



April 20, 2021

Chairwoman Gonzales and Members of the Committee:

As the co-founder of MyVillage, a national network of home-based educators based in Colorado and Montana, I'm intimately familiar with the barriers to helping people start quality home-based child care programs. Most MyVillage members are women, many women of color and many in rural areas with no child care centers that desperately need the option of home-based programs.

MyVillage strongly supports House Bill 1222 because it would provide greater access to affordable, high quality, home-based child care across Colorado. A small number of children in a family home should not be treated the same as a Wal-Mart or 7-11. For example, an educator caring for six children should not be required to install a sprinkler system that can cost upwards of \$40,000, or pay thousands of dollars to modify their home when it already meets the rigorous child care health and safety licensing requirements set by the state.

House Bill 1222 would simplify the licensing process by ensuring consistent, evenly applied regulations to keep children safe and help more home-based programs open to fill our state's dire need.

At MyVillage we've seen growing demand for home-based care even before COVID-19. Yet, even with our support, new home-based educators struggle to open, with a primary reason being the numerous headaches that come with navigating differing local rules.

Take the City of Pueblo. We've had at least 6 MyVillage educators interested in opening family child care homes there. Only 2 of those educators succeeded or will soon in the case of Alex Winter, who will be testifying before you on April 27th.

The prospective Pueblo educators we worked with met all state licensing requirements; however, as Alex described, conflicting local rules required each to apply for a conditional use permit, submit significant documentation, and attend a hearing to get the approval they needed to open. Four of the 6 dropped out, and the two that stuck with the onerous process say they would never have completed it without our support.

We appreciate that officials in Pueblo have expressed openness to changing their rules, but they've said the process is cumbersome and lengthy, so it's unclear when or even if that might happen. In the meantime, we will continue to lose new child care supply.

Another example comes from Elbert County. A MyVillage educator struggled to get zoning approval for her home-based program. Local officials told her it was considered a commercial business, and as such, it would require a special use permit with a fee of \$2,200, a review from the County, and approval from the fire department and health department. As you can imagine, \$2,200 and the challenges of the process are significant hardships for someone wanting to open a small family child care business in their home, particularly now with the economic impact of the pandemic!

She exemplifies the problem that HB 1222 looks to solve – her home should never have been considered a commercial building in the first place.

This matter is of statewide concern. Treating small home-based child care programs as residences would provide a consistent, statewide solution. We can all agree that we need to increase the availability of high-quality, affordable and SAFE care available to children and working families.

Thank you for voting yes on HB 1222, and for the tireless advocacy of our bipartisan co-sponsors, especially Representatives Valdez and Van Winkle and Senators Smallwood and Winter for their leadership in bringing this bill forward.

Sincerely,

Elizabeth Szymanski
Co-Founder, CFO & Head of Operations
MyVillage

Senate State, Veterans, and Military Affairs Committee
Re: House Bill 21-1222 Testimony Submission

Chair Gonzales, Vice Chair Coleman, and members of the committee, thank you for the opportunity to share testimony with you in support of House Bill 21-1222: Bill to Increase the Supply of Family Child Care Homes.

I am Jennifer Spires, an educator with 17 years of experience and an advocate with Save the Children Action Network. I am also co-chair of the Early Childhood Summit and a board member for Colorado Association for the Education of Young Children.

Children who receive a quality early education are 20% more likely to graduate from high school than their peers who do not, and, on average, earn 50% more than their peers. Unfortunately, prior to the pandemic 51% of Coloradans lived in child care deserts and could not access care for their children. The COVID-19 pandemic has exacerbated this child care crisis, with 10 percent of child-care providers having permanently closed their doors. Now, 44 percent of families with young children are currently without child care plans for 2021.

Now, more than ever, kids need the support, engagement and care that child care offers, and parents need child care support to remain in the workforce or return to work. I am concerned that young children in our state cannot access child care, and I am pleased that you, as committee members, are considering solutions to this crisis and supports for parents.

I believe House Bill 21-1222 is a powerful proposal that can result in the expansion of child care in our state by removing barriers to opening and operating Family Child Care Homes (FCCHs). I urge you to support House Bill 21-1222.

Family Child Care Homes are a treasured part of the lives of children and families, and a crucial piece of Colorado's economic infrastructure. Yet it can be difficult and costly to open an in-home child care facility in Colorado because of duplicative and costly regulations. HB 21-1222 helps to remove these barriers to opening and operating FCCHs without compromising safety and health.

