



## COMMITTEE ON CHILD CARE

*Legislative Services Agency*

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### Members

*Rep. Tim Wesco, Chairperson*  
*Rep. Vanessa Summers*  
*Sen. Travis Holdman*  
*Sen. Earline Rogers*  
*Cinda Kelley*  
*Tracie Wells*  
*Melanie Brizzi*  
*Mark Everson*  
*Daniel Hasler*  
*Jim Greeson*  
*Tony Bennett*  
*Gregory Larkin*  
*David McKee*

### LSA Staff:

*Ann Naughton, Attorney for the Committee*  
*Chris Baker, Fiscal Analyst for the Committee*

Authority: IC 12-17.2-3.3

### MEETING MINUTES<sup>1</sup>

**Meeting Date:** October 25, 2011  
**Meeting Time:** 10:00 A.M.  
**Meeting Place:** State House, 200 W. Washington St., Room 404  
**Meeting City:** Indianapolis, Indiana  
**Meeting Number:** 3

**Members Present:** Rep. Tim Wesco, Chairperson; Rep. Vanessa Summers; Sen. Travis Holdman; Tracie Wells; Melanie Brizzi; Brenda Summers for Mark Everson; Jim Greeson; Dana Jones for Tony Bennett.

**Members Absent:** Sen. Earline Rogers; Cinda Kelley; Daniel Hasler; Gregory Larkin; David McKee.

Rep. Wesco called the meeting to order at 10:00 A.M. Since a quorum was not yet present, he explained that the Committee would hear testimony concerning Preliminary Draft (PD) 3187-2012 and the final report. If a vote was not possible during the meeting, the final report would be submitted for informational purposes only.

### PD 3187

Rep. Wesco explained that PD 3187<sup>2</sup> requires the Bureau of Child Care (Bureau) to establish a child care ministry advisory committee. Consideration of the preliminary draft was tabled due to lack of a quorum.

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<sup>1</sup> These minutes, exhibits, and other materials referenced in the minutes can be viewed electronically at <http://www.in.gov/legislative>. Hard copies can be obtained in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for hard copies may be mailed to the Legislative Information Center, Legislative Services Agency, West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for hard copies.

<sup>2</sup> Attachment 1.

## Final Report

Rep. Wesco addressed final report finding and recommendation (1) on page 6 of the draft final report<sup>3</sup>. He provided to the Committee some background information about universal precautions and child abuse symptoms and reporting, based on his experience as an emergency medical technician. He clarified that the recommendation to the Bureau to make the fairly inexpensive and easily accessible training concerning these issues available to child care providers is not a mandate.

In response to a question from Sen. Holdman, Ms. Brizzi stated that caregiver training concerning universal precautions and child abuse symptoms and reporting is not required for registered child care ministries under Paths to Quality, though the training is required for licensed child care homes and centers. She stated that the Bureau will make the training resources available online.

Sen. Holdman described his and his wife's two years of missionary work in Haiti, noting the superstitious (voodoo) culture and the belief of Haitians in, and the power of, irreputable witch doctors in Haiti. He compared the damaging results of the voodoo superstitions perpetuated by witch doctors in Haiti with the damaging results of misperceptions of Indiana constituents based on intentional misstatements made by special interest representatives concerning regulation of child care ministries in Indiana. He noted that many constituents called him during the 2011 session of the General Assembly with misperceptions about Senate Bill 56-2011 that were based on misinformation provided by such special interest representatives.

Sen. Holdman expressed his inability to vote for the draft final report because the recommendations "missed the mark" by failing to address unsanitary and dangerous conditions that he witnessed during the Committee's visit during this interim to one registered child care ministry where 56 children aged infant to sixth grade were in the care of only two adults. He described the use of tax money to support such care as an atrocity and noted that a child care ministry that accepts government funding is allowing the government into the church. He recommended that if a child care facility is not in favor of government regulation, then the child care facility should not accept government funding. Sen. Holdman stated that he is unable to support the draft final report findings and recommendations because they ignore the obvious problem of government funds being spent at facilities that provide inadequate care.

After a brief discussion with a quorum present, the Committee removed finding and recommendation (1) from the draft final report by consent of the members present.

