

FEE Stories

Memo to DC Politicians: Caring for Small Children Doesn't Require a Bachelor's Degree

By Vanessa Brown Calder

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Earlier this month, a federal court upheld DC's licensing regulation, which requires child care providers to have a college degree in order to care for children. In so doing, the court gives D.C. officials the go ahead to implement the regulation, which will make D.C. the most restrictively regulated state or territory in the country in this regard. This is unfortunate news, as the new regulation will have a negative impact on child care professionals, parents, and children alike.

Perhaps most obviously, D.C.'s rulemaking acts as a barrier to employment for existing and would-be child care providers. One of the plaintiffs in the case, Illumi Sanchez, is an example of such a care provider. Sanchez is a mother herself, and has provided care to children since the mid- 90s, only to be told in 2016 that her qualifications do not meet new D.C. standards that require a college degree to care for small tots.

Perhaps D.C. officials need to be reminded that caring for small tots does not require a college degree. In 2021, 54 percent of U.S. children lived in a household where *neither* parent would qualify to care for small children by D.C.'s standard that requires child care directors to have a bachelor's degree. And 43 percent of U.S. children live in a household where *neither* parent would qualify to care for small children based on D.C.'s requirement that child care staff have an associate degree.

Moreover, a majority of adults in 56 of D.C.'s neighborhoods would not qualify to care for children by its bachelor's degree requirement, and a majority of adults in 25 of D.C.'s neighborhoods would not qualify to care for children by its associate degree requirement. Many of these "unqualified" adults are, of course, parents themselves.ⁱⁱⁱ

In addition to being a senseless barrier to work for would- be carers, D.C. regulations also act as a barrier for parents looking for child care: a study on the impact of child care regulations found that imposing just minimum educational requirements on staff reduced the number of child care centers in associated markets. That is bad news for parents, as it means that they are likely to have even fewer choices at a time when the child care industry is still recovering its pre- pandemic workforce and child care is hard to come by.

Finally, having fewer care options is similarly problematic for D.C. children: in the same study, the authors conclude that imposing regulations on the childcare market creates winners and losers, where the losers are primarily children in lower income zip codes.

The authors report that children in more regulated areas were pushed into home- based day care, resulting in more children in home- based day care. But because the home- based day cares did not or could not hire more adults, individual children likely received less care and attention.

Unfortunately, D.C.'s licensing regulation goes beyond child care center staff and applies to some staff in home- based day cares, too. So for D.C. children, informal care is more likely to be the fallback option, which may mean that D.C. kids have less predictable care providers, less consistency, and less developmentally enriching environments than they would without the regulation.

It should not be a surprise that child care regulations, like many regulations, are regressive. But it is a shame that in the most expensive child care market in the country, D.C. officials seem intent on making care harder to come by. Particularly under these circumstances, it is a disgrace to put devoted, experienced workers out of a job; eliminate perfectly good child care options for parents; and keep children from consistent, reliable, developmentally appropriate care.

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