

## Transportation of Children

The Child Care and Development Block Grant (CCDBG) Act of 2014<sup>1</sup> and the Child Care and Development Fund (CCDF) Program final rule (2016)<sup>2</sup> require states and territories to have health and safety requirements in 11 different topic areas, as well as preservice and ongoing training on those topics, for all providers that receive payments from the CCDF subsidy program.<sup>3</sup> This brief provides an overview of **transportation** requirements.

A series of briefs about CCDF health and safety requirements was first released in July 2016 by the National Center on Early Childhood Quality Assurance (ECQA Center) in response to the CCDBG Act of 2014. A summary of findings about the topic from the [2017 Child Care Licensing Study](#) is a feature of this July 2020 update to those briefs. Data for the study were compiled from state child care licensing regulations in effect as of December 31, 2017 (ECQA Center, 2020a, 2020b, 2020c).

Licensing and CCDF Administrators may find the brief helpful as they consider revisions to state standards for both licensed and license-exempt providers. It may also be of value to early childhood and school-age care programs and family child care providers, helping them understand and improve the health and safety of their learning environments.

## What Are the Basic Requirements?

[Caring for Our Children Basics: Health and Safety Foundation for Early Care and Education](#) (CFOCB) represents the minimum health and safety standards experts believe should be in place where children are cared for outside their homes. The following list contains CFOCB links to the basic requirements for transporting children:

### Play Areas/Playgrounds and Transportation

- ◆ [Qualification for Drivers](#)
- ◆ [Child Passenger Safety](#)
- ◆ [Interior Temperature of Vehicles](#)
- ◆ [Passenger Vans](#)

Best practices, which exceed CCDF requirements, are found in [Caring for Our Children: National Health and Safety Performance Standards; Guidelines for Early Care and Education Programs, CFOC Standards Online Database](#) (CFOC). You can learn more about best practice recommendations for transporting children by exploring the following CFOC links:

- ◆ [5.3.1.12: Availability and Use of a Telephone or Wireless Communication Device](#)
- ◆ [5.6.0.1: First Aid and Emergency Supplies](#)

<sup>1</sup> 42 U.S.C. § 9858c(c)(2)(I) (2015).

<sup>2</sup> Child Care and Development Fund, 45 C.F.R. § 98.41 (2016).

<sup>3</sup> Child Care and Development Fund, 45 C.F.R. § 98.44 (2016).

- ◆ [6.5.1.1: Competence and Training of Transportation Staff](#)
- ◆ [6.5.1.2: Qualifications for Drivers](#)
- ◆ [6.5.2.1: Drop-Off and Pick Up](#)
- ◆ [6.5.2.2: Child Passenger Safety](#)
- ◆ [6.5.2.3: Child Behavior During Transportation](#)
- ◆ [6.5.2.4: Interior Temperature of Vehicles](#)
- ◆ [6.5.2.5 Distractions While Driving](#)
- ◆ [6.5.3.1: Passenger Vans](#)

## Why Is It Important to Children?

Keeping children safe in a vehicle means using appropriate car seats and being sure that everyone is buckled up correctly for every ride. In 2012, all 50 States, the District of Columbia, and Puerto Rico had seat belt use laws and laws requiring children of certain ages to be restrained in child safety seats (National Highway Traffic Safety Administration, 2014).

But there are other dangers in and around vehicles that drivers and caregivers need to be aware of to keep children protected. Children who are left unattended in a closed vehicle may die or be injured as a result of heatstroke or hyperthermia. Hyperthermia can occur in vehicles even if outside temperatures are mild. When the outside temperature reaches 60 to 70 degrees Fahrenheit, the inside of a vehicle can reach dangerous temperatures in as little as 15 minutes. This rise in vehicle temperature is especially dangerous for young children. A young child's body temperature increases three to five times faster than that of an adult (Early Childhood Learning and Knowledge Center, 2020). Because of this danger, vehicles should be locked when not in use and checked after use to make sure no child is left unintentionally in a vehicle (American Academy of Pediatrics, American Public Health Association, & National Resource Center for Health and Safety in Child Care and Early Education, 2019).

