

# Selected State Policy and Program Strategies for Integrating Safe Siting Considerations into the Child Care Licensing Process



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## I. Introduction

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An important health and safety consideration for child care programs is whether the location of the facility poses environmental exposure risks to children in care and to staff members. Such exposures might result from contamination caused by a prior use at or near the child care site that continues to affect the facility. Exposures might also result from a current, nearby activity that is a source of continuing air, water, or soil pollution, noise, odors, or other environmental health concerns.

Some states have established policies and programs to address these risks directly, through both regulatory requirements and voluntary initiatives. Regulatory requirements are found mainly, though not exclusively, in child care licensing rules. All 50 states, along with some local and tribal governments, have licensing requirements and programs for center-based and home-based child care. Voluntary programs that provide education and technical assistance on safe siting issues are primarily located within state health agencies, which work with licensing, environmental protection, and other agencies to address potential and identified hazards.

The Agency for Toxic Substances and Disease Registry (ATSDR) developed the Choose Safe Places for Early Care and Education program to assist state and local governments to “adopt practices that will make sure early childcare and education centers are located away from chemical hazards.” In addition to publishing a guidance manual and other informational resources, the agency has provided funding to state health agencies since 2017 to implement Choose Safe Places (CSP) initiatives through the ATSDR’s Partnership to Promote Local Efforts to Reduce Environmental Exposure (APPLETREE) program; there are currently 28 funded partner organizations. ATSDR, Choose Safe Places for Early Care and Education, at: <https://www.atsdr.cdc.gov/safeplacesforECE/index.html>.

This paper describes some of the ways that states have integrated safe siting considerations into child care licensing policies and programs. The first section of the paper provides an overview of child care licensing regulations and related policies that establish requirements for addressing potential site hazards. That information builds on and updates prior ELI policy reports. The second section describes voluntary property screening initiatives carried out by state CSP programs and some of the ways those programs have connected their voluntary resources with the state’s licensing process.

The discussion that follows presents state examples but is *not* intended to be exhaustive. The policy examples in Section I reflect the state of policy generally, but there may be additional relevant state policies not described here. The program information in Section II is drawn largely from telephone conversations with a dozen state CSP programs conducted in June and July 2022, as well as information provided on the web pages of those states.<sup>1</sup> State CSP programs not reviewed for this report may have similar activities and approaches to those described here, and all of the programs engage in a variety of other education and outreach activities not discussed in this paper.

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<sup>1</sup> ELI spoke with officials from Colorado, Connecticut, Florida, Georgia, Louisiana, Massachusetts, North Carolina, Ohio, Pennsylvania, Texas, Utah, and Wisconsin.

Though the paper focuses on policies at the state level, local policies and programs may also address potential site contaminants. For example, in some cities or counties, local agencies license child care facilities and might include the types of licensing rules described below. In addition, local planning and building agencies that adopt zoning and land use rules and/or issue permits for new child care facilities could incorporate safe siting considerations into those policies and processes.

## II. Regulatory Requirements for Addressing Potential Site Hazards

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A small number of states have adopted regulatory requirements that broadly address potential site hazards affecting child care facilities. This section describes these policies, highlighting two strategies:

- Requiring Information, Assessment and/or Remediation of Potential Site Hazards during the Licensing Process.
- Restricting the Site/Location of New Child Care Facilities.

The paper does not cover laws and regulations adopted by a number of states to address individual site pollutants such as radon, or specific sources of contaminants such as private drinking water wells or dry cleaners. ELI has published separate reports discussing those policies, as well as reports that describe more fully some of the broader policies noted below.<sup>2</sup>

### Requiring Information, Assessment, and/or Remediation of Potential Site Hazards in the Licensing Process

At least a few states have regulations requiring child care applicants to submit information about potential site hazards, assess potential hazards, and/or remediate identified hazards at the site as part of the licensing process.

*New Jersey.* In New Jersey, child care center applicants are directed to obtain a “letter of prior uses” from local construction officials. The Department of Community Affairs, the state’s building agency, has developed a model letter for this purpose.

The state’s child care licensing rules further require child care center applicants to obtain an environmental assessment and show that no (further) remediation is needed under state environmental standards. Depending on the age of the building, co-location, and prior or nearby uses, centers also need to contact the Department of Health and obtain an Indoor Environmental Health Assessment pursuant to Department rules showing that no further indoor remediation is needed. N.J. Admin. Code §3A:52-5.3(i).