With a quorum then present, Rep. Wesco requested that the Committee discuss PD 3187. Mr. Greeson expressed his surprise when several years ago he began attending the Committee's hearings and learned of the differences in regulations that apply to different types of child care providers. He noted that fire is not discriminatory and that he is hopeful that an advisory committee established under PD 3187-2012 would look at the differences in regulation and recommend changes. Ms. Brizzi noted that the currently existing ad hoc child care ministry advisory group, which was not statutorily established, has in the past recommended to the Committee legislation addressing the differences in child care provider regulation, including Senate Bill 56-2011, but that the recommendations have not been followed with enactment of the recommended legislation.

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<sup>3</sup>Attachment 2.

PD 3187, by a roll call vote of 7-0, was adopted for introduction during the 2012 session of the General Assembly.

Following a brief discussion, the Committee adopted the final report, as amended by removing finding and recommendation (1) from the draft final report and inserting the committee's adoption of PD 3187, by a roll call vote of 7-0.

Rep. Wesco thanked the members for their participation this interim and expressed his belief that the Committee's ongoing work will require continued thought about child care regulation with a focus on the welfare of children and avoidance of harm.

With no further business to discuss, Rep. Wesco adjourned the meeting at 10:25 a.m.



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**PRELIMINARY DRAFT**  
**No. 3187**

**PREPARED BY**  
**LEGISLATIVE SERVICES AGENCY**  
**2012 GENERAL ASSEMBLY**

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DIGEST

**Citations Affected:** IC 12-17.2-2.5-1.

**Synopsis:** Child care ministry advisory committee. Requires the division of family resources to establish a child care ministry advisory committee.

**Effective:** July 1, 2011.



A BILL FOR AN ACT to amend the Indiana Code concerning human services.

*Be it enacted by the General Assembly of the State of Indiana:*

1           SECTION 1. IC 12-17.2-2.5-1, AS ADDED BY P.L.126-2007,  
2           SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3           JULY 1, 2011]: Sec. 1. The division shall establish a child care  
4           advisory committee for each of the following categories of child care:  
5                 (1) Child care homes.  
6                 (2) Child care centers.  
7                 **(3) Child care ministries.**



## Committee on Child Care

### Membership Roster

#### Representatives

#### Senators

**PAM LANDWER WILL INSERT THESE NAMES**

#### Legislative Services Agency Staff

**PAM LANDWER WILL INSERT THESE NAMES**

**November 1, 2011**

A copy of this report is available on the Internet. Reports, minutes, and notices are organized by committee. This report and other documents for this Committee can be accessed from the General Assembly Homepage at <http://www.in.gov/legislative/>.

## FINAL REPORT

### **Committee on Child Care**

#### **I. STATUTORY DIRECTIVE**

IC 12-17.2-3.3, establishing the Committee on Child Care, was enacted in P.L. 126-2007. IC 12-17.2-3.3-5 specifies the Committee responsibilities as follows:

Sec. 5. (a) The committee shall:

- (1) study the system of child care regulation; and
- (2) report and make recommendations concerning the system of child care regulation to the legislative council in an electronic format under IC 5-14-6 not later than October 31 of each year.

(b) The committee's recommendations under subsection (a) must further the following child care regulation purposes:

- (1) To provide support for families in need of reliable, high quality child care.
- (2) To encourage and support high quality child care providers.
- (3) To allow for a variety of methods of child care provision and allow each family to determine the method preferred for the family's children.
- (4) To promote access to available and affordable child care by parents.
- (5) To encourage the state to access all available federal funds for child care.

(c) The committee's program of study must include consideration of the following:

- (1) The effect of child care and child care regulation on families.
- (2) Encouragement of high quality child care.
- (3) Issues related to the child care workforce, including job satisfaction, compensation, and turnover.
- (4) A review of child care models.
- (5) Ensuring the safety of children.
- (6) Any need for reorganization and refocusing of governmental agencies responsible for regulation of child care.
- (7) Parental rights.

#### **II. INTRODUCTION AND REASONS FOR STUDY**

Current Indiana law provides for licensure and registration of various types of child care providers, including child care homes, child care centers, and child care ministries. Licensure and registration are not required for certain child care homes. Other requirements apply to child care providers that receive payment for child care under the federal Child Care and Development Fund program administered under 45 CFR 98 and 45 CFR 99, regardless of licensure or registration.