My two young nieces attend a FCCH, and love it. Personally, and professionally, I know many parents who choose in-home day cares because of the small group size, convenience, home environment and flexible schedules they can offer. In fact, historically, a majority of infants and toddlers in licensed care in our state have been in FCCHs.

Accessible, quality child care is a vital support to kids and families in Colorado. It is urgent that we create solutions, not barriers, to child care. As such, I ask that you support House Bill 21-1222 to help foster a sensible and safe expansion of FCCHs in our state.

Testimony for submission to the Senate State, Veterans and Military Affairs Committee

Re: House Bill 21-1222

Chair Gonzales, Vice Chair Coleman, and members of the committee, thank you for the opportunity to share testimony with you in support of House Bill 21-1222: Bill to Increase the Supply of Family Child Care Homes.

I am Kelly Fugate, an early learning professional and owner and founder of Sister Sister Family Childcare. Sister Sister Family Childcare is a Colorado Shines five-star rated, childcare center serving eleven children ranging from two-months to five years in age. Throughout the COVID-19 pandemic, my family childcare facility has remained open serving essential workers in our community, including health care workers. Sister Sister Family Childcare also offers Head Start and Early Head Start spots for qualifying children as well as military subsidy (Childcare Aware) and state subsidy (CCCAP).

Family Child Care Homes (FCCHS) are a vital support to children and to working families in Colorado. We urgently need more FCCH, in my community--El Paso County--and across the state. I believe House Bill 21-1222 can help remove barriers to opening and operating in-home childcare facilities.

Duplicative and costly regulations are prohibiting too many people from establishing FCCHs just when children, parents, and our state, most need childcare. I receive six to ten calls a week from families seeking care for their infants and toddlers. I have to turn them away. In fact, quality childcare is so difficult to find that I have worked with parents who drive up to twenty miles, each way, to bring their child to my facility.

I estimate that one third of childcare facilities will close in my community, in part due to challenges, and increased costs, created by the COVID-19 pandemic. Across the state, ten percent of childcare providers have already closed their businesses, and 44 percent of families with young children are without childcare plans for 2021.

I have established a FCCH that is top quality—securing the highest possible rating by Colorado’s early learning quality-rating system (Colorado Shines). Families want quality care for their children and overwhelming numbers of families want in-home childcare for their infants and toddlers.

House Bill 21-1222 offers solutions to Colorado’s childcare crisis. I believe that by reducing duplicative and costly local regulations to opening and operating FCCHs, lawmakers can help meet the needs of children and families in our state without compromising quality and safety. The Office of Early Childhood already regulates childcare operations to ensure that FCCHs meet safety, health, and quality standards.

That regulation would remain in place, even if local regulations were altered or removed.

I am proud of the care Sister Sister Family Childcare offers children in my community, and I want to see more businesses, like mine, open across the state. FCCHs help give children the best start in life and are vital to ensuring parents can return to work and help Colorado's economy thrive.

Thank you for your consideration of my testimony and of House Bill 21-1222. I urge you to vote yes on HB 21-1222 to increase the supply of Family Childcare Homes.

Hello, My name is Tammy Hayashi. I am a provider in Brighton, Adams County since 2005.

I am here to support HB 21-1222 by testifying about my difficult journey to expand my child care.

In April of 2018 I contacted my licensing specialist to apply for a large child care license. My first step was to get a city zoning license. When I contacted city planning and was passed to 3 different city employees it was noticeably clear that the planning commission did not know anything about state licensing rules and regulations or the different kinds of license we could apply for.

I was told that the process would take 3-4 months, \$1000 fee, one preliminary conference with city staff, a conditional use license which is geared to industrial type business with questions like, Chemicals used, waste discharge sewer systems, spills and containment etc.

Staff review and prepare for city council meeting, send letters with notification of a meeting I must give to all neighbors within 300 feet from me (about 60 homes),

Large sign posted about upcoming meeting, the neighborhood meeting and then attend the city council meeting.

After a month of emailing, asking questions and not getting clear answers I was not confident that after all the work and \$1000 I would be approved. About this time, I started to hear about other providers struggling to expand and in October of the same year, 2018, I attended a meeting with Colorado Children's Campaign on the International Building Codes and put my expansion on hold because of possible coming changes.

In September of 2019 Brighton held an In-Home Daycare Public Forum because other providers were encountering barriers to their expansions and families were really needing care. I and 4 other providers as well as a representative from our local early childhood council attended the meeting. The most pressing discussion at this time was the Brighton Fire Department

insisting on no child care in the basement without a fire suppression system and nothing really changed except that the city was aware that there was a problem, and they began to listen and try to understand.

