

MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

1249

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La Costa Rickford
Operator's Signature

10/3/03
Date

2003 HOUSE HUMAN SERVICES

HB 1249

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Lu Costa Rickford
Operator's Signature

10/3/03
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1249

House Human Services Committee

☐ Conference Committee

Hearing Date January 21, 2003

Tape Number	Side A	Side B	Meter #
1	x		8.8 - 47.4
Committee Clerk Signature <i>Sharon Renshaw</i>			

Rep. Hawken appeared as prime sponsor and in support of the bill stating this will make sure we have the type of child care we want, that it is a positive spot for us to take our children. Believes the best interest of the children that are in day care, this bill does have liability and something that should be passed.

Concerns of the committee that the day care providers are opposing and wanted to know why.

Barb Arnold-Tengesdal, Executive Director for Voices for ND's Children appeared in support with written testimony stating this bill will increase the lines of communication between parents & child care providers.

Questions of the committee regarding the differences of a registered, licensed or unlicensed day care providers and what their qualifications or requirements are.

Coreen Bennett, Early Childhood Services, Dept. of Human Services appeared to answer questions of the committee, mainly with posting the notices and sending notices home.

Page 2

House Human Services Committee

Bill/Resolution Number HB 1249

Hearing Date January 21, 2003

Concerns of the committee on procedure of what you would revoke for an unlicensed or kinship care and feelings of being too strict by putting permanently prohibited for a small conflict.

Questions with the courts and revocation, clarification on revocation reasons and the appeal process. Concerns with notices that need to be posted, letter of revocation and if receiving double notification.

Linda Reinicke, Program Director of Child Care Resource & Referral in Western ND, appeared in support with written testimony.

Kim Johnson, a parent appeared in support with written testimony.

Holly Net on behalf of Susan Leadbetter appeared in support with written testimony.

Courtney Koeble turned in supportive written testimony, but could not stay.

No opposition. Closed hearing.

Afternoon discussion: There was a question by the committee on whether to take out unlicensed, section 4, subsection 3.

Rep. Weisz stated that subsection 3 could just disappear as this only applies to unlicensed and he is not supportive of this.

Rep. Porter stated he was not clear on Section 3 on exactly what the dept. or Ms. Tengsdahl is trying to accomplish. Feels the dept. is acting as judge and jury and do we want to give the dept. that much power and doesn't want to send that kind of message.

Problems with Section 2 as to just being able to just post it somewhere local or visible for everyone to see it. Consensus was that the parents may be too busy trying to get to work, etc. and won't see it, a letter may be best and hand delivery.

Page 3

House Human Services Committee

Bill/Resolution Number HB 1249

Hearing Date January 21, 2003

Rep. Weisz had his concerns with Section 3 with permanently prohibiting from operating a child care facility, feels the parents should be a little responsible for their kids and daycare.

Rep. Sandvig requested we get Coreen Bennett back to the committee to answer some more questions.

Coreen Bennett appeared to answer questions and submitted a graph of number of revocations.

Rep. Sandvig asked how many licenses have they revoked or suspended? Answer: Suspended - closed immediately (maybe 1 or 2 in the last year) We do those when there is child abuse and neglect investigation and is very serious from the onset, so we suspend until investigation is complete. Then look at the facts and make a decision to either lift the suspension or to revoke.

Rep. Weisz wanted to know if you revoke the license now, in 2 yrs they could get license again and wanted to know if they look at the offense again? Yes, we look at the violations that they had and ask for information that shows they have been rehabilitated or if they ever addressed those issues and then reassess it.

Rep. Porter was concerned of the mandate back to the Dept. in Section 4, #2 that puts the Dept. on notice to notify each parent, guardian or custodian that a license has been revoked and how would the Dept. handle it.

Rep. Pollert: page 3, # 2, concerned with 3 days being enough time, shouldn't it be 5 or 7 and if a facility has a revocation, is that provider given an incentive to comply with getting should of everyone or is there a severe penalty? Answer: 3 days, has a question on that. Penalty - doesn't now, they have no authority after they've been revoked.

Page 4

House Human Services Committee

Bill/Resolution Number HB 1249

Hearing Date January 21, 2003

Further concerns of the committee on whether day care could operate until their license is revoked and if they could still appeal and problems with 3 day revocation notice and the 10 days to appeal.

Rep. Kreidt asked if the appeals were always heard within the 90 days. Answer being, typically within 60 to 90 days and they can operate until decision is made on revocation.

Rep. Devlin noted concerns with someone had licensed revoked and they could just turn around and open an unlicensed daycare.

Rep. Weisz had concerns with clearing up Section 2, line 14 with the intent to revoke the license and a certain period of time to appeal. Also concerns with why there was a duplication of notices, one from the Dept. and one from the provider.

Ms. Bennett stated that the revocation notices are public record. She doesn't know why there is a duplication, the Dept.'s notice is very generic.

Rep. Niemeier moved an amendment to remove # 3 under Section 4, page 3, lines 15 through 21, second by Rep. Potter.

Rep. Niemeier stated that process of filing a complaint is a good deal, notifying parents is a good thing because we can't count on the posted notice, which is also fine, but we can't count on that to notify parents because parents are car pooling, or Grandma takes them to the daycare, so written notice is important and the revocation notice to the parents is important. I just don't like the bullet 3 and if removed, the bill would be nice.

All in favor of amendment.

Rep. Weisz moved another amendment, page 2, line 7, 8, 9 & 10 up until the comma after child new language would say "the licensee shall post the correction order in a conspicuous location

Page 5
House Human Services Committee
Bill/Resolution Number HB 1249
Hearing Date January 21, 2003

until the violation has been corrected" Page 3, line 12, leave 2. Deleting the rest of line 12 up until the comma after notice, "The Dept. shall notify in writing issuance of a notice of revocation second by Rep. Pollert.

Rep. Niemeier & Rep. Potter noted that they do not like the amendment of page 2, line 7.

Roll call vote of amendment. 5 - yes, 7 - no and 1 absent, Amendment failed.

Rep. Weisz moved the amendment on page 3, line 12 , second by Rep. Kreidt. All in favor say aye, 1 no vote, so had a recorded vote (11-1-1)

Rep. Potter moved a DO PASS as AMENDED, second by Rep. Niemeier. 11-1-1

Rep. Niemeier will carry the bill.

30202.0202
Title.0300

Adopted by the Human Services Committee
January 21, 2003

VR
1/21/03

HOUSE) AMENDMENTS TO HOUSE BILL NO. 1249 HR 1-22-03

Page 3, line 12, replace "Within three days of the department's issuance of a revocation notice,
the" with "The"

Page 3, line 13, remove "and the provider"

Page 3, line 14, after the second "the" Insert "issuance of a" and after "revocation" Insert
"notice"

Page 3, remove lines 15 through 21

Renumber accordingly

Page No. 1

30202.0202

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La Costa Rickford
Operator's Signature

10/3/03
Date

Date: January 21, 2003
Roll Call Vote #: 1

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1249

House _____ HUMAN SERVICES _____ Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Weisz Amendment
Action Taken _____

Motion Made By Rep Weisz Seconded By Rep Pollert

Representatives	Yes	No	Representatives	Yes	No
Rep. Clara Sue Price - Chair <u>A</u>			Rep. Sally Sandvig		✓
Rep. Bill Devlin, Vice-Chair		✓	Rep. Bill Amerman		✓
Rep. Robin Weisz	✓		Rep. Carol Niemeier		✓
Rep. Vonnie Pietsch	✓		Rep. Louise Potter		✓
Rep. Gerald U'lem		✓			
Rep. Chet Pollert	✓				
Rep. Todd Porter	✓				
Rep. Gary Kreidt	✓				
Rep. Alon Wieland		✓			

Total (Yes) 5 No 7

Absent 1

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

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Operator's Signature

10/3/03
Date

Date: January 21, 2003

Roll Call Vote #: 2

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1249

House HUMAN SERVICES Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken

Wings 2nd Amendment

Motion Made By

Rep. Weisz Seconded By _____

Representatives	Yes	No	Representatives	Yes	No
Rep. Clara Sue Price - Chair <i>A</i>			Rep. Sally Sandvig	✓	
Rep. Bill Devlin, Vice-Chair	✓		Rep. Bill Amerman		✓
Rep. Robin Weisz	✓		Rep. Carol Niemeier	✓	
Rep. Vonnie Pietsch	✓		Rep. Louise Potter	✓	
Rep. Gerald Uglem	✓				
Rep. Chet Pollert	✓				
Rep. Todd Porter	✓				
Rep. Gary Kreidt	✓				
Rep. Alon Wieland	✓				

