



March 14, 2024

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Kansas Action for Children
Opponent Written-only Testimony on House Sub. for SB 96
House Committee on Commerce, Labor and Economic Developments

Chairperson Tarwater and members of the Committee:

Thank you for the opportunity to provide testimony in opposition to House Sub. for SB 96, which would detrimentally change child care ratios, staff training, and provider qualifications. Kansas Action for Children is a nonprofit, nonpartisan advocacy organization working to make Kansas a place where every child has the opportunity to grow up healthy and thrive.

Child care is a critical need for families in Kansas. We all agree our current system needs significant improvement to support Kansans across the state in getting to work and providing high-quality environments for all children to learn and develop.

House Sub. for SB 96 includes several changes that were addressed by the Kansas Department of Health and Environment (KDHE) in the 2023 interim period and are waiting on approval by the Office of the Attorney General. Regulatory changes, rather than cementing changes in state statute, allow state agencies and the Legislature the flexibility to be nimble in response to community needs, updated safety standards, and federal requirements.

Should House Sub. for SB 96 be combined with other significant early childhood policy this session with the desire to include statutory changes on child care rules, then we would encourage the Committee to refer to the proposed regulatory changes. We believe the work of multiple stakeholders to collaborate on meaningful policy changes should be prioritized instead of the components of this bill, which includes adjusting child-to-adult ratio by both reducing the age of infants in a family child care environment while increasing the number of children per adult and reducing qualifications and professional development of child care professionals.

Child care regulations are about keeping kids safe while they are cared for by others, and staff-to-child ratios are a large part of ensuring that safety. Over the past few years, providers

and advocates have worked with KDHE on regulatory changes (which are currently sitting with the Attorney General's Office) to adjust staff-to-child ratios that keep kids and providers safe while increasing the number of licensed slots. This bill, as it currently stands, more drastically increases providers' capacity in a way that goes against national best practices.¹

For instance, the bill increases the infant-to-staff ratio from three infants to four. With KDHE changing, through regulations, the definition of "infant" from 0-18 months to 0-12 months, we believe this is a strong compromise from what House Sub. for SB 96 (and previous pieces of legislation) proposes. This regulation adjustment demonstrates a meaningful, but reasonable, update to ratio standards.

If the Committee's intent with this bill is to increase the number of child care slots in the state, we would like to note that increasing licensed capacity does not correlate to an increase in desired capacity, or the number of children a provider wishes to have in care.

Currently, our statewide licensed capacity is 79,258, but the desired capacity is 67,378, a difference just under 12,000.² Even with these capacities, the number of children enrolled in care is less than 55,000. House Sub. for SB 96 would increase the licensed capacity with a marginal impact on desired capacity. What we truly need to increase child care slots in Kansas are more child care providers, which is an adaptive workforce challenge.

Whether at home, a child care home setting, or a center, every child in Kansas deserves a place to grow up that facilitates high-quality interactions necessary for healthy brain development. This means that all workers in the field need opportunities to learn best practices and develop their professional skills in a way that benefits all children. House Sub. for SB 96 currently reduces the number of training hours from 16 to 12. KDHE has addressed this change through regulations that currently sit with the Attorney General's Office.

Kansas Action for Children urges the Committee to review the regulatory changes already in motion as it crafts further legislation. As you work House Sub. for SB 96, we urge you to seriously consider the changes you cement into statute to allow the state enough flexibility to respond to evolving needs and recommendations.

Thank you for the opportunity to share information with you today. If you have any questions, feel free to reach me at emily@kac.org.

¹ National Resource Center for Health and Safety in Child Care and Early Education (2020). *CFOC Standards Online Database*. <https://nrckids.org/CFOC/Database/1.1.1.1>

² Child Care Aware of Kansas (2024). *Kansas State Point in-time Report (March)*. Accessed March 13, 2024. <https://stage.worklivesystems.com/Kansas?county=all>