Dangerous Daycares

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Lori McClung started a daycare out of her home in Grove City, Ohio when Matthew McConnell was just a baby. But one day, little Matthew slipped in his high chair, and caught his head on the food tray while McClung tended to nine other children. Today, Matthew still requires tubes to help him breathe and eat. McClung operated an illegal in-home daycare—unlicensed and unsafe. If you’ve ever seen 20/20 or 60 minutes, you probably already know that even legal and licensed daycare centers are not always the greatest place for kids. But illegal in-home daycares, like McClung’s, represent a less well-known and far more serious problem. The need for quality daycare is greater than ever. The idea of leaving kids in a cozy home rather than a large, sterile daycare center sounds like a great solution. But the February 22, 2001 Albany Times Union reports that a recent study of unregulated home daycares calls as many as fifty percent quote “substandard.” Further, according to the August 2, 2000 Indianapolis Star, only nine states require that caregivers watching any nonrelated children be licensed. These unregulated, unlicensed home daycares pose a serious threat to our children and they must be stopped.

In order to address the dangers of illegal in-home daycare, we will: first, expose the risk posed to children; second, identify the causes behind the continued operation of these illegal facilities; and finally, consider some solutions to make home daycare safer for our children.

Lots of parents worry about finding the right daycare for their child, but too few realize the dangers of illegal in-home daycare. To appreciate this threat we need to first, recognize how common illegal daycare has become and second, expose the types of danger that result.

First, home daycare is popular. The Children’s Foundation 2000 Report notes that there are approximately 305,000 licensed home daycares in this country—that’s almost three times the number of daycare centers. But of course, that doesn’t tell us the number of illegal facilities currently in operation—after all, they rarely step forward to be counted. Yet, a recent study in Pediatrics of August 2000 estimates that 30% of children in home daycare are in unlicensed care. With one out of three children in illegal homes, unsafe conditions run rampant: caregivers may be untrained in CPR and first aid; there are no set nutritional guidelines for them to follow; and a lack of adequate supervision can lead to tragedy.

Of course, children occasionally get hurt in even the best daycares, but little is being done to protect them from the dangers of an illegal daycare run out of someone’s home. Consider the poor supervision. Eighteen-month-old Rhoda Wright died in home daycare in Salt Lake City, Utah after falling out of a high chair. The Deseret News of January 18, 2001 reports that despite seeing blood, Rhoda’s unlicensed caregiver waited almost an hour before calling for help. According to the March 14, 2001 Albany Times Union, three-month-old Laura Mae Marbot lay dead in her crib for three hours in the Albany, NY home of unlicensed caregiver Mary Beth Anslow. New York law allows no more than two children in an unlicensed home. Anslow was caring for twenty-seven. The fact that a daycare is run out of someone’s home often gives parents a false sense of security, when in reality their children are far less safe than they would be in their own homes.

Yet, for most parents today, keeping the kids at home all day simply isn’t an option. So, we need to determine why home daycares have failed.

Two reasons stand out: lax state legislation and ineffective enforcement of the regulations that already do exist.

First, forty-one states have laws that allow unlicensed caregivers to watch other people’s children, not just as sporadic babysitters, but on a daily basis. By allowing this practice, state enforcement agencies are able to save time and resources, but they are saving at the expense of the kids. A February 12, 2001 AP newswire estimates that there are as many as 3000 unregulated home daycares in the state of South Dakota. Undoubtedly, many of these providers are taking on illegal numbers of children, making a bad problem even worse. And, with few exceptions, states do not seem to care. For example, a new program introduced in North Carolina rates and licenses child care providers on a progressive star system. However, according to the August 27, 2000 Raleigh News and Observer, 95% of North Carolina’s home daycare providers do not plan to apply for multi star licenses. Apparently, in North Carolina, one star is good enough. The laws may vary from state to state, but they all reflect a common theme: home daycares are not held accountable.
Even more startling than the lack of standards is the lack of enforcement of the regulations that already do exist. When Keiko Mendiola reported in September of 2000 that her children had caught head lice while under the care of daycare provider Brandi Luczak, Mendiola learned that Luczak’s license had been revoked five months earlier, but that none of the parents had ever been notified. In fact, the September 20, 2000 Portland Oregonian reveals that regulators leave the responsibility of notifying parents when a provider has lost his or her license to the providers themselves. How convenient. The Oregonian also reports that over 90% of serious complaints lodged against home daycares in Oregon go uninvestigated. And the problem is not confined to Oregon. According to the National Child Care Information Center report, 2000, most states do not inspect licensed home daycares more than twice a year. Some states only inspect a random sample, and in five states, homes are never inspected after being licensed. Worst of all, states typically only crack down on illegal home daycares when a tragedy occurs—and it is too late.

In the face of these continuing, senseless tragedies, we must consider some solutions. Although the problem of illegal in-home daycare seems large, it is not insurmountable with the support of stronger state legislation, stricter enforcement and all of us.

First, states must pass tough laws. The Madelyne Hall-Matthew McConnell-Akin Stewart Home Day Care Safety bill recently introduced before the Ohio state legislature provides a good model for the rest of the country. According to the Columbus Dispatch of August 27, 2000, the new bill will allow for sentencing home daycare providers to up to a year in prison if they watch too many children or if they lie to parents concerning credentials or child care specifics. In addition, lawmakers need to consider requiring all caregivers who care for non-related children on a daily basis to be licensed. Nine states have already passed such laws. We need to encourage the rest to follow suit.

Not only must the laws be stronger and more specific, but they also must be more strictly enforced. States need to keep track of repeat offences, so that parents can make informed decisions about their children’s care. The state of Missouri presents one promising model. According to the St. Louis Post-Dispatch April 21, 2000, Missouri recently started requiring criminal background checks for all potential child care providers, as well as screenings for a history of abuse or neglect. The people that fail the screenings will be put into a database that the public can access. Creating quality in-home daycare will require a strong—yet not unrealistic—commitment to accountability.

Finally, the responsibility lies with all of us. Illegal in-home daycares cannot be discovered unless they are reported. Parents must ask about caregiver credentials, state licensing, and the number of children being watched in the home. And before you ask, find out about the laws in your state. The local library will have that information and often a list of licensed providers as well. And since the best way to see if your kids are safe is to actually see them, drop in unannounced once in awhile, and refuse to accept substandard care. Because after all, the simple truth, is that illegal home daycares cannot stay in business without clients.

After exposing the dangers posed to children by illegal in-home daycares, identifying the causes behind the continued operation of these facilities and considering some solutions, it is obvious that a lot of children need our help. A daycare run out of someone’s home isn’t necessarily a bad idea and it isn’t necessarily unsafe. The problem arises when compliance lapses, and there is no one to put it back on track. Matthew McConnell will not get a second chance. His life and the lives of the people who love can never be the same. Yet, we can and we must ensure that other children are safe when they are being cared for in someone else’s home.