

Georgia Department of Human Resources

CHILD CARE REGULATION IN GEORGIA

An estimated 600,000 children under 6 live in Georgia, and more than half have mothers in the labor force. Mothers who work need a safe environment for their children during working hours. DHR's Office of Regulatory Services (ORS) is the state office responsible for licensing child care throughout the state, except for those day care centers which provide a lottery-funded pre-K program. Regulation of the centers with pre-K programs is the responsibility of the new Office of School Readiness.

What types of child care are regulated by ORS?

- **Day care center** — a place operated by a person or organization that cares for 19 or more children. Centers must be approved by the Office of Regulatory Services before opening and reviewed each year for their license to be renewed. Georgia has 1,630 day care centers.
- **Group day care home** — a place where seven to 18 children are cared for. These homes must be approved before opening and must be licensed each year by the state. Georgia has 246 group day care homes.
- **Family day care home** — a private home where three to six children are cared for by a person who is not related to the children. These homes must register with the state. Georgia has 6,710 homes registered, but many more may be operating that have not been registered.
- **Informal provider** — a private home where one or two children or related children are cared for. These are not required to register with DHR, but if the provider receives a child care subsidy from DFCS, ORS staff visit the home to check basic health and safety items, and the provider is given a criminal background check.

Licensing and registration requirements

Only day care centers and group day care homes are licensed. Centers and group homes are inspected by the ORS Child Care Licensing Section at least once a year, and all complaints are investigated. Regulations address staff training and staff/child ratios, activities, nutrition, health, safety, equipment, supplies, buildings, grounds, fire safety and transportation. All inspections are unannounced.

Family day care homes are required to register with the state. The section inspects all newly registered providers and conducts a 20% random sample inspection of currently registered homes. Each provider receives a copy of state regulations and registers with the state if he or she agrees to operate within those rules, which cover the same general areas as the other day care center regulations. All complaints are investigated.

Forty-six standards surveyors are responsible for all licensed, registered and informal facilities throughout the state.

Day care costs

The cost of care ranges from \$68 to more than \$100 per week per child. DHR's Division of Family and Children Services manages the subsidized child care program for low-income and at-risk families.

What about complaints?

The state investigates all reports of rule violations. A licensed or registered day care facility that is in violation is usually given a specified time to correct the problem for a first offense. In FY 2001, 1,076 complaints were filed against day care facilities in Georgia. Most complaints related to overcrowding and inadequate staff. Others alleged unsanitary conditions, hazardous equipment or conditions, communicable disease outbreaks and improper diapering procedures.

Penalties for violations may include submitting a plan of correction, imposing fines or revoking the license, depending on the severity of the violation. Fines may be assessed for repeated non-compliance with rules and for rule violations which subject children to injury or life-threatening situations. Fines range from \$50 to \$500 a day.

Child abuse complaints

Complaints about child care facilities or reports of suspected abuse of children in licensed/registered programs can be made at any of the 11 child care licensing offices around the state or directly to the state office in Atlanta. The telephone number is (404) 657-5562.

ORS and the Division of Family and Children Services make joint investigations of abuse reports involving children in licensed, registered programs. DFCS caseworkers determine whether the abuse occurred. ORS decides if regulatory action should be taken against the facility. In some cases, the GBI and/or the local police are also involved in the investigation. Investigations usually are lengthy; it is not unusual for an abuse incident to go unverified because of the difficulty in establishing proof. Of the 90 charges of abuse in day care facilities reported in FY 2001, 16 were confirmed.

Georgia law requires a criminal background check of day care center and group home directors and employees, and family day care home providers and any adults who live in the family day care home and assist with child care. The law prohibits employing people convicted of any felony unless an administrative hearing officer decides there are mitigating circumstances in individual cases.