

# Child Injury Laws *Blog*

## Preventing Institutional Child Abuse By Carefully Selecting A Facility

Posted by **Jonathan Rosenfeld** on June 20, 2011

Children, like the elderly, are a **vulnerable group** that requires oversight, protection, and regulations to protect them. (See “**Children in Day Care Are Susceptible to Many of the Same Problems Our Elderly Nursing Home Patients Encounter**”)

### *Choosing a Child Care Provider*

When choosing a child care facility, there are a number of factors to keep in mind. It is important to find a high-quality facility, where you feel your children are receiving the best care and attention.

(**Trust Your Instinct When Placing a Child in Daycare with Potential Hazards**)

When you visit potential child care centers, you should look for:

- A positive and safe environment
- Good communication between the parents and staff
- Long-term caregivers with experience or training in child development
- A small caregiver to child ratio, to ensure that your child receives proper attention

Jonathan Rosenfeld offers legal services relating to: birth injuries, medical malpractice, day care abuse, foster care abuse, swimming pool injuries, automobile accidents, school bus accidents, dog bites, food poisoning, product liability, amusement park accidents and clergy abuse. For more information please visit Child Injury Laws Blog (<http://www.childinjurylaws.com/>) or call Jonathan directly at (888) 424-5757. ([www.rosenfeldinjurylawyers.com](http://www.rosenfeldinjurylawyers.com).)

The group, [Child Care Aware](#), lists five recommendations when choosing a child care facility:

- Start early – Give yourself enough time to look at multiple child care facilities and properly weigh your options
- Call [local](#) child care resources and referral ([CCR&R](#)) agencies
- Ask questions when you visit a facility – look around, check for hazards, count the number of children/caregivers, and ask about training and background checks
- Make a decision
- Stay involved

Child care is expensive, so naturally, price will be one factor in your decision. In two-parent households, 10.6% of the family income goes toward child care. There are some state assisted child care programs funded by the [Child Care and Development Fund](#) (CCDF), and some families may be eligible for [tax benefits](#) (Earned Income Tax Credit (EITC), Child Tax Credit, and Child and Dependent Care Credit).

### *Child Care Options*

The United States has more than 335,000 licensed child care facilities that offer supervised, regular care of children for a fee. ([Type and number of licensed child care facilities by state](#)). Child care [options](#) include:

- **Child Care Centers** – Nonresidential facilities
- **Family Child Care/ Group Day Care Home/Day Care Home** – Residential facilities
- **Family/Friend/Neighbor Care** – Relative/friend/neighbor provides care in their own home or the child's home

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- **Nanny/Au Pair** – One person cares for child in the child’s home, sometimes also living there

The **Survey of Income and Program Participation** (SIPP) has a **table** showing the distribution of child care arrangements for children younger than 15 years of age.

Arrangement Type	Percentage Distribution
<b>Relative Care</b>	47.4
Mother	4.3
Father	17.2
Grandparent	19.4
Sibling or other relative	6.4
<b>Organized Care Facility</b>	23.8
Day care center	18.1
Nursery or preschool	5.0
Head Start	0.8
<b>Other Nonrelative Care</b>	15.6
In child’s home	3.6
In provider’s home	12.0
Family day care	7.4
Other nonrelative	4.6
<b>Other</b>	13.2
Other arrangement	2.5
No regular arrangement	10.8
<b>Total</b>	100.00

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Early education programs offer an alternative to child care. The programs work on developing skills to prepare the children for school. These programs include:

- **Early Head Start (EHS)** – Federally funded program for low income families with young children ([Head Start Locator](#))
- **Head Start** – Same as EHS but for older children, 3-5 years old.
- **State-funded prekindergarten programs** – For children 3-4 years of age

### *Federal Regulation*

Individual states regulate and license child care. **Federal law** does require that states regulate child care facilities to prevent infectious disease, require premise safety, and health and safety training. As expected, regulations vary from state to state.

Regulations generally include: licensing requirements, inspections, child to staff ratio, background checks, health and safety requirements, child development, and parent communication/involvement. ([State licensing requirements](#))

Age Groups		
Developmental Stage	Age	Functional Definition
Infant	0-12 months	Birth to ambulation
Toddler	13-35 months	Ambulation to accomplishment of self-care routines such as use of the toilet
Pre-schooler	36-50 months	From achievement of self-care routine to entry into regular school

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School-Age Child	5-12 years	Entry into regular school, including kindergarten through 6 <sup>th</sup> grade
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### *State Regulation - Illinois*

The [Department of Children and Family Services](#) (DCFS) regulates Illinois licensing and standards (Illinois child care [Rules](#)). There were 2,907 licensed day care facilities, 473 group day care homes, and 10,050 licensed day care homes in Illinois in 2007. These facilities have the capacity to serve over 295,000 children. (Illinois Daycare Listings)

Illinois regulations set forth minimum standards for child care facilities and institutions. The Illinois Child Care Act ([225 ILCS 10](#)) has standards, licensing requirements, background checks, and responsibilities ([Child Care Act Study Guide](#)). (See “[Day Care Worker Leaves Children Unattended in Gym – Situation Demonstrates the Need for More Regulation of Child Care in Alternative Settings](#)”)

The Illinois Administrative Code includes [rules](#) covering the licensing standards for child care facilities:

- [Part 300](#): Reports of Child Abuse and Neglect
- [Part 404](#): Licensing Standards for Child Care Institutions and Maternity Centers
- [Part 405](#): Licensing Standards for Day Care Agencies
- [Part 406](#): Licensing Standards for Day Care Homes ([Summary of Licensing Standards for Day Care Homes](#))
- [Part 407](#): Licensing Standards for Day Care Centers ([Summary of Licensing Standards for Day Care Centers](#))

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- **Part 408: Licensing Standards for Group Day Care Homes (Summary of Licensing Standards for Group Day Care Homes)**

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