Child Care Information for Families

Having access to safe and affordable child care is a critical issue for parents and other caregivers. Families face many decisions when balancing their work and home lives, especially when it comes to choosing the type of child care they will use. Finding the right type of child care that is also affordable may require searching, researching, and connecting with government agencies.

This resource guide provides general information about child care. It is designed to help you find answers to some of families’ most frequently asked questions:

♦ What Are My Child Care Options?
♦ How Can I Choose Quality Child Care?
♦ How Do I Find Child Care and Resources for a Child with Special Needs?
♦ What Is the Typical Cost of Child Care?
♦ How Can I Find Help Paying for Child Care?
♦ How Can I File a Complaint against a Center or Provider?
♦ How Can I Find Information About Contract Agreements between Parents and Their Child Care Providers?
♦ What Are the Legal Requirements for Hiring Someone to Care for My Child in My Home?
♦ What Is the Legal Age for Leaving a Child Home Alone or to Babysit Another Child?

The Child Care State Capacity Building Center (SCBC) defines child care as regular, supervised, and paid care of children while the family is at work, at school, or in training. It is available to families during work hours and throughout the year. Child care can include a learning program that addresses children’s social, emotional, cognitive, physical, and language development. It can provide a schedule of programs and supervision that responds to each child’s developmental needs, interests, and behaviors. Child care programs are often designed for specific ages and group sizes and can take place in different settings.

SCBC does not endorse any nonfederal organization, publication, or resource.
What Are My Child Care Options?

Finding a child care program that meets your family’s needs is important. Read more to learn about the four types of child care the general public most commonly uses.

♦ **Child care centers** are facilities where children typically receive care in a nonresidential building. Child care centers have classrooms of children in different age groups. Children receive care for fewer than 24 hours per day. State or territory child care licensing regulations include definitions of the types of child care centers that must meet licensing requirements. These definitions often include a minimum number of children and a minimum number of hours in which the facility operates to determine whether it must be licensed.

♦ **Family child care** settings are facilities where children typically receive care in a provider’s residence. Family child care homes usually provide care for a small number of children of mixed ages and have one care provider. As with centers, states and territories have definitions of the types of family child care homes that must be licensed. These definitions are usually based on the number of children in care. For example, several states and territories require family child care homes to be licensed if the provider cares for at least one unrelated child or children from one family. However, many states and territories also allow homes with three or more children to operate without a license. Many states and territories license two types of family child care homes—a small family child care home that has a small number of children and usually one care provider, and a large family child care home or group home that usually has a larger number of children and a provider and assistant.

♦ **Family, friend, and neighbor care** is provided by relatives, friends, neighbors, or other adults who have a close relationship with the parent or parents. Child care can be provided in the child’s home or the family, friend, or neighbor’s home.

♦ **Nanny and au pair care** are provided by one person hired by the parent or parents to come into the home on a live-in or live-out basis. Nannies or au pairs can care for the parent’s children or groups of children from several families.

Parents should also consider whether a child care program is licensed. Licensing is a process administered by the state or territory government that sets a baseline of requirements below which it is illegal for facilities to operate. The agency responsible for child care licensing can provide information about the regulations that child care programs must meet. This agency can also provide information about whether a provider is licensed.

The [National Database of Child Care Licensing Regulations](#) contains direct website links to documents about state child care licensing regulations and contact information for licensing agencies. Users can access, download, and search state child care licensing regulations that apply to child care centers, family child care homes, and other licensed child care programs.

How Can I Choose Quality Child Care?

[Childcare.gov](#) is a federally funded website to help parents access safe and quality child care services in their community. [Childcare.gov](#) provides links to state and territory child care websites to help parents search for child care and consumer education information. ChildCare.gov is a requirement of the Child Care and Development Block Grant Reauthorization Act of 2014. It is operated by the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Child Care.

The Office of Child Care administers the Child Care and Development Fund. It works with states, territories, and Tribal governments to provide support for finding child care programs. It supports working families with low incomes by providing access to affordable, high-quality early care and afterschool programs.
How Can I Find Information About Federally and State-Funded Early Education Programs?