Total (Yes) 11 No 1

Absent 1

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

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La Costa Rickford

Date

10/3/03

Date: January 21, 2003
Roll Call Vote #: 3

2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1249

House HUMAN SERVICES Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DP as amended

Motion Made By Rep. Potter Seconded By Rep. Niemeier

Representatives	Yes	No	Representatives	Yes	No
Rep. Clara Sue Price - Chair <i>A</i>			Rep. Sally Sandvig	<input checked="" type="checkbox"/>	
Rep. Bill Devlin, Vice-Chair	<input checked="" type="checkbox"/>		Rep. Bill Amerman	<input checked="" type="checkbox"/>	
Rep. Robin Weisz		<input checked="" type="checkbox"/>	Rep. Carol Niemeier	<input checked="" type="checkbox"/>	
Rep. Vonnie Pietsch	<input checked="" type="checkbox"/>		Rep. Louise Potter	<input checked="" type="checkbox"/>	
Rep. Gerald Uglem	<input checked="" type="checkbox"/>				
Rep. Chet Pollert	<input checked="" type="checkbox"/>				
Rep. Todd Porter	<input checked="" type="checkbox"/>				
Rep. Gary Kreidt	<input checked="" type="checkbox"/>				
Rep. Alon Wieland	<input checked="" type="checkbox"/>				

Total (Yes) 11 No 1

Absent 1

Floor Assignment Rep. Niemeier

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE (410)
January 22, 2003 1:21 p.m.

Module No: HR-12-0916
Carrier: Niemeler
Insert LC: 30202.0202 Title: .0300

REPORT OF STANDING COMMITTEE

HB 1249: Human Services Committee (Rep. Price, Chairman) recommends
AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS**
(11 YFAS, 1 NAY, 1 ABSENT AND NOT VOTING). HB 1249 was placed on the Sixth
order on the calendar.

Page 3, line 12, replace "Within three days of the department's issuance of a revocation notice,
the" with "The"

Page 3, line 13, remove "and the provider"

Page 3, line 14, after the second "the" insert "issuance of a" and after "revocation" insert
"notice"

Page 3, remove lines 15 through 21

Renumber accordingly

2003 SENATE HUMAN SERVICES

HB 1249

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Lu Costa Rickford
Operator's Signature

10/3/03
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1249

Senate Human Services Committee

☐ Conference Committee

Hearing Date March 12, 2003

Tape Number	Side A	Side B	Meter #
1	X		3420 - end
		X	0 - 2574
Committee Clerk Signature <i>Donna Kramer, Clerk</i>			

Minutes:

SENATOR JUDY LEE called the public hearing to order on HB 1249 relating to early childhood services.

REPRESENTATIVE HAWKEN, one of the sponsors, introduced the bill (Handed out testimony from Kim Johnson) Child care is something we do not have an overabundance of and we hope that the child care that we do have is a safe and nurturing place for children to be. That is how this bill came into being. There is some concern that on occasion, though not often, things happen in child care facilities that the parents are not aware of. And, because of how the system works, it could be a good bit of time before they become aware. ... If they are notified and the situation is extremely serious, because of laws the whole process in revoking a license can take a good bit of time. ... Parents should be aware ... (Meter # 3540 - 3780)

SENATOR LEE: Discussion with Representative Hawken about level of infraction.

Page 2

Senate Human Services Committee

Bill/Resolution Number HB 1249

Hearing Date March 12, 2003

BARB ARNOLD TENGESDAL, Executive Director, Voices for North Dakota's Children, testified and urged support of the bill. (Written testimony) Referred to copies of letters from supporters of the bill. (Meter # 4079 - 5161)

SENATOR FAIRFIELD: Complaint ... required to file a correction notice?

BARB ARNOLD TENGESDAL: Licensing - different licensures will have a different take.

Continued discussion on licensening and parental responsibility ... correction orders ...

overreaction - no, a proactive step ... (Meter # 5238 - end and Side B, Meter # 0 - 69)

LINDA LEMBKE, Program Director of Child Care Resources & Referral, testified in support.

(Written testimony) (Meter # 160 - 533)

JOANN BRAGER, on behalf of the North Dakota Association for the Education of Young

Children, testified. I concur with the previous testimony. This bill will assist child care

professionals to become more professional. Gave example in her real job as Director at West

River Head Start in Mandan. ... Parents are involved in solving problems. ... (Meter # 554 - 733)

HOLLY NETT, spoke in place of Lynette Lien (Written letter), in favor of bill. (Meter # 777 - 865)

CORRINNE BENNETT, Administrator of Early Childhood Services, from the Department of

Human Services and she oversees the licensing in the state of North Dakota. She testified in a

neutral position and stated she was there as a resource for any questions. (Meter # 885 - 960)

SENATOR FAIRFIELD: Are there differences in licensing or disclosure from private home care

givers to like day care centers? ... Does a day care center have to report? ... Different styles?

CORRINNE BENNETT: No, there isn't a difference (Meter # 965 - 1081)

Page 3

Senate Human Services Committee

Bill/Resolution Number HB 1249

Hearing Date March 12, 2003

MARY GLASSER, Licensed group child care provider for 8 years and current president of the ABC Association, testified in opposition. (Written testimony) (Meter # 1105 - 1680)

SENATOR LEE: I don't think that because somebody is new, that they should be given extra latitude. ...

MARY GLASSER: Example of non-licensed provider ... Continued discussion on open records ... (Meter # 1690 - 1877)

SUE GLASSER, of Bismarck with her husband run ECLC, concerned. ... small violations ... like to see grading system ... Section 2 needs to be looked at ... (Meter # 1897 - 2169)

MARY GLASSER: Mentioned that she had not actually been visited from her licensenure since August, 2000.

SENATOR LEE: Correction order - notice to every parent? ... Posted ...

CORRINNE BENNETT: Do not have be notified in writing ...

SENATOR LEE: Concerns about department notifying in writing ... provider to give names ...

Continued discussion with Ms. Bennett regarding department required to keep names of all children in care in system ... short on staff ... regional staff issue licenses and suspensions ... (Meter #2319 - 2505)

SENATOR LEE closed the public hearing. (Meter # 2574)

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HB 1249

Senate Human Services Committee

☐ Conference Committee

Hearing Date 03/18/03

Tape Number	Side A	Side B	Meter #
Tape 1		x	300-1650
Committee Clerk Signature <i>Donna Kramer, Clerk</i>			

Minutes:

Senator Judy Lee reopens HB 1249. Senator Fairfield is absent.

Senator Lee: I work in a business where I have to disclose everything and I feel it is good for most businesses.

Senator Polovitz: do you think there would be that many questions being made if they are in the business?

Senator Lee: Is there a concern about the notification?

Senator Polovitz: Do we have to have both notifications?

Senator Erbele: They have a twice a day contact with the parent.

Senator Fischer: there has to be a violation in order to have a correction order because then I would want to know what is going on. If they don't want to send out all these notifications then don't fall in violation.

Senator Brown moves for a Do pass

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10/2/03
Date

Page 2
Senate Human Services Committee
Bill/Resolution Number HB 1249
Hearing Date 03/18/03

Senator Fischer 2nd

5 Yes 0 No 1 Absent

Carrier: Senator Fischer

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Operator's Signature

10/3/03
Date

Date: 3/18/03
Roll Call Vote #: 1

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1249

Senate Human Services Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass

Motion Made By Brown Seconded By Fischer

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee - Chairman	✓				
Senator Richard Brown - V. Chair.	✓				
Senator Robert S. Erbele	✓				
Senator Tom Fischer	✓				
Senator April Fairfield					
Senator Michael Polovitz	✓				

Total (Yes) 5 No 0

Absent 1

Floor Assignment Fischer

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La Costa Rickford 10/2/03
Operator's Signature Date

REPORT OF STANDING COMMITTEE (410)
March 18, 2003 12:56 p.m.

Module No: SR-48-5031
Carrier: Fischer
Insert LC: . Title: .