## How Do States Establish Requirements?

### Key Findings from the 2017 Child Care Licensing Study

Findings from the [2017 Child Care Licensing Study](#), a large-scale research study of child care licensing requirements for child care centers, family child care homes (FCCHs), and group child care homes (GCCHs), show commonly found requirements related to transporting children (ECQA Center, 2020a, 2020b, 2020c). "Percent of states" and "states" refer to data from all 50 states and the District of Columbia.

- ◆ Nearly all states have requirements about **transportation** for child care centers, FCCHs, and GCCHs.
- ◆ More than three-quarters of states have requirements about the **condition of vehicles** used to transport children. More than half of states have these requirements for FCCHs and GCCHs.
- ◆ Sixty-one percent of states require child care centers to keep **first aid kits or emergency equipment** in vehicles used to transport children. Forty-eight percent of states have these requirements for FCCHs and GCCHs.
- ◆ Nearly 90 percent of states have requirements about the use of **safety restraints** for children (such as seat belts and car seats) for centers and GCCHs. Ninety-three percent have these requirements for FCCHs.

- ◆ Ninety percent of states have **requirements for drivers** (such as driver licenses or minimum age requirements) for child care centers. Eighty-six percent of states have these requirements for FCCHs, and 87 percent have these for GCCHs.
- ◆ More than half of states require child care facilities to have **automobile insurance** for centers (59 percent), FCCHs (57 percent), and GCCHs (55 percent).
- ◆ Nearly all states have requirements about **supervising children** during transportation for centers, FCCHs, and GCCHs.
  - More than 40 percent of states require center and GCCH staff or providers to supervise children when they board and exit vehicles. Thirty percent of states have this requirement for FCCHs.
  - Less than 15 percent of states require center and GCCH staff or providers to conduct additional checks for children remaining on board once vehicles are unloaded; 16 percent have this requirement for FCCHs.

## Examples of State Licensed Child Care Requirements

The following table provide links to state licensing requirements from **Delaware, Tennessee, Texas, and Utah** related to the transportation of children. These examples do not include all states that have these requirements but are meant to represent a range of approaches states have taken in their regulations.

Links to the full text of state and territory licensing regulations for child care centers, FCCHs, and GCCHs are found in the [National Database of Child Care Licensing Regulations](#).

### Child Care Center Requirements

#### Delaware

*DELACARE: Regulations for Early Care and Education and School-Age Centers* (May 2019)

<https://kids.delaware.gov/occl/pdf/delacare-regulations-center-2019.pdf>

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#### Tennessee

*Chapter 1240-4-01: Licensure Rules for Child Care Agencies* (January 2019)

<https://publications.tnsosfiles.com/rules/1240/1240-04/1240-04-01.20190103.pdf>

1240-04-01-.17 Transportation

### Family Child Care Home Requirements

#### Texas

*Chapter 747: Minimum Standard Rules for Child-Care Homes* (October 2018)

<https://hhs.texas.gov/sites/default/files/documents/doing-business-with-hhs/provider-portal/protective-services/ccl/min-standards/chapter-747-homes.pdf>

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## Family Child Care Home Requirements

### Utah

*R430-90 Licensed Family Child Care* (August 2018)

<https://childcarelicensing.utah.gov/rules/081018%20Nr430-090.pdf>

R430-90-20 Transportation

## Examples of State License-Exempt Child Care Requirements

States have exemptions in law or regulation that define the types of center-based facilities and home-based providers that are not required to obtain a state license to operate legally. Most states allow some exempt providers to receive CCDF funding. And while exempt providers are not subject to the regulatory requirements set forth by the licensing agency, the CCDF final rule<sup>4</sup> requires states and territories to have health and safety requirements in 11 different topic areas for all providers participating in the CCDF subsidy program, as well as preservice and ongoing training on those topics.<sup>5</sup>

The following table provides examples from **Arkansas** and **West Virginia** of requirements for license-exempt programs about transportation of children. These examples do not include all states that have these requirements but are meant to represent a range of approaches states have taken in establishing requirements for license-exempt programs.