Federally and state-funded early education programs focus on school readiness and help enhance children’s social, emotional, physical, intellectual, and speech and language development through age-appropriate activities. The following are federally or state-funded programs:

♦ **Early Head Start (EHS)** is a federally funded, community-based program for pregnant women with low incomes and families with infants and toddlers. It offers children and families comprehensive child development services through center-based programs, home-visiting programs, and a combination of program options. To learn how to contact a local EHS program in your area, call 1-866-763-6481 or use the online [National Head Start Program Locator Tool](#). Click “Español” for information in Spanish. Additional information about EHS is available. Information about enrolling a child in an EHS program is also available.

♦ **Head Start** is a federally funded, community-based child development program for children 3 to 5 years old and their families. It is a child-focused program and has the overall goal of increasing the school readiness of young children from families with low incomes. Head Start serves children whose family income is at or below the Federal Poverty Income Guidelines. However, like EHS, Head Start programs may serve a limited number of children from families who earn more than this income limit. To find a local Head Start program in your area, call 1-866-763-6481 or use the online [National Head Start Program Locator Tool](#). Click “Español” for information in Spanish.

♦ **State-funded preschool programs** are available in some states and are designed to give 3- and 4-year-old children the experiences they need to be ready for kindergarten. To find out if there is a program in your area and whether you are eligible to participate, see the [Preschool Programs](#) page of ChildCare.gov and click on “See Your State’s Resources.” Select your state under “Get Child Care Resources.” You will then see a variety of links to state-specific information, including “Inspection Reports” and “Child Care Regulations” information for your state.

How Can I Find Information About Military Child Care?

The following resources provide information about military child care, including child care for federal employees:

**Military OneSource** is sponsored by the U.S. Department of Defense. It provides information about child care for military families and answers to commonly asked questions about military child care. More information is available at [Military OneSource](#). Child Care Aware has partnerships with military services to assist the families of deployed or active-duty National Guard, Reserve, Army, Marine Corps, Navy, and Air Force service members. For more information, call 1-800-424-2246 or visit [Child Care Aware](#).

How Can I Find Information About Nannies?

The International Nanny Association (INA) can provide information about nannies, answers to frequently asked questions about working with nannies, and information about what you need to know before hiring someone to work in your home as a nanny. For more information, call INA at 1-888-878-1477 or visit [http://www.nanny.org](http://www.nanny.org).

More information about nannies and the legal requirements related to hiring nannies is available in the [What Are the Legal Requirements for Hiring Someone to Care for my Child in My Home?](#) section of this resource guide.
How Can I Choose Quality Child Care?

Various tools and checklists can help you select quality child care. The American Academy of Pediatrics suggests looking for the following qualities when choosing child care:

♦ Adult caregivers with training or experience in child development
♦ A warm, nurturing, developmentally appropriate, and intellectually stimulating environment
♦ Small child-to-staff ratios with consistent, long-term adult caregivers
♦ Good parent-staff communication

Many states and localities also have a quality rating and improvement system (QRIS). A QRIS is a systemic approach to assess, improve, and communicate the level of quality in early and school-age care and education programs. A QRIS awards quality ratings to early and school-age care and education programs that meet a set of defined program standards. A QRIS can help parents make informed decisions by using the ratings when seeking quality care. Because QRIS standards require programs to go above and beyond licensing requirements, providers participating in a QRIS have demonstrated their commitment to high-quality care. Child Care Quality Ratings information on ChildCare.gov explains quality ratings to help you recognize quality programs.

The following resources may also help you choose quality care:

♦ ChildCare.gov provides a series of tipsheets to help families choose the child care setting that best suits their and their child’s needs.
♦ Child Care Aware provides additional information and resources. Information in Spanish is also available.
♦ The National Association for the Education of Young Children provides a number of resources about selecting appropriate and high-quality child care.

How Do I Learn If a Complaint Has Been Filed against a Center or Provider?