This section of the state’s licensing rules also prohibits the issuance of a license (or renewal license) to centers “that are co-located in a building or other structure that contains a dry cleaner or nail salon unless the applicant obtains indoor air sampling that demonstrates that there is no impact to the child care center.”

*New York.* New York’s child care licensing regulations include an inspection and testing requirement for child day care center applicants: “Where the historical or current use of the dwelling, its

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<sup>2</sup> To access ELI policy reports discussing site hazards and other environmental health issues affecting child care, visit [www.eli.org/buildings](http://www.eli.org/buildings) (Topic: “Schools/Child Care”).

property and premises, or the surrounding neighborhood indicate that an environmental hazard may be present, inspection or testing must be completed by the appropriate local official or authority to determine if such hazard exists.” Applicants must submit “certification, on forms provided by the [licensing] Office, that the building [or dwelling], its property and premises, and the surrounding neighborhood and environment are free from environmental hazards...Such hazards include but are not limited to, dry cleaners, gas stations, nuclear laboratories or power plants, property designated as a federal superfund clean-up site, and any property with known contaminated ground or water supplies.” 18 N.Y. Comp. Codes Rules and Regs. §§416.2, §418-1.2.

The licensing agency implements this provision by requiring the applicant to submit a self-certification form. The “Environmental Hazards Statement” is a simple written certification indicating, to the best of the applicant’s knowledge, whether any environmental hazards exist on the site or surrounding areas. Providers who state that a potential environmental hazard may exist also fill out an Environmental Hazard Information Form, to provide general information about the potential hazard(s), a list of agencies the provider contacted for more information about the hazard, and whether any agency recommended an environmental hazard assessment. The agency has also created an Environmental Hazards Guidance Sheet, to assist providers in identifying potential hazards so that they can complete the certification forms accurately. The forms and guidance are included in the license application package for new and renewal licenses.

Applicants must attach to the certification any inspection or testing results obtained, along with “a statement from the appropriate local official or authority following this inspection and/or testing that the dwelling, its property and premises, and the surrounding neighborhood, meet applicable standards for sanitation and safety.” 18 N.Y. Code Rules & Regs. §416.2(a)(13).

*Delaware.* Delaware revised its child care licensing regulations in 2019 to include indoor air testing in certain situations involving potential site contamination: “A center located in a building that previously contained or currently contains a dry cleaner, nail salon, or any other use that may result in an unacceptable indoor air quality, will not be licensed or have a license renewed, unless the applicant or licensee obtains indoor air sampling...that shows there is no impact to the center.” The testing must be carried out in accordance with state environmental rules but may be performed by the property owner or a certified inspector. 14 De. Admin. Code §§933-46, 934-61, 933-7.0, 933-10.

*Florida.* Child care licensing requirements in Florida include an assessment of site hazards if there is construction of or modification to a child care facility or after a natural disaster. In such situations the facility “must provide current written approval from the local governing body,” which must include “assessments of: 1. Potential air, soil, and water contamination on facility site and outdoor play areas; 2. Potential toxic or hazardous materials in building construction, such as lead and asbestos; and 3. Potential safety hazards in the community surrounding the site.” Fl. Dept. of Children and Families, Child Care Facility Handbook (Oct. 2021) §3.1(F).

### Restricting the Site/Location of New Child Care Facilities

Following are examples of state laws and regulations that aim to prevent potential exposures by restricting child care facilities from locating near specified activities/facilities that pose environmental exposure risks or on a site where such activities previously occurred.

*New Jersey.* In New Jersey, new or relocating child care centers are prohibited from locating in a building that was formerly a dry cleaner or funeral home. The rules also address co-location within a multi-use building by requiring that: “Prior to approving the site, the Office of Licensing shall determine that the multi-use site does not pose a serious risk to the health, safety, or well-being of the children.” More generally, the rules prohibit centers from being “located near or adjacent to areas determined by the Office of Licensing to be hazardous to the physical health and safety of the children.” N.J. Admin. Code §3A:52-2.3.

*Arizona.* Arizona’s statute governing home-based child care requires that applicants for a child care facility license submit the names and addresses of the owners and lessees of any agricultural land located within a quarter mile of the proposed child care facility. The child care facility may be licensed only if the agricultural property agrees in writing not to apply certain pesticides within certain specified distances. If licensed, the child care facility may be restricted from future expansion or changes in the facility operations. Az. Rev. Stat. §36-897.01.