Our council continued to work with Brighton city employees to educate them about the need for licensed family homes and for quality care and Brighton City Council added a study session to their agenda which I attended and explained the difficulty for providers to pay \$1000 and could that be lowered?

As a result, the city eliminated the need for the neighborhood and the city council meeting which lowered the cost to \$400. While the process has improved – if providers want to expand or become licensed the process and cost continues to be prohibitive and costly.

That all leads to the last few months tedious work.

First, I had a meeting with a city planner, planning manager, building official, a representative from the streets team and the fire chief. They had an ariel view of my home on a large screen, and we discussed parking, drop off/pickup area, general layout of “the operation”, a diagram of my home for exits and the fire chief made it clear no child care was allowed in the basement because babies can’t climb the ladder out the egress window and I had to completely remove the door of the one bedroom on the main floor.

Then on January 24th, 2021 I sent in \$400. filled out the online application for a conditional use permit which although a bit different then the first application from 2018 still had questions about chemical usage, waste disposal, noise etc.

Along with the fee and application I had to prepare for a public meeting with city planning commission, send in address labels of all my neighbors within 300 feet of me about 60 houses, I am not a very tech savvy person, and can you imagine me going around my neighborhood with a measuring tape and a notebook to write down addresses?!

Luckily, I have a tech savvy husband who did it all online. 15 days before the meeting the city sent letters to all the neighbors informing them of my application for a large child care home and posted a huge, ugly public notice sign of the upcoming meeting in my front yard. Like something you would see in an empty lot where a liquor store or a strip bar was going in. Neighbors would have something to say about that!

Well, the public meeting with the planning commission was on the 11th of this month. I spoke at it as well as a few of my neighbors in support, one who I did not know was in enthusiastic support and was hoping I had space for her 19-month-old son 😊 12 of my immediate neighbors signed a petition of support stating that they liked the sound of the kids laughing and playing in the backyard, or that they always see the kids happily running up to the front door when they arrive. The commission approved BUUUT there was another 15 days where “There is the possibility of a 15 day appeal to the Director of the decision, but the City Attorney would have to find out if that person has standing to bring such an appeal. We'll cross that if it comes to that within the 15 days from the hearing and approval.”

The 15-day period was over on Friday March 26th and I have not heard anything. Hopefully, fingers crossed and after 3 years of work and \$400 I will be approved with the city and I can apply for the large license with the state where the important, necessary work happens!

This whole process with the city feels redundant and unnecessary. It's a child care with 6-12 children. We don't use chemicals or have worry of dangerous chemical spills, we don't have unnecessary very loud sounds or large machinery, sewage isn't a problem unless you think of potty-training toddlers. Are neighbors 8 houses away from me really impacted? The safety, quality and healthy environment for our children is inspected and ensured through strict rules and regulations from our state licensing. The city and counties can and should hand off the liability and regulation to the state where it already is.

Thank you!

**STATEMENT FOR THE RECORD
BEFORE THE SENATE STATE, VETERANS & MILITARY AFFAIRS
COMMITTEE ON HB 21-1222: REMOVING BARRIERS TO CERTAIN PUBLIC
OPPORTUNITIES**

April 27, 2021

**Lindsey Vigoda, Colorado Director
Small Business Majority**

Thank you Chairwoman Gonzales, Vice Chair Coleman, and Members of the Committee:

My name is Lindsey Vigoda and I'm the Colorado Director for Small Business Majority, a small business organization with offices nationwide, including here in Colorado. Our mission is to empower America's diverse entrepreneurs to build a thriving and equitable economy. I am here to express our support for HB 21-1222, which would classify child care homes as residences for purposes of licensure and local regulations.

Colorado has been experiencing a shortage in licensed family child care homes over the last decade, as local regulations and municipalities categorize the use of a child care provider's home as a commercial "use," resulting in increased standards and requirements that limit the viability and operations of family child care homes. This creates a barrier for child care providers as the licensing requirements can limit the number of children that attend these programs, increases costs for small businesses to ensure they meet commercial fire and zoning requirements, and prevents small businesses from opening new programs.

Family child care homes are a vital component to the economy in our state and working families with young children need quality child care that is accessible and safe for their children. But over the last year, the Colorado workforce has struggled to find quality care for their children as the COVID-19 pandemic has forced Coloradans to stay home and be vigilant about their health, affecting their means to work and live a dignified life. And for those who are essential employees and work in the front lines, the lack of nearby care is forcing them to decide between their livelihood and the health of their children.