REPORT OF STANDING COMMITTEE
HB 1249, as engrossed: Human Services Committee (Sen. J. Lee, Chairman)
recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING).
Engrossed HB 1249 was placed on the Fourteenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

SR-48-5031

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10/3/03
Date

2003 TESTIMONY

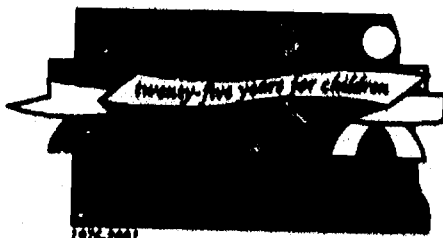
HB 1249

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Operator's Signature

10/3/03
Date

VOICES FOR NORTH DAKOTA'S CHILDREN



CENTER FOR EARLY CHILDHOOD LEADERSHIP & ADVOCACY

To: Clara Sue Price, Chairman, House Human Services Committee

From: Barb Arnold-Tengesdal, Executive Director, Voices for North Dakota's Children

Date: January 21, 2003

Re: Testimony in support of HB 1249

Voices for North Dakota's Children is a collaborative advocacy effort of early childhood education professional organizations. It is made up of the North Dakota Head Start Association, North Dakota Association for the Education of Young Children, NDCCPI (North Dakota Child Care Providers Incorporated), Child Care Resource & Referral Network, Children's Caucus, North Dakota Professional Development leadership team, Children's Services Coordinating Committee's and tribal early childhood partners.

We urge your support of HB 1249 because it is good for children. In the child care profession we are calling this a **parent's right to know** bill. It also gives child care workers the right to know if the program they are employed by has licensing violations. Licensing violations can take many forms, some very significant to the well being of children, and some less severe. In any case, parents cannot make informed decisions about where their children are and who is educating them outside of the home, if they are not given all information about a program- the good and the bad. This bill would increase the lines of communication between parents and child care providers.

Licensing rules set minimum guidelines for child care. Providing quality care goes beyond these simple regulations that govern health and safety practices. Parents deserve to know that minimal standards are being met, and if not what is the plan of correction that will be taken to meet these standards.

This change to the century code will create some frustration among the child care providers related to how the process of posting the notification will happen, and who will do the follow up. We have had a great deal of dialog about this bill among our professional groups. It has been important. We have heard concerns about the burden placed on the provider and the possible over reaction by parents to small infractions. As a profession we realize for the greater good of parent/provider communication, this bill must be passed. We understand this bill is not about the little things, but about the bigger violations resulting in a license being revoked and children's lives put in danger. That is never okay!

We urge your support of HB 1249.

410 E. Thayer Avenue, Suite 2 ♦ Bismarck, ND 58501 ♦ Phone: 701-224-1445 ♦ Toll Free: 1-866-204-3322 ♦ Fax: 701-255-0848

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Date

CHILD CARE IN NORTH DAKOTA

The Challenge

Recent research on how young children's brains develop has found that early experiences matter. The type of care that a child receives in his first years of life helps mold whom that child will become and what kind of a learner he will be.

Most children now spend at least a portion of each day in a child care setting. 73% of North Dakota's children under the age of six have all parents in the family in the workforce, making the need for child care and early education a necessity for most young families in the state.

The kinds of child care environments that promote desirable outcomes for children don't happen by accident. Instead, they are the result of well-developed knowledge and skill on the part of child caregivers. Good child care settings are clean and safe, provide activities and interactions that are responsive to each child, have caregivers with knowledge of the unique development of young children, and who form stable and supportive relationships with children and their families.

Families struggle to afford quality child care. One year of care for a baby costs more than one year of tuition at one of our state's universities. Parents with more than one child in child care often have a child care bill that exceeds their rent or mortgage payment.

At the same time, child care remains one of the lowest paid professions in the North Dakota. Caregivers often leave their positions for higher pay and benefits in other fields.

Parents who need care for children under two years old have a hard time finding care, as do parents who work evenings, weekends or rotating shifts. Child care is a labor-intensive service and programs find it hard to cover the cost of operating their business even when at full capacity.

Child care is a part of the infrastructure of a community, like transportation and housing—without child care, parents can't work.

The Demand

# of children under age 5	47,613
# of children age 6-12	62,733
% of families with children age 0-5 in labor force	69%
% of families with children age 6-12 in labor force	79%
Annual # of requests for care through CCR&R	3,926
Total # of children care is requested for	5,314
% of requests for infant care	47%

The Supply

# of licensed child care facilities	1,604
# of licensed child care spaces	28,896
# of self-certified facilities	967
# of self-certified child care spaces	4,483
# of reservation child care facilities	349
# of reservation child care spaces	1,220
# of accredited facilities in the state	10

The Cost

Average annual tuition FT for infant	\$ 4,574
Average annual tuition FT for preschooler	\$ 4,309
Annual tuition for state university	\$ 3,662
Median annual income of family w/ children	\$30,020
Cost of infant care as % of median income	15.2%

The Workforce

Average annual wage earned by a North Dakota child care teacher	\$14,976
Average annual highest wage earned By a child care teacher	\$18,345
% of child care teachers without health insurance benefits	32%

The Turnover

Annual turnover of staff in child care centers	30.7%
% of child care programs closed in one year	18.3%

Child Care

Resource and Referral

January, 2003

Sources:
U.S. Census Bureau, 2000 Census
North Dakota Kids Count, 2002
North Dakota CCR&R Annual Statistical Report, 7/1/2002
Department of Human Services Child Care Data, 12/1/2002
University of North Dakota, www.und.nodak.edu
North Dakota CCR&R Child Care Center Workforce Summary, 2002

La Costa Rickford
Operator's Signature

10/3/03
Date

**Comments of Linda Reinicke
House Human Services Committee
Regarding House Bill 1249
January 21, 2003**

Chairman Price and Members of the Committee:

I am Linda Reinicke, Program Director of Child Care Resource & Referral in western ND. I represent the statewide network of Child Care Resource & Referral agencies. Child Care Resource & Referral (CCR&R) offices are located in Minot, Devils Lake, Grand Forks, Fargo, Jamestown and Bismarck. The federal Child Care Development Fund, foundation grants, and community resources fund CCR&R.

In 2002, CCR&R helped 3,926 parents search for child care. We talk with parents about the various child care options and send a list of providers that match their specific care needs. We give them questions to ask, things to look for in the interview process and inform them how to check references on potential child care providers. Our database includes 1,597 licensed child care providers in good standing.

North Dakota has adequate child care licensing rules that enforce health and safety standards safeguarding children while their parents work. The goal of licensing is to have providers in compliance with the regulations; the Department of Human Services, county social services, and Child Care Resource & Referral do this through enforcement and support of the provider. However, with a regulatory program, violations do occur. When they occur, Child Care Resource & Referral is informed of the corrective action to prevent the referral of a provider who is out of compliance to a parent searching for care.

In 2002, CCR&R was notified 213 times that a correction order had been issued. Of the correction orders sent to CCR&Rs statewide, the topics cover a range of rule violations:

- 80 were for inadequate health information or certification such as missing health and emergency records, expired CPR or 1st Aid certification.
- 21 programs had more children than allowed under the rules – This violation ranges from one extra child to one situation in which 46 children were present in a program licensed for 18.
- 23 cited unsafe caregiver practices such as inappropriate sleeping positions (infants sleeping on soft bedding increasing the risk of SIDS) or transporting children without seatbelts or car seats.
- 32 were for inappropriate discipline or supervision which included isolating children for long periods of time, subjecting children to profanity, denying children food, and slapping children.
- 121, the majority of correction orders, cited potential hazards, which range from water temperatures high enough to scald a child to children having access to guns.

When violations occur, parents should be informed. In addition, parents should be able to access this information in a user friendly way. This bill is about getting information to parents in a timely manner so they can make informed decisions regarding the care they are purchasing. This bill is about consumer information and helping parents be advocates for their children.

Testimony on HB 1249

Ms Chairman Price, my name is Kim Johnson and I'm here today to urge you to pass HB1249. I am the mother of two children, Garrett who is 8 years old and Kylie, age 6. I have a full time job at Butler Machinery Company. My husband has a full time job at Johnstone Supply Co. For us to remain in the workforce in North Dakota, we need to have child care that is a safe and supportive place for our children.

When I found out that my husband and I were expecting a child, we never dreamed it would be so difficult to find a childcare facility that we would be happy with. We found a daycare in which we thought would benefit our son so that we would be very comfortable away from him. A little over a year later, we found out we were expecting another child. Our daughter would be born in November and we were happy to already have daycare already in place for our new arrival. One week before I was to go back to work, our daycare decided to quit providing childcare and to move on with other adventures. We were very upset with such short notice and tried to find daycare for our new infant and two year old. My choices were very limited, however, we needed to find daycare so that my husband and I could get back to work. We both worked for small companies and we were expected to be there. I made the mistake that many parents make - I didn't allow enough time to look, and I let things like location and cost factor into my decision. I did not check references and I did not check out the provider's background with the county. I trusted that there was a system in place that closely monitored childcare providers. After I chose my child care provider, I exchanged information in the entryway and did not often go into other parts of the home. I did question myself with the way the providers conducted their daycare and considered looking at other childcare options, but my children seemed content.