*Missouri.* Child care regulations for group day care homes and child day care centers in Missouri state: “No facility shall be located next to a high hazard area or occupancy. A high hazard area or occupancy is an area, building, structure, or portions thereof, that contains heat-producing appliances, or that manufactures, processes, generates or stores materials that constitute a high fire, explosion, or health hazard. This includes any area, structure, or building posing a degree of hazard greater than normal to the general occupancy of the area, structure, or building.” 5 Mo. Code of State Regs. §25-500.087.

*Mississippi.* Mississippi’s licensing regulations governing child care facilities and home-based child care establish that: “The outdoor playground area shall be free of hazards and not less than 30 feet (measured horizontally parallel to the ground) from...sources of toxic fumes or gases.” 15 Miss. Admin. Code Pt. 11, Subpt. 55, R. 1.11.9, 2.11.9.

Child care licensing rules in other states include more general standards that are potentially applicable to site contamination concerns – e.g., prohibiting facilities from being located “where conditions exist that would be hazardous to the health and safety of children” (Virginia) or affirmatively requiring them to be “located in a relatively noise and pollution free environment” (West Virginia). 8 Va. Admin. Code §20-780-280; W. Va. Code St. R. §64-21-5.

States might also adopt regulatory standards that restrict *other businesses* (e.g., commercial, industrial, or agricultural operations) from locating near an existing child care facility if those businesses are determined to pose environmental health risks. For example, Maine environmental regulations prohibited, as of June 2009, new or relocated perchloroethylene (“perc”) dry cleaning systems from being installed in a facility that is co-located with a residence, daycare center, school, preschool or other facility designed to be occupied by children or the elderly. Beginning January 1, 2021, any existing dry cleaners that were co-located with such facilities were required to completely eliminate perc use and remove all perc dry cleaning equipment from the building. 06-096 Code of Maine Rules, Ch. 125.

## Observations

New Jersey is the only state in the U.S. that combines detailed licensing (and health) rules requiring environmental assessment/remediation with a dedicated (health department) program to implement the requirements, though a few other states have less detailed regulatory requirements. The small number of policies requiring child care providers to affirmatively assess and remediate potential site contamination may reflect one of the main challenges in adopting such requirements: concern about the costs involved – both to the provider and to the state (and/or local) agency overseeing implementation and compliance.

A more common policy approach is to have general child care standards that would allow licensing agencies to respond if they become aware of a potential site hazard at a child care facility. Some state licensing rules include specific reference to “environmental” hazards, and virtually all state child care licensing laws and regulations already require facilities to meet more general standards for health, safety, and sanitation.

One policy strategy undertaken by a few states for *preventing* health, environmental, and financial impacts of site contamination is to prohibit the siting of child care facilities near or co-located with certain hazardous land uses, or to prohibit location at sites that formerly housed certain uses.

Even in states that have not established licensing rules or other policies addressing site hazards, the state child care *statute* may provide the authority for licensing agencies to do so. In some states, the statutory language may be broad enough to authorize the child care agency to revise its rules to address potential site hazards or to require the submission of site-related information as part of the license application. In Alaska, for example, the child care licensing law authorizes the licensing agency to “coordinate and develop policies, programs, and planning related to licensure and operation” of child care facilities, to “impose requirements for licensure, including standards for license renewal, that are in addition to the requirements of this chapter or of any other applicable state or federal statute or regulation,” and to “impose requirements and standards on licensed entities...including...reporting requirements; and...requirements and standards regarding health, safety, and sanitation...” Ak. Stat. §47.32.030.

## III. Voluntary Property Screening Programs

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In addition to general outreach and education, a significant component of state Choose Safe Places programs is assisting child care providers who wish to identify and reduce environmental risks. These voluntary property screening initiatives can play an important role in identifying potential site hazards, especially in the absence of regulatory requirements.

This section describes some of the typical features of voluntary property screening questionnaires used by CSP programs and discusses how states have been able to integrate this voluntary resource with the child care licensing process. The end of the section highlights some of the challenges and opportunities in implementing this type of activity. The information is drawn from program websites and from information provided directly by CSP program officials through webinars and phone conversations with ELI. Most state property screening questionnaires can be found on the state CSP program web pages, available at [https://www.atsdr.cdc.gov/safeplacesforece/state\\_programs.html](https://www.atsdr.cdc.gov/safeplacesforece/state_programs.html).