Easing the burden on licensing and local regulations will increase the supply of licensed family child care homes in our communities, and help close the gap in quality and affordability in family child care homes. These facilities provide in-home learning environments in smaller group sizes and offer great flexibility for hard-working Coloradans need who have non-traditional work schedules.

This is why we support House Bill 21-1222, legislation that will remove unnecessary regulations for small business owners within the child care industry, and would require local regulatory entities to treat family child care homes as residences. Even while easing their ability to get licensed, family child care homes will still need to abide by high safety standards for regulatory purposes such as zoning, fire, life safety, and building codes.

Our state's economic recovery depends on getting Coloradans back to work, and they can only rejoin the workforce if they're able to access safe and affordable child care. I urge you to pass this legislation to support our workforce and the small business community of child care providers.

Thank you,
Lindsey Vigoda
Colorado Director, Small Business Majority



Madame Chair and Members of the State, Veterans, & Military Affairs Committee,

My name is Jordan Smith, Strategic Initiatives Manager at Illuminate Colorado. Illuminate is a statewide nonprofit working to strengthen families, organizations, and communities to prevent child maltreatment. Illuminate serves as the Colorado Chapter of Prevent Child Abuse America and is also a member of Colorado's Early Childhood Summit. I am providing written testimony **on behalf of Illuminate Colorado in support of House Bill 1222**. Quality child care is a necessity for Colorado's economy and working families with young children, yet the number of licensed child care facilities have declined over the last decade.

Child Care Access and Child Abuse & Neglect Prevention

HB21-1222 will support Family Child Care Homes and begin to address the shortage of licensed child care slots, ultimately contributing to the prevention of child abuse and neglect. The Center for the Study of Social Policy demonstrates that certain characteristics make positive outcomes more likely for young children and their families thus reduce the likelihood of child maltreatment. As outlined through the [Protective Factors Framework](#), a research-informed approach to increase family strengths, access to child care supports parental resilience, concrete support in times of need, and social and emotional competence of children.

High-quality child care reduces parental stress and isolation. [Prevent Child Abuse America outlines](#) that if parents cannot find or afford adequate child care, they may be forced to leave their children alone or with caregivers who do not have the capacity to provide safe and appropriate supervision, leaving them vulnerable to endangerment, neglect, or abuse. Furthermore, trained child care workers can play a crucial role in identifying and reporting suspected child abuse or neglect.

Child Care Access and Child Fatality Prevention

In 2019, the Colorado Child Fatality Review Team and the Colorado Child Fatality Prevention System completed a methodical, joint review of the 79 fatal incidents from 2013 to 2017 that met the review criteria for both systems. They then identified trends associated with the circumstances surrounding these deaths, finding that **lack of access to stable, quality, and affordable child care was a contributing factor in 19% of the 62 deaths among infants and children under 5 years old**.

Therefore, one of the recommendations out of the [2020 Colorado Child Fatality Prevention System Legislative report](#) is to support policies that ensure access to stable, quality, and affordable child care, especially for infants and young children. The report specifically recommends supporting the implementation of Senate Bill 19-063 and components of [The Infant and Family Child Care Action Plan](#), including "resolving differences among state and local regulatory agencies to remove administrative and financial burdens and assure safe environments for children in family child care homes." HB21-1222 will bring this recommendation to fruition.

Please join Illuminate Colorado in our support of HB21-1222 by voting yes. I am available to answer any questions the committee may have.

Sincerely,

Jordan Smith
Strategic Initiatives Manager, Illuminate Colorado
jsmith@illuminatecolorado.org



The Bell Policy Center

303 E. 17th Avenue, Suite 400, Denver CO 80203 • 303.297.0456

Supports for Regulation of Family Child Care Homes (HB21-1222)

Testimony to the Senate Committee on State, Veterans, & Military Affairs

Nazia Hasan, Policy Analyst • April 27, 2021

Thank you for the opportunity to testify today. I am Nazia Hasan, policy analyst at the Bell Policy Center. The Bell Policy Center provides policymakers, advocates, and the public with reliable resources to create a practical policy agenda that promotes economic mobility for every Coloradan.

The Bell Policy Center supports [HB21-1222](#), which addresses key factors contributing to Colorado's decline in FCCH licensed capacity, such as conflicting regulation between state licensing allowances and local regulations and prohibitions of family child care in certain homes due to zoning restrictions. For some licensed FCCH providers, these added limitations reduce the number of children allowed in their care to a lower capacity than what the state allows and in other instances, local regulations restrict a provider's ability to obtain a child care license. These variances in regulation have limited access to safe, quality, and affordable child care for families across Colorado.