In July of 2000, I received a call from the county licenser asking me specific questions about situations at my childcare program. Though she did not tell me exactly what was going on, it raised enough suspicion that I began looking for a new childcare provider. After speaking with other daycare parents, several co-workers, friends and daycare providers, my husband and I decided to pull our children from the daycare. This was a very emotional time for me as I had been with my new job for less than a year and found myself very emotional over this issue at

La Costa Rickford
Operator's signature

10/3/03
Date

work. I found my work performance to start slipping. We enrolled them in a new daycare where we found our children to start growing into the great young children we have today.

After we pulled our children from the daycare, I found out that this childcare program had had many complaints against them, and had been issued several correction orders. Some of the correction orders and complaints issued were for things like children not being supervised properly at a swimming pool, a child falling out of a window because there was not a screen on it, medications not being administered to the children correctly, children being restrained in car seats, and caregivers yelling at children. One particular provider was unable to help a child because of being confined to a wheelchair, another caregiver fell asleep in front of the television while children were present, and chemicals were accessible to the children in the kitchen. A local health inspector found ants crawling in the kitchen and mold growing on wooden toys. One correction order that specifically hit home to my family was the form of discipline they used on the children of locking them in the bathroom. I picked up my children one evening and Garrett was very upset about something that had happened that day. I was finally able to get out of him that he had been locked in the bathroom and could not get out for awhile. This was one form of discipline they used on the children. Unfortunately.....as parents we were not aware of this and my husband and I were told it was an accident by the provider. I now know I should have believed my child.

In August 2000, the state began the process of revoking her license. It wasn't until 6 months after I received the call from the licenser, January 2001, that parents were notified that their childcare program had violated rules serious enough to cause revocation of their license.

I'm a much wiser childcare consumer now. I've joined the advisory committee of Child Care Resource and Referral and share my story with other new parents so they will be very cautious in making child care decisions. I want to help other parents learn from my mistakes so they don't have to feel the guilt that I live with. Passing this legislation will provide a tool for parents to become more familiar with the licensing rules and make informed decisions for their children's care. I hope you will help us make good decisions by passing this legislation. Thank you.

TO: House Human Services Committee
FROM: Susan Leadbetter *SL*
RE: HB1249
DATE: January 21, 2003

Testimony on HB 1249

Chairman Price and members of the Human Services committee:

My name is Susan Leadbetter and I'm writing this letter to encourage you to pass HB 1249. I have been a licensed group child care provider in Valley City for the past 14 years. I take my profession very seriously, and I expect other caregivers to do the same. I believe that the childcare regulations in our state are good—but I also have learned through my training experiences that they only ensure that we are meeting minimum standards. I have learned that to provide a high quality childcare setting, I need to continually strive to make improvements in my program and shoot for standards that are higher than our licensing rules and regulations. I have recently completed my Child Development Associate training and I am now in the process of working towards accreditation.

I believe that a strong, trusting relationship with parents is key to providing quality childcare. I need to always be honest with parents—in good situations and bad. I have never been issued a correction order, but if I did, I would not be threatened to let parents know. Getting a correction order does not mean that I am a horrible provider, it just tells me that I slipped on the rules and I need to fix it.

I believe that parents have the right to know if I am not abiding by the minimum standards. Posting correction orders is the least that we should do to let parents know what is happening in their child's setting.

I firmly believe, if a provider has their license revoked, they should permanently be prohibited from operating any type of an early childcare facility, licensed or unlicensed childcare. Unless the department of human services determines they may be relicensed at some point, then they should only be allowed for the fewest number of children.

Thank-you for listening to my views on this bill.

Susan Leadbetter
Owner/Operator
Sue's Tiny Tot Child Care
1135 Viking Dr. Est. #76
Valley City, ND 58072
701-845-5139
sslead@daktel.com

La Costa Rickford
Operator's Signature

10/3/03
Date

JANUARY 21, 2003

HOUSE HUMAN SERVICES COMMITTEE
HB 1249

REPRESENTATIVE PRICE AND COMMITTEE MEMBERS:

My name is Courtney Koebele. I am appearing today on behalf of the YMCAs of North Dakota. We strongly support HB 1249.

In Bismarck, the YMCA operates a day care for infants and toddlers as well as a kindergarten program. We support the notification requirements of this bill so parents will know if there is a problem and if it is corrected. This requirement will make child care providers accountable. We respectfully urge a DO PASS on HB 1249.

If you have any questions, I'd be glad to try and answer them. Thank you for your time and consideration.

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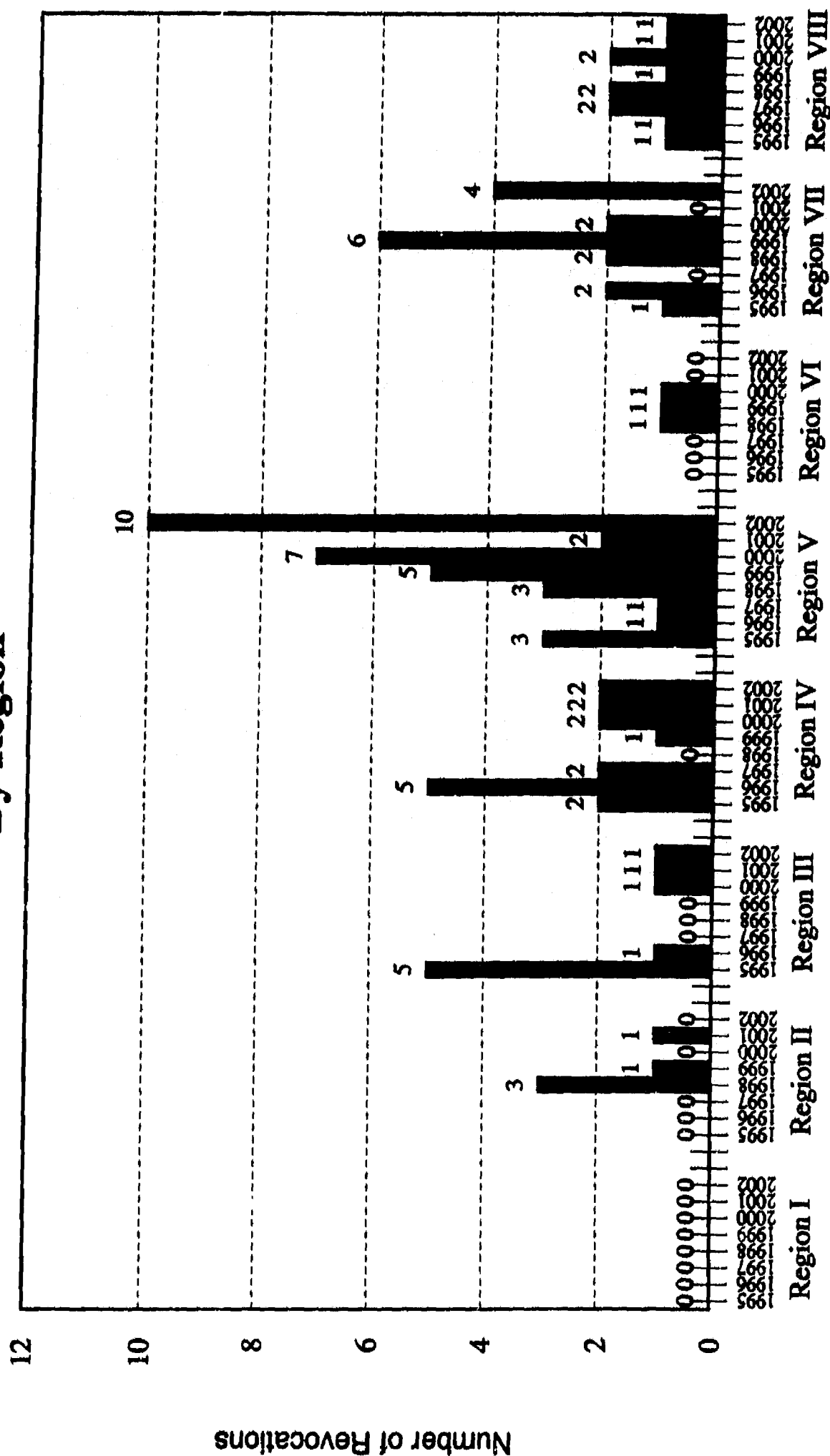
Date

North Dakota Department of Human Services

Child Care License Revocations

1995-2002

By Region



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10/3/03
Date

Comments of Linda Lembke
Senate Human Services Committee
Regarding House Bill 1249

Chairperson Lee and Members of the Committee:

I am Linda Lembke, Program Director of Child Care Resource & Referral in southeast ND. I represent the statewide network of Child Care Resource & Referral agencies. Child Care Resource & Referral (CCR&R) offices are located in Minot, Grand Forks, Fargo, Bismarck, Devils Lake and Jamestown

73% of North Dakota's children under the age of six have multiple parents in the workforce, making the need for child care a necessity for most young families in the state. These families use an assortment of child care options. There are approximately 30,000 children cared for by 1,607 licensed child care providers on a regular basis in North Dakota.

