Testimony
Department of Human Services
Child Care Study
Economic Impact Interim Committee
Senator Dave Oehlke, Chairman
June 25, 2014

Chairman Oehlke, and members of the Economic Impact Committee, I am Shari Doe, the Director of the Children and Family Services Division in the Department of Human Services (DHS). I am here today to provide information on some local child care ordinances that are more restrictive than state rules to give you a better idea of some of the variations in local requirements across the state.

Licensing standards contained in NDCC 50-11.1 allow family child care providers to care for seven children, of which no more than three may be under the age of 24 months, plus two additional school-age children. Prior to April 12 2013, family providers were allowed to care for the school children before and after the regular school hours and on school holidays, but not in the summer months. Senate Bill 2085, enacted a change to allow family providers to care for the two school–age children at any time, which has increased the capacity of licensed providers to care for school-age children. However, in some cities, including West Fargo and Grand Forks, local ordinances still limit the school age care before and after school.

Local ordinances often limit the number of children in a home child care setting to 12 children without a special use permit. In Williston, a special use permit is required whenever a provider is licensed for more than eight children. The need for the permit, which costs $250, may be a barrier for some home providers, and creates a situation where they aren't able to care for the number of children the state would allow under a family or group license. A special use permit in Watford City is required any time a child

care provider wishes to license with DHS. The cost of the permit in Watford City is $525, which also presents a barrier to licensing. In addition to costs, special use permits often take 3-4 months to be approved, which may delay licensing.

A number of cities have adopted standards based on the International Building Code and the National Fire Protection Agency 101 Life Safety Book. Some of the additional requirements resulting from these standards are:

- The requirement of sprinkler systems when there are more than 49 children in care.
- The restriction of child care in areas above ground level.
- Requirement of direct outside exits from classrooms that contain children under the age of two.
- Restriction of child care in homes that are not *approved single family dwellings* (twin homes, duplexes, apartments, mobile homes).

Cities have adopted a number of other requirements, including the requirement of outdoor space (Bismarck), cleaning and sanitation requirements (Fargo), and fencing and parking requirements (West Fargo).

Sometimes, the variations in local requirements create a challenge as we try to promote consistent licensing across the state. However, DHS works cooperatively with the local agencies in a joint effort to ensure that child care providers comply with local and state requirements.

Mr. Chairman, this concludes my testimony. I'm happy to answer questions.