As you likely know, child care is critical for working families with young children to remain in the labor force. This is especially true for working mothers, and even more so as COVID-19 has had a disproportionate impact on women, specifically women with children. However, even prior to COVID-19, an analysis conducted by Center for American Progress finds more than half of Coloradans lived in child care deserts – a geographic region with three times the number of children per licensed slot. The impact of our state's child care shortage crisis has disproportionately affected working families in rural communities and families of color:

- 60 percent of the Colorado's child care deserts are in rural areas, and
- More than 60 percent of Black and Hispanic Coloradans live in child care deserts compared to 40 percent of white Coloradans who live in child care deserts.

Prior to the pandemic, Colorado's workforce included more than 200,000 working parents with children under age 3 who relied on some form of child care. FCCH is often the preferred option for families with infants and toddlers due to their smaller learning environments, accessibility, and flexibility to accommodate nontraditional schedules. Despite the reliance on FCCH providers the number of licensed child care facilities statewide have declined over the last decade:

- From 2002 to 2018, Colorado lost more than 11,600 FCCH licensed slots
- Based upon the Colorado Office of Early Childhood's (OEC) provider survey, half of the FCCHs (188 homes) had waitlists for infants

Colorado's child care shortage not only affects working parents, but it also has ripple effects on employers, the workforce, and Colorado's economy. According to an analysis by [ReadyNation and Council for Strong America](#), inadequate infant and toddler care costs our economy \$2.2 billion annually in lost earnings, productivity, and revenue.

To better understand the child care shortage for infants and toddlers, stakeholders involved in Colorado's [SB19-063](#) process tasked Dr. Ajay Chaudry, a national expert in early childhood, to analyze our current licensed child care capacity and the need for child care. Dr. Chaudry's analysis shows, absent barriers to accessibility and affordability, Colorado would need an additional 16,000 to 22,500 infant slots (13,500 to 18,500 in centers and 2,500 to 4,000 in FCCHs) for families who prefer licensed child care.

The Bell Policy Center supports HB21-1222 because it addresses key barriers to existing and aspiring FCCH providers to build and expand capacity for children in licensed care. By reducing these barriers Colorado will be able to address systemic barriers and help build the capacity of quality child care options to meet the needs of all families.

Should you have any questions, please email me at hasan@bellpolicy.org. Thank you.



April 26, 2021

Colorado General Assembly
200 E. Colfax Avenue
Denver, CO 80203

Re: HB 21-1222

Dear Members of the Senate State, Veterans, & Military Affairs Committee:

We write as retired admirals and generals of the national security organization Mission: Readiness to respectfully request your support for the passage of **HB 21-1222 - Regulation of Family Child Care Homes**. This bill would ensure that homeowners have the ability to operate a licensed family child care program from their homes.

We are deeply concerned that, according to the Department of Defense, 70 percent of young Coloradans between the ages of 17 and 24 are ineligible for military service, in part because of poor academic achievement. We are equally concerned about the impact the lack of quality child care has on our economy.

The importance of a child's earliest years cannot be overstated. There is scientific consensus that brain development from birth to age five sets the foundation for a child's future success. Mission: Readiness supports programs that increase children's access to high-quality early care and education. These programs help ensure that children get off to a strong start and are prepared for academic success. Additionally, they can help prepare young people to live healthy lives and prevent later behavioral issues.

Since 2011, Colorado has seen a dramatic decline in the number of family child care homes. This has been exacerbated by the COVID-19 pandemic, with an additional 10 percent of providers closing their doors. HB 21-1222 would reduce unnecessary barriers in order to increase the supply of licensed care through the simple action of treating family child care homes as residences instead of commercial facilities.

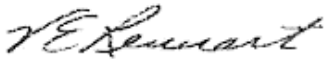
Our experience as military leaders has taught us just how critical early care and education is to living a healthy and productive life. There is even evidence

1400 S. Colorado Boulevard / Suite 460 / Denver, CO 80222 / 303.906.7636

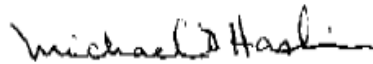
showing how early learning programs can help reduce America's high rate of childhood obesity, another factor impacting military service. Quality child care provides children with the right start in life so that they can grow up to be successful in the military, or whatever career they may choose. That is why we urge you to support HB 21-1222.