In 2002, CCR&R helped 3,926 parents searching for child care. We talk with parents about various child care options and generate a list of providers that match their specific care needs. We support them by giving them questions to ask, things to look for in the interview process, information about how to check references on potential child care providers, including how to contact the county licenser to find out more about a provider's history. Our database includes licensed child care providers in good standing.

North Dakota has adequate child care licensing rules that enforce health and safety standards safeguarding children while their parents work. The goal of licensing is to have providers in compliance with the regulations - the Department of Human Services, does this through enforcement of rules by county licensing staff, as well as support to providers by CCR&R with Orientation, training, on-site consultation and quarterly newsletters. However, with any regulatory program, violations do occur. When they occur, Child Care Resource & Referral is informed of the corrective action to prevent the referral of a provider who is out of compliance to a parent searching for care.

In 2002, CCR&R was notified 213 times that a correction order had been issued. These corrections orders were issued to approximately 12.6% of the total number of licensed

providers. Of the correction orders issued statewide, the topics cover a range of rule violations:

- 80 were for inadequate health information or certification such as missing health and emergency records, expired CPR or 1st Aid certification.
- 21 programs had more children than allowed under the rules – This violation ranges from one extra child to one situation in which 46 children were present in a program licensed for 18.
- 23 cited unsafe caregiver practices such as inappropriate sleeping positions (infants sleeping on soft bedding increasing the risk of SIDS) or transporting children without seatbelts or car seats.
- 32 were for inappropriate discipline or supervision which included isolating children for long periods of time, subjecting children to profanity, denying children food, and slapping children.
- 121, the majority of correction orders, cited potential hazards, which range from high water temperatures to children having access to guns.

Open, honest, respectful communication is the cornerstone to building a partnership between child care providers and parents. Most providers are eager to correct any noted violation, and do so very quickly. Conscientious providers will take this opportunity to explain what occurred, why she was cited, and what she has done or plans to do to come back in compliance. The vast majority of parents will be grateful that their child is with this dedicated professional, and will not be alarmed or over-reactive.

CCR&R has a process in place with the counties to limit referrals to providers who are out of compliance, but the parents with children already enrolled in that program do not currently have a convenient option to find out about rule violations. When violations occur, parents should be informed. If we want parents to make responsible decisions for their children, we need to give them the information to do that. This bill is about getting information to parents in a timely manner so they can make informed decisions regarding the care they are purchasing. This bill is about consumer information and helping parents be advocates for their children.

Testimony on HB 1249

Ms Chairman Lee, my name is Kim Johnson and I'm here today to urge you to pass HB1249. I am the mother of two children, Garrett who is 8 years old and Kylie, age 6. I have a full time job at Butler Machinery Company. My husband has a full time job at Johnstone Supply Co. For us to remain in the workforce in North Dakota, we need to have child care that is a safe and supportive place for our children.

When I found out that my husband and I were expecting a child, we never dreamed it would be so difficult to find a childcare facility that we would be happy with. We found a daycare in which we thought would benefit our son so that we would be very comfortable away from him. A little over a year later, we found out we were expecting another child. Our daughter would be born in November and we were happy to already have daycare already in place for our new arrival. One week before I was to go back to work, our daycare decided to quit providing childcare and to move on with other adventures. We were very upset with such short notice and tried to find daycare for our new infant and two year old. My choices were very limited, however, we needed to find daycare so that my husband and I could get back to work. We both worked for small companies and we were expected to be there. I made the mistake that many parents make - I didn't allow enough time to look, and I let things like location and cost factor into my decision. I did not check references and I did not check out the provider's background with the county. I trusted that there was a system in place that closely monitored childcare providers. After I chose my child care provider, I exchanged information in the entryway and did not often go into other parts of the home. I did question myself with the way the providers conducted their daycare and considered looking at other childcare options, but my children seemed content.

In July of 2000, I received a call from the county licenser asking me specific questions about situations at my childcare program. Though she did not tell me exactly what was going on, it raised enough suspicion that I began looking for a new childcare provider. After speaking with other daycare parents, several co-workers, friends and daycare providers, my husband and I decided to pull our children from the daycare. This was a very emotional time for me as I had been with my new job for less than a year and found myself very emotional over this issue at work. I found my work performance to start slipping. We enrolled them in a new daycare where we found our children to start growing into the great young children we have today.

After we pulled our children from the daycare, I found out that this childcare program had had many complaints against them, and had been issued several correction orders. Some of the correction orders and complaints issued were for things like children not being supervised properly at a swimming pool, a child falling out of a window because there was not a screen on it, medications not being administered to the children correctly, children being restrained in car seats, and caregivers yelling at children. One particular provider was unable to help a child because of being confined to a wheelchair, another caregiver fell asleep in front of the television while children were present, and chemicals were accessible to the children in the kitchen. A local health inspector found ants crawling in the

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kitchen and mold growing on wooden toys. One correction order that specifically hit home to my family was the form of discipline they used on the children of locking them in the bathroom. I picked up my children one evening and Garrett was very upset about something that had happened that day. I was finally able to get out of him that he had been locked in the bathroom and could not get out for awhile. This was one form of discipline they used on the children. Unfortunately.....as parents we were not aware of this and my husband and I were told it was an accident by the provider. I now know I should have believed my child.

In August 2000, the state began the process of revoking her license. It wasn't until 6 months after I received the call from the licenser, January 2001, that parents were notified that their childcare program had violated rules serious enough to cause revocation of their license.

I'm a much wiser childcare consumer now. I've joined the advisory committee of Child Care Resource and Referral and share my story with other new parents so they will be very cautious in making child care decisions. I want to help other parents learn from my mistakes so they don't have to feel the guilt that I live with. Passing this legislation will provide a tool for parents to become more familiar with the licensing rules and make informed decisions for their children's care. I hope you will help us make good decisions by passing this legislation. Thank you.

La Costa Rickford
Operator's Signature

10/3/03
Date

March 12, 2003

Mary Glasser
1339 Columbia Drive
Bismarck, ND 58504
(701)223-0712

Madam Chairperson and members of the Human Services Committee,

My name is Mary Glasser. I am a mother of two, a licensed group child care provider for eight years and the current president of the ABC Association (The Association for Bettering Childcare). I come before this committee today on behalf of the 220 members of ABC. I have received many calls from providers who are concerned about the changes made but are unable to attend this hearing today because they are home watching your children and grandchildren. I come to you to address concerns regarding HB 1249.

As childcare providers, we have worked hard over the past years to make ourselves more professional and gain the respect from the community for the hard work, dedication, time and energy that we put in. We are a profession that is a necessity in our communities. We need good people in this field.

HB 1249 addresses very legitimate concerns. I would like to go through each change.

Page 1 - line 15. The wording is good and we strongly believe that all parents should know who to contact with concerns, but it is vague in stating how parents should be notified. It would be appropriate for social services to draft a letter that could be given to providers at reviews and could be incorporated into the information packets given to parents at their registration dates.

Page 2 - line 7. This addition is very vague and treats childcare providers very unprofessionally. The way I read this change, we are to post the correction notice and call the parents until it has been corrected at which point, the posting can be taken down. Who is going to call the parents back to let them know that the correction has actually been made and it isn't just the provider's word.

In Burleigh and Morton county, there are over 320 licensed home, group and center based childcares. There are also registered providers and then there are those who do childcare out of there homes with no license. We have 2 licensors. That's it. They are responsible for re-licensing, home inspections, taking calls on complaints, and each complaint needs to be seriously looked into. I believe they are already stretched to thin to be as effective as they could be.

There needs to be better language to clarify if there is a difference in the severity of the correction. (ex. Missing a garbage lid, or hot water heat is too high/low; things that can easily be corrected vs. verbal or physical abuse or charges that fall under federal law. We put a lot of power into the licensor's hands and need to be careful that it is contained so to ruin a childcare providers livelihood.

(story of health inspectors at a school)

La Costa Rickford
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10/3/03
Date

Page 3 - line 12. This is a great idea and we are in favor of it, but we also don't want it to be a false safety net. Social services has limited resources and can only call the families that they have the names of. The names of children in the childcare setting is gathered voluntarily from the providers at re-licensing. The names of those families can change dramatically throughout the year. If a parent is relying of social services to call if a license has been revoked, and SS doesn't call because they don't have their names on the childcare list, there could be room for problems.

