younger than 2 years. Thus, the AAP reaffirms its recommendation to discourage media use in this age group. This statement also discourages the use of background television intended for adults when a young child is in the room...”
<http://pediatrics.aappublications.org/content/early/2011/10/12/peds.2011-1753.full.pdf>*

Restrictions for infants and toddlers, and limitations for children over the age of two in the use of screen-time is supported by the following:

- *Maureen McDonnell, The First Lady of Virginia’s – Virginia’s Foundation for Healthy Youth, A Commonwealth of Opportunity for Health and Wellness – emphasizing preventive healthcare and healthy living through nutrition and physical activity, the prevention of childhood obesity, and awareness of prevention strategies.*
- *Center on the Developing Child, Harvard University*
- *The National Health and Safety Performance Standards – Guidelines for Early Care and Education Programs, Third Edition, A Joint Project of The American Academy of Pediatrics, The American Public Health Association, The National Resource Center for*

Health and Safety in Child Care and Early Education, and The U.S Department of Health and Human Services, Maternal and Child Health Bureau

- *Zero to Three, National Center for Infants, Toddlers, and Families*