You may find information about a child care provider or learn if a complaint has been filed against a regulated child care program by contacting your state or territory child care licensing agency. The National Database of Child Care Licensing Regulations contains direct website links to documents about state child care licensing regulations and contact information for licensing agencies. Users can access, download, and search state child care licensing regulations that apply to child care centers, family child care homes, and other licensed child care programs.

The law requires that states post monitoring and inspection reports electronically for families to search. See ChildCare.gov’s “See Your State’s Resources” section for information about inspection reports.
How Do I Find Child Care and Resources for a Child with Special Needs?

Parents of children with special needs are often advocates for their children's education and medical care. However, federal agencies, national organizations, publications, and websites can provide information for parents of children with special needs about medical conditions, inclusion, parental support, and parent advocacy.

How Do I Find Services for Children with Disabilities?

ChildCare.gov provides information about finding quality services for children with disabilities.

The office that is responsible for child care licensing in your state or territory can also let you know what regulations child care programs must meet. The National Database of Child Care Licensing Regulations contains direct website links to documents about state child care licensing regulations and contact information for licensing agencies. Users can access, download, and search state child care licensing regulations that apply to child care centers, family child care homes, and other licensed child care programs.

The following online resources provide additional information about child care for children with special needs.

Online Resources

- **Know the Law About the Americans with Disabilities Act** (2022), by the Child Care Law Center
- **Choosing Child Care for a Child with Special Needs** (2019), by Child Care Aware
- **Child Care for Children with Special Needs** (2019), by Extension Alliance for Better Child Care
- **Child Care Centers and the Americans with Disabilities Act** (1997), by the U.S. Department of Justice, Civil Rights Division, Disability Rights Section
- **Early Childhood Inclusion** (2009), by the Council for Exceptional Children, Division of Early Childhood, and the National Association for the Education of Young Children
- **Services for Children with Disabilities** (n.d.), by ChildCare.gov
- **Resources: Family Tools** (n.d.), by the Center on the Social and Emotional Foundations for Early Learning

How Do I Find Additional Resources for Parents of Children with Special Needs?

The Individuals with Disabilities Education Act (IDEA), Part C, provides for early intervention services for infants and toddlers with disabilities and their families. Find contact information for the Part C program in your state and specific referral contact links. Section 619 of IDEA, Part B, defines the preschool program that provides a free appropriate public education to children with disabilities, ages 3–5. In each state, there is a staff member—the 619 Coordinator—who is responsible for administering the state’s Section 619 Preschool Grant monies for developing, maintaining, and providing information about the program in the state. You may want to speak with your state’s 619 Coordinator if you are concerned about your child’s development or want more information about local programs and special education services. A directory of state 619 Coordinators is available.
The following resources provide additional information about the Americans with Disabilities Act (ADA), IDEA, birth defects, and developmental disabilities:

**Federal Agencies**

**ADA.gov**

U.S. Department of Justice  
Phone: 1-800-514-0301  
TTY: 1-800-514-0383  
Website: [http://www.ada.gov/](http://www.ada.gov/)

ADA.gov includes federal resources and ADA publications about how to comply with the ADA standards. ADA specialists are available to answer questions on a toll-free hotline. Spanish language services are also available.

**Centers for Disease Control and Prevention**

Website: [http://www.cdc.gov](http://www.cdc.gov)  
Spanish-language Website: [http://www.cdc.gov/spanish](http://www.cdc.gov/spanish)

The Centers for Disease Control and Prevention (CDC) is dedicated to protecting the health and quality of human life through the prevention and control of diseases, injuries, and disabilities. The passing of the Children’s Health Act of 2000 required the CDC to establish the National Center on Birth Defects and Developmental Disabilities (NCBDDD) within the CDC. NCBDDD works to improve the health of children and adults by preventing birth defects and developmental disabilities, promoting optimal child development, and promoting health and wellness among children and adults living with disabilities. More information about NCBDDD is available. The following resources are also available:

- *Birth Defects*
- *Developmental Disabilities*
- *Learn the Signs. Act Early* (information in Spanish is also available)

**National Organizations**

**The Arc**

Phone: 202-534-3700  
Toll free: 1-800-433-5255  
Email: info@thearc.org  
Website: [http://www.thearc.org](http://www.thearc.org)