As childcare providers, we have the best interests of the children in mind. As in any profession, a few bad apples can spoil the barrel. Please treat this profession with respect and let's work together toward a compromise that is in the best interest of the protection of children and the respect of the childcare providers.

I thank you for your time and am open to comments or suggestions as we consider amending parts of HB 1249.

Sincerely,

Mary Glasser
Childcare Provider, Parent, ABC President

La Costa Rickford
Operator's Signature

10/2/03
Date

March 12, 2003

To Whom It May Concern:

My name is Lynnette Lein. I am the mother of two children and have had the honor of working with young children for the past fourteen years in a variety of ways -- my own in-home child care, preschool, and currently, as director of a child care center. The bill that is being brought before you has many advantages for parents and providers.

When a child care provider is served a correction order, it can be a very frightening experience because the provider is found guilty of doing something wrong. Many people make errors in their jobs that are unintentional. Providers need to understand that they are no different. When providers inform parents of their errors and mistakes, it fosters a better parent/provider relationship. Child care providers need to understand that they are accountable for their mistakes. Making an unintentional mistake does not make anyone incompetent or inadequate. Passing this bill will give a parent more confidence in who is watching their child. Parents have the right to feel secure in the care their child is receiving. Hiding information from parents is certainly not a way for providers to gain trust.

Correction orders may be given for an unintentional mistake, which a provider can fix immediately. The providers should communicate with the parents about the mistake, and how the problem was corrected.

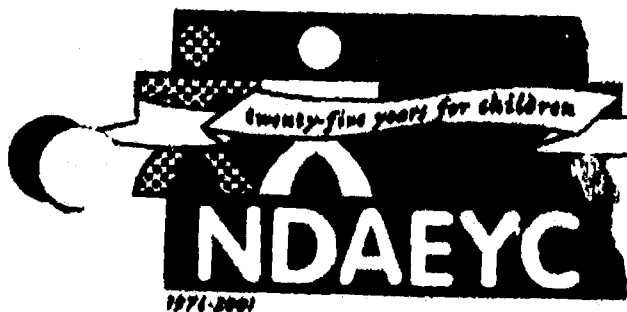
A correction order may also be served for problems that are much more serious. At this time, providers should be honest with the parents if for no other reason than they are responsible for young lives.

Passing this bill is not intended to hurt child care providers' businesses. Its purpose is to help parents and providers come together for the children. The bill will also inform parents about providers whose mistakes are habitual and are not being corrected. I strongly believe that we owe it to parents to insure the safety of their children's lives.

Sincerely,

Lynnette Lein

Lynnette L Lein



North Dakota Association for the Education of Young Children

To: Judy Lee, Chair, Senate Human Services Committee

From: Judy Milavetz, President of the North Dakota Association for the Education of
Young Children

Date: March 12, 2003

Re: Testimony in support of HB 1249, Child Care Safety Bill

The North Dakota Association for the Education of Young Children (NDAEYC) strongly supports HB1249 to promote the safety of children utilizing licensed child care in North Dakota. NDAEYC is a professional organization consisting of 366 paid members and approximately 200 additional members of local affiliates statewide. Its membership includes center and home-based child care providers; teachers in Head Start, kindergarten and primary grades; Air Force Base personnel; professors of higher education; Child Care Resource & Referral specialists; child care licensors; parents of young children, and others dedicated to the provision of quality early care and education.

Child care licensing regulations set minimum standards for protecting the health, safety, and well-being of children. Because young children often don't have the ability to communicate when things don't seem right, or even know they are in an unhealthy situation, parents must rely on the protection that is offered by the licensing system for assurance and a voice of reason for their children.

As early childhood professionals, we consider it our utmost responsibility to uphold the trust parents place in us to keep their young children safe. Once parents choose licensed child care, there is an underlying assumption that rules will be followed. If parents do not have any way of knowing when violations occur, they have no assurance that their children's daily environment adheres to the standards they expect.

The supportive relationships that are established between parents and caregivers reflect a commitment to open and honest communication. Responsible professionals will not be deterred by this legislation, knowing that it will reinforce the confidence parents place in child care facilities to be trustworthy. What is laid out in this bill is nothing more than expecting a professional to act like a professional and follow licensing standards. One of the important areas of our ethical responsibilities of our profession is to uphold the licensing requirements set forth by our state and build trust and communication with parents.

Passage of HB 1249 is urged to maintain safety standards for children and enhance the ability of parents to make informed choices regarding early childhood services.

"Dedicated to collaborative efforts enhancing quality care and education for all young children."

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Operator's Signature

10/2/03
Date

Testimony on HB 1249

Senate Human Services Committee members:

My name is Susan Leadbetter and I'm writing this letter to encourage you to pass HB 1249. I have been a licensed group child care provider in Valley City for the past 14 years. I take my profession very seriously, and I expect other caregivers to do the same. I believe that the childcare regulations in our state are good—but I also have learned through my training experiences that they only ensure that we are meeting minimum standards. I have learned that to provide a high quality childcare setting, I need to continually strive to make improvements in my program and shoot for standards that are higher than our licensing rules and regulations. I have recently completed my Child Development Associate training and I am now in the process of working towards accreditation.

I believe that a strong, trusting relationship with parents is key to providing quality childcare. I need to always be honest with parents—in good situations and bad. I have never been issued a correction order, but if I did, I would not be threatened to let parents know. Getting a correction order does not mean that I am a horrible provider, it just tells me that I slipped on the rules and I need to fix it.

I believe that parents have the right to know if I am not abiding by the minimum standards. Posting correction orders is the least that we should do to let parents know what is happening in their child's setting.

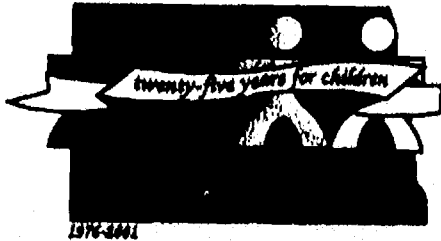
Thank-you for listening to my views on this bill.

Susan Leadbetter
Owner/Operator
Sue's Tiny Tot Child Care
1135 Viking Dr. Est. #76
Valley City, ND 58072
701-845-5139
sslead@daktel.com

Lu Costa Rickford
Operator's Signature

10/2/03
Date

VOICES FOR NORTH DAKOTA'S CHILDREN



CENTER FOR EARLY CHILDHOOD LEADERSHIP & ADVOCACY

To: Judy Lee, Chairperson, Senate Human Services Committee

From: Barb Arnold-Tengesdal, Executive Director, Voices for North Dakota's Children

Date: March 12th, 2003

Re: Testimony in support of HB 1249

Voices for North Dakota's Children is a collaborative advocacy effort of early childhood education professional organizations. It is made up of the North Dakota Head Start Association, North Dakota Association for the Education of Young Children, NDCCPI (North Dakota Child Care Providers Incorporated), Child Care Resource & Referral Network, Children's Caucus, North Dakota Professional Development leadership team, Children's Services Coordinating Committee's and tribal early childhood partners.

We urge your support of HB 1249 because it is good for children. In the child care profession we are calling this a *parent's right to know* bill. It also gives child care workers the right to know if the program they are employed by has licensing violations. Licensing violations can take many forms, some very significant to the well being of children, and some less severe. In any case, parents cannot make informed decisions about where their children are and who is educating them outside of the home, if they are not given all information about a program- the good and the bad. This bill would increase the lines of communication between parents and child care providers. Sometimes, parents are so desperate for child care they won't question when things don't seem okay out of fear of what would happen if they were suddenly without care for their child. Parents trust the system of licensing to keep their children safe. Parents deserve to know that minimal standards are being met, and if not what is the plan of correction that will be taken to meet these standards.

Licensing rules set minimum guidelines for child care. Providing quality care goes beyond these simple regulations that govern health and safety practices. This bill does basically three things.

1. Parents and staff must be informed of the process for reporting a complaint or suspected violation.
2. Parents being informed of a violation within three days and understanding how the problems will be corrected.
3. Parents being informed of a revocation of a child care license.