The Committee was formed to further the statutory purpose of supporting quality child care and assisting families by improving access to and choice of child care providers. Advisory committees concerning child care homes and child care centers were formed as a result of legislation passed in 2007. The purposes of the advisory committees are to advise the Division of Family Resources concerning child care regulation specific to the type of child care provider represented by the advisory committee, and to annually report to the Committee.

### **III. SUMMARY OF WORK PROGRAM**

The Committee met three times during the 2011 interim.

#### ***First Meeting***

The first meeting of the Committee was held on August 25, 2011. The Committee considered testimony concerning the following:

- (1) Updates from the Bureau of Child Care (BCC) of the Family and Social Services Administration (FSSA) and interested parties concerning:
  - (A) Child Care and Development Fund (CCDF), including the waiting list, funding, and eligibility requirements.
  - (B) Implementation and evaluation of the Paths to Quality program (PTQ).
  - (C) Child care quality projects implemented with the assistance of American Recovery and Revitalization Act (ARRA) funding.
- (2) Reports from representatives of the child care home and child care center advisory committees.
- (3) A report from a representative of the unlicensed registered child care ministry advisory group.
- (4) An update from the Indiana State Department of Health (ISDH) concerning the Sunny Start program.
- (5) An update from the Indiana Department of Education concerning programs affecting children from birth to age five.
- (6) Updates on activities of the Indiana Association of Child Care Resource and Referral, the Indiana Association for the Education of Young Children, the United Way of Central Indiana, and the Military Child

Care Liaison Initiative.

### **Second Meeting**

The second meeting of the Committee was held on September 27, 2011. Following visits of the Committee members to child care provider facilities, the Committee discussed their impressions of each child care facility visited.

### **Third Meeting**

The third meeting of the Committee was held on October 25, 2011. The Committee considered the following:

- (1) Proposed legislation.
- (2) The final report of the Committee.

## **IV. SUMMARY OF TESTIMONY**

The Committee heard testimony from representatives of the following groups:

- (1) Bureau of Child Care of the Family and Social Services Administration.
- (2) The Division of Family Resources child care advisory committees.
- (3) The Division of Family Resources unlicensed registered child care ministry advisory group.
- (4) Indiana Association for the Education of Young Children.
- (4) Indiana Association for Child Care Resource and Referral.
- (5) Indiana State Department of Health.
- (6) Indiana Department of Education.
- (7) United Way of Central Indiana.
- (8) Military Child Care Liaison Initiative.
- (9) Other interested parties.

### **Annual Updates**

The Committee heard updates concerning child care related activities of various state agencies and community organizations. The members requested and received additional information based on the testimony.

### **Child Care Facility Visits**

The Committee visited 4 child care facilities of various types. The members discussed their impressions of the child care facilities.

Minutes and attachments containing more detailed information concerning the Committee's 2011 interim work may be found at <http://www.in.gov/legislative/interim/>

## **V. COMMITTEE FINDINGS AND RECOMMENDATIONS**

The Committee made the following findings of fact and recommendations:

(1) The Committee finds that registered child care ministries are not required to teach universal precautions or provide staff training concerning symptoms and reporting of child abuse.

The Committee recommends that the Bureau of Child Care:

- (a) provide, free of charge, the resources (DVD or online) to teach universal precautions and staff training concerning symptoms and reporting of child abuse to all child care providers in Indiana; and
- (b) contact each child care provider at least once annually to encourage the providers to utilize these resources.

(2) PD 3187.....

WITNESS LIST

Melanie Brizzi, Bureau of Child Care, Family and Social Services Administration

Judith Ganser, M.D., Indiana State Department of Health

Jean Casmir Hill, Unlicensed Registered Child Care Ministry Advisory Group

Carol Johnson, Child Care Center Advisory Committee, Division of Family Resources

Dana Jones, Indiana Department of Education

Ted Maple, United Way of Central Indiana

Jillian Ritter, Military Child Care Liaison Initiative

Joey Scherschel, Child Care Home Advisory Committee, Division of Family Resources

Marsha Thompson, Indiana Association for Child Care Resource and Referral

Dianna Wallace, Indiana Association for the Education of Young Children