The Arc provides information and materials about intellectual and developmental disabilities. It also includes information about where to find assistance and other resources that may be of interest to parents of children with special needs.
Center for Appropriate Dispute Resolution in Special Education

Phone: 541-686-5060
Email: cadre@directionservice.org
Website: http://www.directionservice.org/cadre/
Spanish-language website: https://www.cadreworks.org/for-families/espanol

Center for Appropriate Dispute Resolution in Special Education (CADRE) provides technical assistance to state departments of education about the implementation of mediation requirements under IDEA. CADRE also helps parents, educators, and administrators benefit from the full continuum of dispute resolution options.

Child Care Law Center

Phone: 415-558-8005
Email: info@childcarelaw.org
Website: http://www.childcarelaw.org

Child Care Law Center provides information and publications about ADA and legal rights under ADA standards for families at https://www.childcarelaw.org/families/.

Easter Seals

Phone: 1-800-221-6827
TTY: 312-726-4258
Website: http://www.easterseals.com

Easter Seals supports children and adults with special needs through a nationwide network of more than 450 service sites. Primary Easter Seals services include medical rehabilitation (for example, early intervention, physical therapy, occupational therapy, and speech and hearing therapy), job training and employment, child care, adult daycare services, and camping and recreation. Information about Easter Seals child care services is available. Information for parents is also available.

Parent Advocacy Coalition for Educational Rights Center

Phone: 952-838-9000
Email: pacer@pacer.org
Website: http://www.pacer.org

The Parent Advocacy Coalition for Educational Rights (PACER) Center is an organization created by parents of children with disabilities to address common challenges. A wide range of resources to assist those caring for children with disabilities is available. Materials in Spanish, Hmong, and Somali are also available.

Online Resources

♦ **LD [Learning Disability] Checklist of Signs and Symptoms** (2014), by the National Center for Learning Disabilities, is a checklist to help parents identify the signs and symptoms of a learning disability and help them determine whether their children show those signs.

♦ **Preparing for Disaster for People with Disabilities and Other Special Needs** (2004), by the American Red Cross, provides information to help teachers, parents, and administrators plan for future emergencies and disasters involving children with disabilities.
What Is the Typical Cost of Child Care?

After housing expenses, child care and early education expenses are the next largest average expenditure for a middle-income family with children. Child care and early education can account for 17 percent of child-rearing expenses. The typical price for child care varies by community, age of the child, and type of care used by the family (for example, center-based care tends to be more expensive than family child care, and infant care is more expensive than care for an older child).

Child Care Aware offers the Budgeting Child Care Options Calculator, which allows families to examine their financial situations to get a general idea of their monthly budget and how child care expenses will affect them. The Budgeting Child Care Options Calculator is also available in Spanish.

Child care resource and referral agencies collect information on the supply of and demand for child care in local communities. These agencies may provide an estimate on the price of child care in a particular area. For more information, you may want to contact your child care resource and referral agency. Child Care Aware offers a child care finder tool that provides contact information for all state and local child care resource and referral agencies.

How Can I Find Help Paying for Child Care?

There are several financial resources, including government assistance, private scholarships, and tax credits that might help families pay for child care, depending on their eligibility.

Government Assistance

State and territory child care assistance programs are funded through the Child Care and Development Fund (CCDF), and each state and territory has the flexibility to establish its own program guidelines, requirements, and policies. The CCDF program is federally funded and designed to support families with low incomes, families receiving Temporary Assistance for Needy Families (TANF), and families transitioning off TANF who need child care so they can work or attend training or education. Parents, grandparents, guardians, and relatives with custody of children may apply for child care assistance (sometimes called a subsidy or voucher) at a state, territory, or local agency.