We see this process being very simple. You begin with training new providers in orientation about the importance of open and honest communication with parents

410 E. Thayer Avenue, Suite 2 ♦ Bismarck, ND 58501 ♦ Phone: 701-224-1445 ♦ Toll Free: 1-866-204-3322 ♦ Fax: 701-255-0848

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Operator's Signature

Lu Costa Rickford

Date

10/3/03

and how to build a trusting relationship. If you do get a correction order which ~~can be an immediate one (needing correction within 24 hours) or one that~~ requires 20 days to correct, a provider would put it up on the bulletin board along ~~with your plan of how you will fix the problem. When you've fixed the issue~~ identified in the correction order, you call your licensor and then take down the ~~order off the bulletin board.~~

This change to the century code will create some frustration among the child care providers related to how the process of posting the notification will happen, and who will do the follow up. We have had a great deal of dialog about this bill among our professional groups. It has been important. We have heard concerns about the burden placed on the provider and the possible over reaction by parents to small infractions. Concern from a few providers have been:

Isn't this picking on child care since we don't see McDonalds posting their violations? The difference is we are dealing with children who have limited ability to tell someone if they feel unsafe and parents trusting the licensing system to be the safeguard of their children.

Can't we have some time to fix the violations and not have to tell the parents? Even if violations are seemingly insignificant, parents have a right to know and professionals can build trust with parents as they see how the person caring for their child is working hard to maintain licensing standards.

Won't this drive child care providers away from the field especially new ones who are not very confident? With a good orientation and training that stresses building trusting relationships with parents and seeing yourself as a professional and responsible for maintaining licensing standards you will see the bill from the position of parents

As a profession we realize for the greater good of parent/provider communication, this bill must be passed. We understand this bill is not about the little things, but about the bigger violations resulting in a license being revoked and children's lives put in danger. That is never okay!

We urge your support of HB 1249.

LaCosta Rickford
Operator's Signature

10/3/03
Date

March 9, 2003

Dear Senate Human Services Committee,

I am a very proud parent of a one year old precious little boy. I need to use licensed child care and I do so in Fargo, ND. I feel it is of HIGH importance that parents be notified when a provider is out of compliance. I trust the licensing process to assure me that my child is safe. I work hard at having a good relationship with my child care provider and would appreciate the open honest relationship about violations. It is important to know that the system is working.

Please support the Child Care Safety Act. Thank you.

Concerned Parent,

Kara Kluvers

Kara Kluvers
1513 36 Ave S
Fargo, ND 58104
701-298-3276

Senate Human Services Committee
3/10/03

Dear Committee,

I am writing in support of HB 1249. I have two children in child care in Mandan. My provider and I have a wonderful relationship and I appreciate everything she does for my children. I hope that she would be honest in sharing any violations with me and keep the communication lines open.

Unfortunately in the past, I have struggled to trust previous providers and have witnessed very poor quality care. My hope is that the licensing process will assure me of the best effort for a healthy and safe learning environment for my children.

Passing this bill, may encourage providers to be more responsible in their duties as they care for our children.

It is very frustrating as a parent to see a system that has failed our children again and again. Unfortunately, not all parents can afford to stay at home with their children and have to rely on others to care for them. I would think that like any other profession, that these "professional providers" would have to meet certain standards to care for one of the most precious gifts of all. If a doctor, lawyer, or restaurant owner had a violation against them, I sure would want to know as a consumer what it was and how it was corrected before I ever used their service, wouldn't you?

Thank you,

Ms.
A concerned parent

March 11, 2003

Dear Senate Human Services Committee,

I am a parent who uses child care at University Children's Center, Grand Forks. I feel it is important that parents be notified when a provider is out of compliance. I trust the licensing process to assure me that my child is safe. I work hard at having a good relationship with my child care provider and would appreciate the open honest relationship about violations. It is important to know that the system is working.

Thank you for supporting HB 1249, and remembering that children are our future!

Kelly Vacek
Northwood, ND

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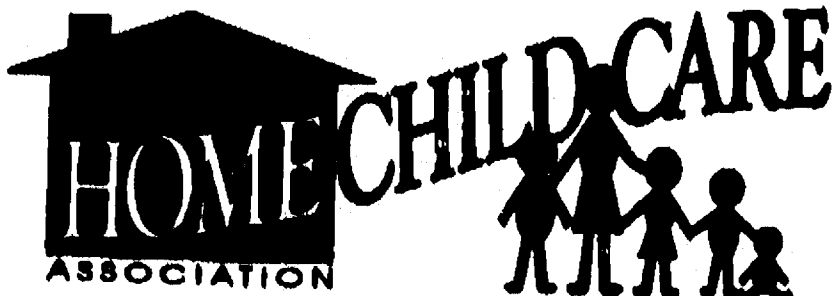
La Costa Rickford
Operator's Signature

10/3/03
Date

FROM : LEE ANDERSON

FAX NO. : 701-772-8861

Mar. 11 2003 10:50AM P2



TO: Senate Human Services Committee

FROM: Lee Anderson
Grand Forks Home Child Care Association
707 22nd Ave So
Grand Forks, ND 58201

DATE: March 10, 2003

RE: HB 1249

We urge you to support HB 1249, the Child Care Safety Bill. The safety of children is a priority for child care providers and rules exist to ensure that this will happen.

I am the legislative liaison for the Grand Forks Home Child Care Association. I have been a child care provider for over 25 years. I represent the 61 licensed child care providers in our association.

As providers, we feel it is important to help parents understand that we are professional in the way we follow the regulations that ensure children's safety. Licensing helps us to make certain that we are continually doing what's in the best interest of children. Parents count on us to keep open the lines of communication as part of knowing that their children are well cared for. The parents are better able to give 100% to their jobs when they know their children are safe. They express their admiration for our honesty in regard to their children, knowing that we will tell them what they need to know about their children's care.

This bill allows us to keep everything on the table and maintain that trust. Parents will appreciate knowing that they will be informed of any pertinent information relating to their children's safety, and especially that we have taken the necessary steps to make improvements. This bill ensures our professionalism!

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La Costa Rickford
Operator's Signature

10/3/03
Date

FROM: LEE ANDERSON

FAX NO.: 701-772-0861

Mar. 11 2003 10:58AM P3

Lee Anderson

Lee Anderson
707-22nd Ave So.
Grand Forks, ND 58201

Tami Davidson

Tami Davidson
2323 University Ave.
Grand Forks, ND 58203

Laura A. Frankenberry

LAURA A. FRANKENBERRY
1723 9TH AVE SOUTH
GRAND FORKS, ND 58201

Becky Clark

Becky Clark

715 22ND AVE S.

Grand Forks ND 58201

Connie Hebsch

CONNIE Hebsch

1002-So. 10th St

Grand Forks, ND 58201

Jennifer Davidson

Jennifer Davidson

1411 9th Avenue S.

Grand Forks, ND 58201

Branda McCoy - Branda McCoy
709 So 11th St Grand Forks ND

Patty Nordrum

Patty Nordrum

1018 22nd Ave S.

Grand Forks, ND 58201

Dave Solberg

David Solberg

2627 4th Ave NW

Grand Forks, N. Dak
58203

Brenda K. Johnson
Brenda Kristiansen
1404 OF ND 58201

Karen Peterson

KAREN PETERSON

4326 Walnut St.

Grand Forks, ND 58201

Cindy O Larson

CINDY D LARSON

2607 OAK ST

GRAND FORKS, ND 58201

Tracy Middaugh
Tracy Middaugh
504 Copper Gate Dr.
GF ND 58203



Atonement
LUTHERAN CHURCH

"To offer Jesus Christ, a life of discipleship,
and a faith community to all people!"

Children's Weekday Ministries

- Atonement Christian Preschool
- Atonement Christian Childcare
- Atonement Christian Infant/Toddler Care
- Atonement Christian After School

To Whom It May Concern:

We are writing in support of HB 1249. Our childcare programs at Atonement Lutheran Church are concerned for the health and safety of all children. We are interested in raising the quality and safety standards for all children in childcare facilities.

Licensing standards are necessary to insure the healthy and safety of children. All childcare providers must meet or exceed these standards.

HB 1249 requires providers to notify parents if they are out of compliance. Every parent deserves to know if the provider is not in compliance or in danger of losing their license. Parents seek licensed childcare providers as quality assurance for their children and depend on these licensing standards to provide a safe and healthy environment for their children.

Parent notification of non-compliance would speed up the process for coming back into compliance and encourage providers to make the necessary changes as quickly as possible. The notification process would give parents the much needed time to determine if their child is at risk, to offer assistance to the provider, or to locate another program dedicated to the quality standards they desire for their child.

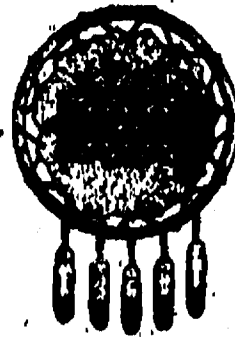
For the health and well-being of all children, we asked for your support of HB 1249.