Thank you for your time and consideration.

Very Respectfully,



Victor "Gene" Renuart
General
U.S. Air Force (Retired)



Michael D. Haskins
Vice Admiral
U.S. Navy (Retired)




Michael C. Gould
Lieutenant General
U.S. Air Force (Retired)



Christopher Colvin
Rear Admiral
U.S. Coast Guard (Retired)



Douglas P. Anson
Major General
U.S. Army (Retired)



John L. Barry
Major General
U.S. Air Force (Retired)



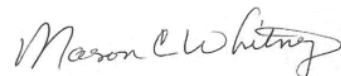
Gary R. Dylewski
Major General
U.S. Air Force (Retired)



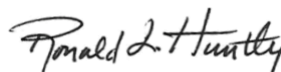
Anthony F. Przybyslawski
Major General
U.S. Air Force (Retired)



Bentley Rayburn
Major General
U.S. Air Force (Retired)



Mason C. Whitney
Major General
U.S. Air Force (Retired)



Ronald L. Huntley
Brigadier General
U.S. Air Force (Retired)



April 27, 2021

Colorado General Assembly
200 E. Colfax Avenue
Denver, CO 80203

Re: HB 21-1222

Dear Members of the Senate State, Veterans, & Military Affairs Committee,

Thank you for the opportunity to submit this written testimony in support of HB 21-1222. This bill would ensure that Coloradans have the ability to provide licensed child care in their homes, serving a great need in our state. As a member of Mission: Readiness, I have also added my name to a letter which was sent to each of you earlier this week.

The retired admirals and generals of Mission: Readiness know that investments in a child's earliest years are proven to be the most important and can get kids on a path to academic success. Giving Colorado's kids the right start in life will be imperative should they want a career in military service.

A research report released by Council for a Strong America last year provides evidence that the lack of child care in Colorado, specifically for infants and toddlers, results in an annual impact of \$2.2 billion to our state's economy. The report demonstrates that our pre-COVID child care system did not meet the needs of enough Colorado children, families, or our economy. We now know that many child care providers have closed their doors in the wake of this pandemic and many of those will not be able to reopen. This is especially true for providers in rural and remote areas of our state.

We also know that availability of child care for infants and toddlers has dramatically declined over the last several years, largely due to a decline in family child care homes. One of the challenges that is affecting the supply of licensed family child care homes can be found in the burdensome local regulations that overlay already stringent requirements placed on child care programs through licensing.

If we fix this problem, more families will be able to welcome children into their homes, which is especially important as parents are returning to the workplace. This action would be a great step forward in addressing the child care crisis in Colorado, and a necessary step toward our economic recovery.

I respectfully urge your support for HB 21-1222.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gary Dylewski".

Major General Gary Dylewski (Ret.) USAF

I am reaching out to ask for your support of a bipartisan bill that the state legislature is considering that would help address the shortage of family child care homes in our community. Currently, inconsistent and overly burdensome regulations are making it very difficult for family child care homes to provide care. Many local regulations are far more restrictive than **state child care licensing requirements which have shown to be effective at keeping kids safe**. Regulations that conflict with state licensing are leading to reduced number of children that can attend licensed child care, increased costs due to expensive and duplicative requirements, and sometimes outright prohibitions on family child care.

As a licensed family child care home in Arvada, I can attest to how local regulations are a burden to our businesses, prevent the expansion of licensed child care slots, and discourage individuals from entering the field. Newly adopted Arvada codes require a fire sprinkler system in the home if approved for a capacity above 8 children. The state of Colorado currently has two different licenses that allow more than 8 children to be in attendance.

The conversation in Arvada concerning additional codes and requirements began in February 2018. From this time moving forward, I had been in contact with city and Arvada Fire Protection District officials through multiple emails, phone conversations, and even meetings about this issue and trying to educate them on what the state of Colorado requires of licensed child care facilities, specifically the rules and regulations designed to keep children safe. I also tried to explain what would happen if overly burdensome regulations were adopted. Each time I was assured I could be part of the conversation and would be consulted during the process. I was not. Instead, I found out by complete chance 3 hours prior to the city council voting on the code that would require fire sprinkler systems in licensed family child care homes with more than 8 children.