States and territories have different eligibility requirements and ways for families to apply for services, including different forms to fill out and steps to follow. The following are some examples of program requirements:

- Some programs require in-person applications, and others offer off-site application services, such as online, telephone, or mail options.
- All programs require families to pay a copayment fee based on their family income; however, some programs waive the fee under special circumstances.
- Some programs require single parents to cooperate with child support enforcement regulations to be eligible for services.
- Some programs give assistance to grandparents and other relatives if they meet program requirements.
- All programs allow families to choose from a broad range of child care providers, including relatives, friends, or neighbors.
Most programs require child care providers to meet basic health and safety requirements, but exactly what the provider must do varies. Some states and territories require all child care providers to be licensed, while others exempt some providers, such as those caring for children of relatives or those caring for a very small number of children.

All programs pay providers based on a set rate that can vary by the age of the child, type of care, location, and other factors.

All programs have different systems for paying providers. Some states use paper checks, others use direct deposit, and others give parents debit cards that can be used to transfer the payment to the provider electronically.

Some providers may be required to sign a contract agreement with the state or territory before they can participate in the child care assistance program.

To learn more about the child care assistance program in your area, contact your state or territory child care agency. Contact information for all CCDF agencies is available at http://www.acf.hhs.gov/programs/occ/resource/ccdf-grantee-state-and-territory-contacts.

**Employer-Based Funding Options**

Your employer may offer the option of putting some of your salary aside, which would not be taxed, for child care. Ask your human resources department whether it offers Dependent Care Flexible Spending Accounts.


**Tax Credits**

Depending on your income, you may be eligible for the Child Tax Credit and Child and Dependent Care Credit. These credits let you deduct the cost of child care from your federal, state, or local income taxes if you have a qualifying child. You may also be eligible for the Earned Income Tax Credit, designed for working families with low incomes. For more information, call the Internal Revenue Service at 1-800-829-1040 or visit https://www.irs.gov/individuals/parents.

The National Women’s Law Center provides useful child care tax information on its website. For more information, call 202-588-5180 or visit https://nwlc.org/wp-content/uploads/2021/02/MCLTTaxFS.pdf.

**Other Financial Resources**

Child care resource and referral agencies sometimes have information about child care programs that have scholarships, special funding options, or sliding-fee scales based on household income. Child Care Aware offers a child care finder tool that provides contact information for all state and local child care resource and referral agencies.

ChildCare.gov provides information for families on financial assistance for child care.

**How Can I Find Information About Other Assistance Programs for Families with Low Incomes?**

In addition to child care assistance, families with low incomes may also be eligible to receive assistance from other federally funded programs, such as TANF, housing assistance, Medicaid, and the Supplemental Nutrition Assistance Program (SNAP), to help cover other household expenses and support parents’ employment.
♦ **Low Income Home Energy Assistance Program (LIHEAP)** is a federally funded program designed to support families who are unable to pay their energy bills, so they do not resort to unsafe methods to keep their homes warm or cool. LIHEAP may help families with bill payment and energy crisis assistance—or with weatherization and energy-related home repairs. For more information, contact the National Energy Assistance Referral project by calling 1-866-674-6327 or emailing energy@ncat.org. Learn how to contact your state’s LIHEAP office.

♦ **Medicaid** is a state-administered health insurance program designed to help cover medical expenses for certain families and individuals with low incomes. Eligibility requirements are established at the state level and may include both income and categorical requirements. More information about Medicaid is available. To learn how to apply for Medicaid, contact your state Medicaid office. Contact information for all state Medicaid offices is available through the CMS.gov Contacts Database.

♦ **Rental assistance** programs are administered by the U.S. Department of Housing and Urban Development. Rental assistance programs include public housing, privately owned subsidized housing (low-rent apartments), and housing choice voucher programs (Section 8 housing). More information about these rental assistance programs is available.

♦ **State Children’s Health Insurance Program (SCHIP)** is a federal and state program that provides health coverage to uninsured children whose families earn too much for Medicaid but too little to afford private coverage. Additional information and links to all SCHIP programs are available.

♦ **SNAP**, formerly known as the Food Stamp Program, is a federally funded, state-administered assistance program that helps families with low incomes pay for the cost of food. To learn about the eligibility requirements and how to apply, contact your local SNAP office. Find information about how to apply or how to find a local SNAP office. Additional information about SNAP is available from the Supplemental Nutrition Assistance Program website at https://www.fns.usda.gov/snap/supplemental-nutrition-assistance-program.