Janice Wigen
Janice Wigen, Administrator
Children's Weekday Ministries

Jeanine Machacek
Jeanine Machacek, Director
Atonement Christian Childcare

4601 S. UNIVERSITY DRIVE, FARGO, ND 58104
(701) 237-9651 M FAX (701) 237-5820 M EMAIL atonement@minn.com

UNITED TRIBES TECHNICAL COLLEGE
3315 UNIVERSITY DRIVE
BISMARCK, NORTH DAKOTA 58504 • PHONE 701-255-3285 • FAX 701-530-0605



March 11, 2003

Dear Senate Human Services committee,

I am writing in support of HB 1249. The Child Development Center, located here on the campus of United Tribes Technical College, provides care for nearly 100 children. We are concerned about the health and safety of these children, as well as children throughout the state of ND.

This bill is representative of our professional responsibility as a licensed provider to work with parents and the regulatory system to assure children are safe at all times. Parent notification would speed up the process for coming back into compliance and encourage providers to make the necessary changes as quickly as possible.

Thank you for your attention.

Sincerely,

Lisa Azure

Lisa Azure, Early Childhood Dept. Chair

United Tribes Technical College

/la

Just For Kids Daycare

4800 West Roughrider Circle, Mandan, ND 58554
(701) 663-3668
justforkids1@msn.com

March 11, 2003

Honorable Judy Lee - Chairman Human Services Committee
State Senator
600 E Boulevard Ave.
Bismarck, ND 58505

RE: HB 1249

Dear Senator Lee;

I am writing to strongly urge a do not pass recommendation on HB 1249. Due to the fact that I cannot be present to personally testify, I wish that the following information be submitted as my written testimony.

I have owned and operated my own childcare facility from my home at 4800 West Roughrider Circle, in Mandan for the past 13 years, and currently hold a group childcare license.

I feel the amendments to subsection 2 of section 50-11.1-07 and section 50-11.1-07.2 and 50-11.1-07.8 should not be approved.

RE: Page 1, lines 15-17 (see attached)

I do not feel it is my obligation to notify a parent/guardian on the proper procedures for reporting a complaint or a licensing violation. I do not know of any other licensed business or profession that is required to notify their clients/customers of this type of process.

RE: Page 2, lines 7-12 (see attached)

Once again I do not know of any other licensed business or profession that is required to notify their clients/customers of a correction order or to conspicuously post a correction order. Each violation can be interpreted differently by each individual licensor and will not be consistent in all areas of the state.

Violations can range from very minor situations, such as a plug cover not in the outlet to a more serious offense as being consistently over ratio. Since Child Abuse and Neglect are mandated by Federal Law and are not addressed by correction orders, violations need to be classified to a degree of their severity.

The childcare profession deals with important issues of children and should not set us apart from other professions.

Sincerely,

Lori Kostelecky

Lori Kostelecky

409 5th Ave., NW
Mandan, ND 58554

March 11, 2003

Honorable Judy Lee, Chairman, Human Services Committee
State Senator
600 E. Boulevard Ave.,
Bismarck, ND 58505

Re: HB 1249

Dear Senator Lee:

I have been a licensed child care provider at my home in Mandan for 21 years. I am writing to urge a do not pass recommendation on HB 1249.

Since I am not able to attend the committee hearing, I request that this letter be submitted as testimony before the committee.

Regarding proposed amendments to the North Dakota Century Code, relating to early childhood services (see attached copy of HB 1249):

Page 1, lines 15 - 17: I don't feel it should be my obligation to notify the parent/guardian of each child in my care of the process for reporting a complaint or a suspected licensing violation. I do not know of any other licensed business or occupation with this type of requirement.

Page 2, lines 7 - 12: I know of no other licensed business or profession required to conspicuously post correction orders, or to document that all customers/clients have been notified of the order. The child care profession should not be set apart from other licensed businesses and professionals.

Many correction orders are written based on a judgment by individual licensors, such as: degree of cleanliness; method or product used in cleaning; how many toys in use are considered clutter. I question that correction orders would be consistently written and enforced throughout the state. Since child abuse or neglect investigations are under the jurisdiction of federal law and are not addressed by correction orders, correction orders should be classified according to degree, ranging from the most trivial to the most serious of violations.

I believe that adoption of these rule changes will not make any significant improvement in the safety of children or in the quality of child care provided, and would, in fact, be detrimental to recruitment and retention of child care professionals.

Sincerely,

Carla A. Forde

Carla A. Forde

La Costa Rickford
Operator's Signature

10/2/03
Date

Earleen Friez

808 N 3RD ST ~ PO BOX 1101 ~ HETTINGER, ND 58639-1101

Phone (701) 587-2822

email address blgwhite@pop.cttel.com

March 7, 2003

TO: SENATE HUMAN SERVICES COMMITTEE
Sen. Judy Lee - Chairman, Sen. Richard Brown - Vice Chairman,
Sen. Robert Erbele, Sen. Tom Fisher, Sen. April Fairfield, and
Sen. Michael Polovitz

FROM: EARLEEN FRIEZ *Earleen Friez*

RE: HB1249 to be heard in committee on March 12 at 9:00 AM

I was a child care provider in our home for 26 years, being licensed from 1980 thru 2001. For health reasons I now work part time as a secretary, however children and the child care profession are still very close to my heart.

I find Section 1, part 2- c., requiring providers to notify parents of children in care of the process for reporting a complaint or a suspected licensing violation, to be professionally degrading. Such notification to parents is a responsibility of the state not the provider. The medical and teaching profession, which I am also a former member of, are certainly not required to do this?

Unless you have a very good understanding of child care correction orders, Section 2, part 2, sounds logical. A correction order is to be written for any and all regulation violations. Correction orders have been written for not having safety plugs in place on all electrical outlets. I know of one provider whose husband one morning used the vacuum cleaner, and forgot to replace the plug. Licensor visited that day, and provider received a correction order because she had not noticed the plug had not been put back on. As a former child care provider, I can be very honest with you because I do not have to worry about possible repercussions under the system. I never received a correction order for any reason, however surely could have many many times. I had an almost 2 year old who was an expert at removing outlet plugs, even the ones which were hard for me to remove. If a licensor would have visited one of those times, I would have received a correction order. Another regulation is that all wastebaskets must be covered at all times. Frequently I would find the covers of small baskets either on the floor or in the basket. Since there is no way to fasten a cover to the wastebasket, they were easily knocked off by the children. Correction orders are also issued for being over ratio. I don't have time to explain the ratio system, but for example having one child who is 3 years old would make your ratio okay, but having a child who was 2 years and 11 months old instead of the 3 year old would put you over ratio. Within the rules, there are no distinctions between violations such as the above examples, and those of a more serious nature. A correction order is a correction order, period. Licensors are to write up every violation they see, but like highway patrol officers, some prefer to talk to the person about the violation instead, especially if it is

La Costa Rickford
Operator's Signature

10/3/03
Date

a first time violation or there is a logical explanation. I am concerned that this law would give parents false assurance that unless there is a correction order posted, everything is okay. Do you really think that all providers who receive correction orders would post them? I certainly do not believe they would. If correction orders were only given for serious violations of child care rules, I would be in favor of this section becoming law, except for how would you determine which violations were serious and also how would the law be enforced. Child care licensors are already over worked. Many licensors currently do not have time to make all the yearly unannounced visits to child care providers/facilities as required by regulations. How would they find time to enforce this law?

Section 3 Because there are different circumstances surrounding each suspension of license, I feel it would be best to leave it as may, rather than requiring shall.

In theory I support section 4. item 2. Child care licenses are generally revoked when a provider puts a child/children seriously at risk or refuses to comply with correction orders of a serious nature. If that happens, the parents should be notified by DHS. According to state law you do not have to be licensed if you care for 5 or fewer children, so unless criminal charges are filed and proven, said provider could legally continue caring for children. My concern is how will they get the names of the parents. Names are taken by some licensors at the time you apply for a yearly license, but that list often changes during the year. Some licensors only write down the first name of each child in care and their age.

It is my understanding that HB1249 was written in reaction to the case in North Dakota in which a child was scalded in the bath tub because the provider, who was not licensed, became frustrated over a mealtime situation. If I remember correctly this provider had earlier been refused a license. Even if this bill passes, it would not have been applicable in this case because the individual was never licensed.

If you have any questions, permission has been received to call me at work which is 567-2531 during the hours of 10 and 4 MST M - F with a 12:30 to 1:30 lunch hour. Otherwise you can reach me at home 567-2822, or you can email me at bigwhite@pop.ctctel.com

Thank you for taking the time to consider my opinions of HB1249. Since I am unable to be there in person to testify, I request that this letter be submitted as testimony against HB1249.

Carleen Frig

PO Box 1101

Nettinger ND 58639

701-567-2822