When the city council voted on this code on September 14, 2020, very little advance notice and time was given to respond and provide comment on how this code could affect our businesses and the families in the Arvada community we work with. City officials gave information and statistics to the council during the meeting that was unfortunately incorrect. I spoke with Child Care Innovations, the local child care licensing agency for Jefferson County and Arvada providers, and was told that as of September 16, 2020 there were a total of 46 licensed family child care home businesses in Arvada. Of those 46, 18 were licensed as an Experienced Provider License or Large Home License and have an approved capacity by the state above 8 children. If these correct statistics were presented in the meeting and used as a projection of future businesses the fire sprinkler regulation could affect, the council would have realized that approximately of **39%** future family child care businesses could be affected by this burdensome regulation. I do not feel the city council really understood the unintended negative consequences this bill could have when it was passed.

Based upon several phone calls and conversations I've had with local fire suppression companies, this newly adopted code could cost anywhere from \$10,000-\$40,000 to have a fire sprinkler system retrofitted into a 2,000 square foot 1970 home (much higher than the cost presented by AFPD). Most of the companies I spoke to expressed they most likely would not be willing perform the work, and that if done, it would be very unattractive in a residence. In fact, during one conversation with Arvada Fire Protection District marshal Steven Parker, he admitted having difficulty getting sprinkler systems installed in the new home he was having built. If the fire marshal faced difficulty getting sprinklers installed in a new home, how likely is it that licensed family child care home providers can get them installed in an existing home?

HB21-1222 aligns with the finding of [Colorado SB19-063: Infant and Family Child Care Action Plan](#) and most recently [HB 20B--1002: Emergency Relief Programs For Child Care Sector](#) which includes the emerging and expanding child care grant program. Often local regulations make the expansion of family child care home businesses almost impossible which further reduces the number of licensed child care slots families have access to.

Thank you for your time and your serious consideration of HB21-1222. I am available for questions.

Caroline Kennedy
Owner, early childhood education
Miss Carrie's Child Care
Arvada, CO



April 27, 2021

Colorado General Assembly
200 E. Colfax Avenue
Denver, CO 80203

Re: HB 21-1222

Dear Members of the Senate State, Veterans, & Military Affairs Committee,

Please accept this testimony on behalf of the Colorado Business Roundtable, a public policy organization of executives from some of the state's largest employers, urging your support of HB 21-1222.

Last year, in partnership with the Common Sense Institute, we convened a diverse group of leaders in our state to develop a plan called The Road to Recovery, which identified key policy areas that are essential to Colorado's economic recovery. One of the biggest obstacles identified in the plan is child care. Although Colorado experienced a significant shortage of licensed child care before COVID-19 hit our state, the pandemic has highlighted just how critical child care is to working parents and their employers.

This week, the business leaders of ReadyNation, a nonprofit, bipartisan network of business leaders from Colorado and across the country, released a research report on home-based child care in our state. The report addresses the sharp decline Colorado has seen in the number of licensed family child care homes. Unfortunately, that number has been further reduced as a result of the pandemic.

We often think of child care as happening in centers, yet a growing number of families are choosing family child care homes. A recent study in Colorado tells us that family child care is preferred by more families than are using it, which points to our lack of supply.

HB 21-1222 would reduce unnecessary barriers in order to increase the supply of licensed care by treating family child care homes as residences instead of commercial facilities for purposes of zoning, building, and fire safety codes. By making this change, more families will be able to open their homes to a small number of children, which is especially important at a time when the lack of supply is affecting the ability for working parents to afford childcare and return fully to the workforce.

Thank you,

A handwritten signature in black ink that reads "Debbie Brown". The signature is fluid and cursive, with a long, sweeping underline.

Debbie Brown
President / Colorado Business Roundtable
720 280-0511 / dbrown@cobrt.com

**STATEMENT FOR THE RECORD
BEFORE THE SENATE STATE, VETERANS, & MILITARY AFFAIRS COMMITTEE
ON THE
REGULATION OF FAMILY CHILD CARE HOMES**

April 27, 2021

**Amber Bilby, President
Colorado Association of Family Child Care**

Dear Chairwoman Gonzales, Vice Chairman Coleman, and members of the Committee:

My name is Amber Bilby and I am a child care provider and the President of the Colorado Association of Family Child Care, also known as CAFCC. I am here today representing the 1606 licensed family child care providers that serve more than 13,000 children in the state of Colorado, urging you to vote in support of House Bill 21-1222. The livelihood of our family child care homes is dependent on the passage of this legislation.