♦ **The Supplemental Security Income (SSI)** program provides support through monthly payments to individuals with low incomes who meet the income eligibility requirements and are age 65 or older, blind, disabled, or are the parents of children 18 years of age and younger who meet the SSI program’s definition of disabled. The total amount of SSI payments varies from state to state. To learn more about the SSI program in your state, contact your local Social Security office. Contact information for Social Security offices is available.

♦ **Temporary Assistance for Needy Families (TANF)** is a state-administered program designed to help needy families achieve self-sufficiency. TANF eligibility requirements and application processes vary from state to state. To learn about the eligibility requirements and how to apply, contact your state TANF agency. Contact information for all TANF agencies is available.

♦ **Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)** is a federally funded, state-administered program designed to provide nutrition, education, and health care referrals, and offer supplemental foods to pregnant women, postpartum breastfeeding and non-breastfeeding women, and infants and children (birth to age 1) who are found to be at nutritional risk. To learn how to apply for WIC, contact your state WIC agency. Toll-free numbers for all WIC agencies are available.

### How Can I File a Complaint Against a Center or Provider?

Contact your state or territory licensing agency to determine whether a child care program is licensed, or to file a complaint if you think a program is not following regulations. If you suspect that abuse or neglect is taking place in a child care setting, you can do the following:

♦ Visit the ChildCare.gov page, Child Care Health and Safety Violations: State and Territory Reporting Information, to learn how to submit a child compliant.

♦ Call the Childhelp Child Abuse and Neglect Hotline at 1-800-422-4453, 24 hours a day and 7 days a week. The hotline gives information about how to make a report and where to file it.
Contact a child protective services agency. Contact information for all state child protective services agencies is available on Child Welfare Information Gateway’s website.

The Child Welfare Information Gateway’s website has resources about prevention, identification, and treatment of child abuse and neglect, as well as other child welfare issues. For more information, call 1-800-394-3366 or visit https://www.childwelfare.gov/. Information in Spanish is also available.

Contact your state or territory child care licensing agency if you think your child care provider is not following state or territory regulations. The National Database of Child Care Licensing Regulations contains direct website links to state child care licensing regulations documents and licensing agency contact information. Users can access, download, and search state child care licensing regulations that apply to child care centers, family child care homes, and other licensed child care programs.

How Can I Find Information About Contract Agreements between Parents and Their Child Care Providers?

You may want to consider the contractual policies that providers have in place and make sure that the policies meet your personal needs before choosing a child care provider and signing a contract with them.

A contract agreement can specify the days and hours of operation, costs, drop-off and pickup times, sick child policies, sleeping arrangements, supplies that you need to provide, emergency plans, and information about other services or additional fees that a caregiver can charge. You can avoid misunderstandings if all parties involved know who is responsible for what.

Contracts and rules may be written or verbal when you first enroll your child in care. However, not all providers will have written contracts or a written set of rules, and you will want to establish some ground rules before enrolling your child. You may want to compile your own checklist or write your own contract if your provider does not have anything formally written. Questions you may want to address with your provider before enrolling your child in a child care program include the following:

- How much does the provider charge for basic child care for infants or toddlers, or for a second or third child in the family?
- How and when will the provider collect payment for services?
- Does the provider charge a fee for late pickups?
- Does the provider have a license?
- Can the provider drop you from the program?
- Does the provider charge for days when your child is ill, on vacation, or for holidays or days with bad weather?
- Does the provider charge an extra fee for meals, diapers, or other supplies or services?
Parent-Provider Relationships

The relationship you have with your child care provider will affect how you feel about the services you and your child receive. Even if you have carefully selected your child care provider, you still will want to get to know them better. The ChildCare.gov Partnering with Your Child Care Provider page offers information about the importance of a strong relationship with your child’s care provider and how to recognize partnerships in high-quality programs.

Zero to Three has resources about parent-provider relationships, including a podcast called “How Partnering with Your Child’s Caregiver Supports Healthy Development.” The podcast and other resources can be found here.