### License-Exempt Child Care Requirements

#### Arkansas

*Minimum Licensing Requirements for Registered Child Care Family Homes* (January 2020)

[https://humanservices.arkansas.gov/images/uploads/dccece/Final\\_RCCFH.pdf](https://humanservices.arkansas.gov/images/uploads/dccece/Final_RCCFH.pdf)

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#### West Virginia

*Title 78: Legislative Rules Department of Health and Human Services, Series 20: Informal and Relative Family Child Care Home Registration Requirements* (March 2018)

[https://dhhr.wv.gov/bcf/Childcare/Documents/78%20CSR%2020\\_Final%20File\\_2018.pdf](https://dhhr.wv.gov/bcf/Childcare/Documents/78%20CSR%2020_Final%20File_2018.pdf)

§78-20-12. Transportation.

## Where Can I Find More Information?

### 2017 Child Care Licensing Study

The ECQA Center, in partnership with the National Association for Regulatory Administration, has conducted a large-scale research study of child care licensing provider and facility requirements and licensing agency policies every three years since 2005. The [2017 Child Care Licensing Study](#) looks at licensing requirements for child care centers, family child care homes, and group child care homes and licensing agency policies in all 50 states and the District of Columbia for 2017. The ECQA Center (2020a, 2020b, 2020c) released three research briefs about

<sup>4</sup> Child Care and Development Fund, 45 C.F.R. § 98.41 (2016).

<sup>5</sup> Child Care and Development Fund, 45 C.F.R. § 98.44 (2016).

trends in child care licensing that describe changes in licensing requirements and policies by comparing the findings from the 2017 study with findings from previous child care licensing studies.

- ◆ [Trends in Child Care Center Licensing Requirements and Policies for 2017: Research Brief #1](#)
- ◆ [Trends in Family Child Care Home Licensing Requirements and Policies for 2017: Research Brief #2](#)
- ◆ [Trends in Group Child Care Home Licensing Requirements and Policies of 2017: Research Brief #3](#)

## Healthy States: Health and Safety Training Toolkit

The [Healthy States: Health and Safety Training Toolkit](#), by the National Center on Early Childhood Health and Wellness, provides up-to-date research and science-informed resources, including online modules, webinars, and other materials. Its purpose is to inform and train program-level staff in all early childhood education settings.

The toolkit also gives a summary of the health and safety requirements in the CCDBG Act of 2014 and provides links to CFOCB and CFOC.

## Additional Resources

- ◆ [Caring for Our Children Basics Health and Safety Standards Alignment Tool for Child Care Centers and Family Child Care Homes](#) (2016), by the National Center on Early Childhood Quality Assurance, provides a simple format for states and territories to compare their current early childhood program requirements and standards against the recommended health and safety standards in CFOCB.
- ◆ [Developing and Revising Child Care Licensing Requirements](#) (2017), by the National Center on Early Childhood Quality Assurance, presents steps for developing and revising child care licensing requirements based on several states' successful practices.
- ◆ [Child Care Licensing Tools and Resources](#) (n.d.), a page of the [Early Childhood Training and Technical Assistance System](#) website with tools and resources about child care licensing designed to help states and territories improve their practices, strengthen provider requirements, and develop the skills of licensing staff.

## References

- American Academy of Pediatrics, American Public Health Association, & National Resource Center for Health and Safety in Child Care and Early Education. (2019). Standard 6.5: Transportation. In *Caring for our children: National health and safety performance standards; Guidelines for early care and education programs* (4th ed.). <https://nrckids.org/CFOC/Database/6.5>
- Early Childhood Learning & Knowledge Center, Office of Head Start, Administration for Children and Families, U.S. Department of Health and Human Services. (n.d.). *Keeping children safe in and around cars* [last updated June 8, 2020]. Retrieved June 11, 2020, from <https://eclkc.ohs.acf.hhs.gov/transportation/article/keeping-children-safe-around-cars>
- National Center on Early Childhood Quality Assurance. (2020a). Trends in child care center licensing requirements and policies for 2017: Research brief #1. <https://childcareta.acf.hhs.gov/resource/trends-child-care-center-licensing-requirements-and-policies-2017-research-brief-1>
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National Center on Early Childhood Quality Assurance. (2020c). Trends in group child care home licensing requirements and policies for 2017: Research brief #3. <https://childcareta.acf.hhs.gov/resource/trends-group-child-care-home-licensing-requirements-and-policies-2017-research-brief-3>

National Highway Traffic Safety Administration, U.S. Department of Transportation. (2014). *Traffic safety facts: 2012 data*. <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/812032>

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