Colorado is facing a child care crisis. In the last two decades, Colorado has lost more than 11,600 licensed slots in family child care homes, and that number continues to grow every day. The economic impacts of the gaps in Colorado's child care sector upon our working families, employers, and taxpayers cost our state \$2.2 billion annually in lost earnings, productivity, and revenue. As a representative of the provider community, I can say in confidence that much of this decline and loss in revenue is due to the duplicative local regulations that too often lead to financial costs, making FCCHs unsustainable and result in closures or withdrawn applications for licensure. Moreover, local regulations often are more limiting in terms of capacity. Of our currently licensed programs, there are many providers that are currently forced to operate at a lower capacity than what the state allows because of local restrictions. Financially that means over \$2 million in lost revenue to support these businesses.

If this bill does not pass, I believe we will see more providers go unlicensed because there are fewer regulatory pressures. They are not held to a standard of care and as we've discovered, this creates a safety risk in our communities. Over the past 10 years, there have been 18 confirmed deaths in illegal child care homes in our state.

As we all know, quality child care is a necessity for Colorado's economy. The COVID-19 pandemic has already resulted in 10 percent of child-care providers permanently closing their doors and 44 percent of families without a child care plan for 2021. Our licensed child care homes CAN support the State's economy, we want to! We need our local jurisdictions to allow us to operate in an environment that will allow us to maximize our impact.

I urge you to consider this legislation as a huge leap to support the child care community, provide much-needed relief to the families of Colorado, and the small businesses of our state. CAFCC's strong advocacy network is all in agreement - if this bill passes it will remove so many barriers and open a number of slots for more children to be cared for in a licensed home where we can support continuity of care. A vote in favor of HB 21-1222 is a vote in support of Colorado's small business community and family child care home providers.

Thank you,

Amber Bilby, President

To: Senate State, Veterans, and Military Affairs
From: Khatira Amn, Spring Institute for Intercultural Learning
Date: April 27, 2021

Madam Chair and Members of the Committee,

My name is Khatira Amn and I am an Early Childhood Education Policy Advocate at Spring Institute for Intercultural Learning. Spring Institute is a nationally-recognized provider of effective intercultural learning programs and services with the mission of empowering people and organizations to succeed across languages and cultures.

Three years ago, I (with my husband and three children) immigrated as a special immigrant visa holder because we were not safe there anymore. I had a law degree and was an attorney in Afghanistan. I am not able to practice law in the U.S., however, I have been able to use my skills as an advocate for dual language learners through the Spring Institute. I have three children and my third child is three years old and still on the waiting-list for care. As a mother and a refugee, I have seen that our system lacks to provide equal, affordable, and culturally responsive care for all children, especially children who speak languages other than English. I advocate on behalf of refugees and immigrants to address barriers and increase access to high-quality and culturally responsive care and education for dual language learners.

I see every day that access to care and education is a major concern and challenge for the community we work with, particularly dual language learners, immigrants, and refugees. Children who are dual language learners are defined as children ages 0-8 who have at least one parent who speaks a language other than English at home. They comprise 28% of children ages 0-8 in Colorado. Like all parents, immigrant and refugee parents want the best for their children and understand that quality education is tremendously important for their children's development and cultural integration. However, providing quality child care is expensive and the costs are often inaccessible for Colorado families who, on average, spend 20 percent of their household income on child care. Despite the high costs to provide quality child care, providers are unable to set tuition rates high enough to cover their expenses because many families cannot afford the higher rates. Local regulations too often lead to financial costs that make FCCBs unsustainable and result in closures.

Like all parents, immigrants and refugees also need to balance their career goals and work responsibilities with child care needs. Unfortunately, over the last several years Colorado has lost nearly 12,000 licensed slots in family child care homes, and the loss of child care for working families has only worsened with the pandemic. Many local regulations are far more restrictive than state child care licensing requirements which have shown to be effective at keeping kids

safe. Regulations that conflict with state licensing are leading to reduced number of children that can attend licensed child care, increased costs due to expensive and duplicative requirements, and sometimes outright prohibitions on family child care. Family child care homes are small businesses that provide a vital service to our community and, like any business, need the right regulatory environment to thrive.

HB21-1222 will reduce burdensome regulations simply by requiring local regulatory entities to treat family child care homes as residences for regulatory purposes such as zoning, fire, life safety, and building codes. Given that state licensing regulations already require FCCHs to meet health and safety standards to ensure the wellbeing of all children in care, this change will prevent additional or conflicting regulations from being placed on FCCH providers above state licensing requirements.

By supporting these policy changes, we can help increase the availability of quality child care within communities throughout Colorado and boost the economy by enabling working families to maintain employment. Thank you for your consideration and please vote YES on this bill!