The Early Childhood Learning and Knowledge Center has numerous resources about family engagement. These videos, audio conferences, and written products can help providers work with families to achieve positive outcomes.

Legal Questions and Contractual Agreements

You can address legal questions about contractual agreements between you and your provider with the help of an attorney. The following resources may provide information or legal help with issues related to contractual agreements between families and child care providers:

Legal Services Corporation

Phone: 202-295-1500
Email: info@lsc.gov
Website: http://www.lsc.gov

Legal Services Corporation (LSC) is a private, nonprofit corporation established by the United States Congress that provides civil legal assistance to those who otherwise would be unable to afford it. LSC agencies are available in all 50 states. A list of legal services agencies funded through LSC is available.

Child Care Law Center

Phone: 415-558-8005
Email: info@childcarelaw.org
Website: http://www.childcarelaw.org

Child Care Law Center offers resources on a wide range of legal issues related to child care businesses, including contract and policy information for child care centers and family child care homes.

Public Counsel

Phone: 213-385-2977
Website: https://publiccounsel.org/issues/children-youth-families/early-care-education/

Public Counsel's Early Care and Education Law Unit was established in 1986 to increase child care capacity in communities with low incomes and to improve the quality of care.
What Are the Legal Requirements for Hiring Someone to Care for My Child in My Home?

The following resources can provide information about items to consider, such as work agreements and employer and employee expectations, when hiring someone to care for your child in your home. Information about employer tax obligations and how to determine whether a child care provider is considered an independent contractor or your employee is also provided.

Just like any other type of employee, nannies may be required to pay Social Security and federal and state income taxes on their earnings. Parents may also be required by federal law to pay the employer’s portion of Social Security tax on a nanny’s salary, and some states may require unemployment tax payments. The International Nanny Association provides information about nannies, answers to frequently asked questions about working with nannies, and information about what you need to know before hiring someone to work in your home as a nanny. For more information, call 1-888-878-1477 or visit http://www.nanny.org.

The Internal Revenue Service (IRS) provides information about tax obligations for individuals and businesses, including information about household employees and independent contractors. The following resources include information about your tax obligations if you hire an in-home child care provider:

- **Topic 756 – Employment Taxes for Household Employees** (updated 2022) provides information about employer tax obligations regarding household employees, including housekeepers, maids, babysitters, gardeners, and others who work in or around a private residence.
- **Topic 762 – Independent Contractor vs. Employee** (updated 2022) provides information about how to determine whether a worker is an independent contractor or an employee under common law.
- **Household Employer Tax Guide** (February 2022) provides detailed information about tax regulations, credits, and applicable forms.

Contact information for all IRS offices is available by calling 1-800-829-1040 or visiting https://www.irs.gov/. Information in Spanish is available.

What Is the Legal Age for Leaving a Child Home Alone or to Babysit Another Child?

Most states do not have regulations or laws about when a child is considered old enough to stay home alone or to babysit other children. Some states have guidelines or recommendations. These guidelines are most often from child protective services and are administered at the county level. Contact information for all state child welfare agencies is available.

The following resources provide information about how to determine whether your child is ready to be left home alone, how to prepare your child to be home alone, and how to prepare your child for babysitting.

**Home Alone Resources**

- **Leaving Your Child Home Alone** (May 2018), reviewed by Steven Dowshen, MD, for KidsHealth
- **Leaving Your Child Home Alone** (December 2018), by Child Information Gateway
- **Is Your Child Ready to Stay Home Alone?** (updated May 2015)
Babysitting Resources

- *Are You Ready to Be a Babysitter?* (updated June 2015), by American Academy of Pediatrics
- *Babysitting & Child Care Training* (n.d.), by the American Red Cross
- *Babysitting: The Basics* (August 2018), reviewed by Kate M. Cronan, MD, for Kids Health

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The State Capacity Building Center (SCBC) works with state and territory leaders and their partners to create innovative early childhood systems and programs that improve results for children and families. The SCBC is funded by the U.S. Department of Health and Human Services, Administration for Children and Families, Office of Child Care.

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