## Background: Property History Questionnaires

The state of Connecticut was an early leader in this area, establishing the first state-level voluntary property screening initiative in 2009 – the Child Day Care SAFER (Screening Assessment for Environmental Risk) Program. Over the past several years, other states have developed similar approaches tailored to the child care landscape of their state.

Voluntary screening activities typically include obtaining site information from the provider, consulting state GIS maps and other databases (and other agencies) to identify known potential hazards that are located near the child care facility, and sending a letter to the provider with information that can help them take steps to address any potential hazards. Programs commonly share their findings with child care licensing officials as well.

It is a goal of CSP programs to reach child care providers before they select a site, though most voluntary screening programs are available to both new and existing child care providers. Many programs are open to all types of licensed child care, though some focus on center-based facilities only.

The submission of a *property history questionnaire* is usually the first step in voluntary property screening initiatives. Most questionnaires contain some or all of the following core elements:

- Date the property was built (and/or whether it was built before 1978).
- Prior uses of the property that may be of concern (most provide a list of examples).
- Nearby businesses of concern and/or visible hazards (most provide a list of examples).
- Drinking water source (some ask whether the private well has been tested).
- Known pollutant contamination at the property (e.g., lead, asbestos, radon, arsenic).

Questions included in a smaller number of state survey forms include whether an environmental assessment has been performed; the number of children served by the child care facility (potentially useful for CSP grant and other reporting); whether the provider owns or rents the property (potentially useful in identifying financial assistance programs that might be available); and whether the facility is in the same building as or attached to certain businesses (and if so, whether it has a separate HVAC system). Several states include a list of agencies and other contacts that can help providers fill out the questionnaire. Oregon’s questionnaire provides a link to the state’s Environmental Cleanup Site Information database so that providers can research nearby businesses of concern.

Another item included in many questionnaires is a *disclosure* regarding the nature of the CSP program review and recommendations. These disclosures help clarify how the program intends providers to use the CSP program recommendations. This is an important consideration given the limited nature of the information submitted by the provider and the limitations of the CSP program’s independent investigation.

Many questionnaires use disclosure language similar to that found on Florida’s form, which requires participants’ signature acknowledging the disclosure: “The recommendations provided as part of the Florida CSPECE initiative are limited based on the resources available at the time of the assessment and FDOH’s professional judgment. FDOH cannot guarantee all possible environmental hazards associated with the evaluated sites will be identified.” A number of forms note that the information provided by the CSP program is not intended to constitute legal or medical advice and that the agency accepts no responsibility or liability for damages arising from use of this information. A few of the state disclosure



provisions also indicate that the CSP program is not responsible for the costs associated with the agency's recommendations. While a few states note that the information on the form is subject to public disclosure, Montana's form indicates that the agency "will make reasonable efforts to maintain confidentiality of responses and will only display responses in aggregate in public reports."

Though property history questionnaires contain many common elements, the questions are framed somewhat differently from state to state. Some ask for more detailed information about prior businesses located on the site (e.g., the name and dates of operation) or about nearby businesses (e.g., how far away, photos of the businesses/hazards). Some states provide brief educational information in connection with an issue (e.g., radon, lead).

A small number of states have taken a somewhat different approach. Rather than using a property questionnaire as a first step in the state CSP program review, these states have created self-assessment checklists that direct the child care provider to other agencies or resources for additional information on the items in the checklist; they also provide a contact number if the provider wishes to follow up with the CSP program. California and Idaho questionnaires use this approach, and other states are considering revising their forms along these lines.

On the other hand, some states have simplified the questionnaire to limit the role of the provider in obtaining and submitting site information. Virginia's questionnaire asks for the provider's contact information, the address of the proposed site, and an open-ended question for any additional information; the CSP program then searches for potential hazards. Wisconsin's recent revision created a more streamlined (and colorful) form to reflect feedback from Supporting Families Together Association, an association of child care resource and referral organizations that helps prospective child care providers complete the license application. Massachusetts' property screening form asks for the provider's contact information and address of the proposed facility; once that form is submitted, the provider is offered the option of completing a longer property questionnaire.

### Connecting Voluntary Property Screening with the Child Care Licensing Process

State CSP programs have used many avenues successfully to reach prospective and existing providers with information about voluntary property screening resources. A key partner in this work is the state child care licensing agency. Many CSP programs have worked to integrate property screening information and technical assistance with the licensing process in order to reach prospective and current child care providers as early in the licensing process as possible.

This section describes how CSP programs have integrated their voluntary property screening resources into child care license application materials, training/orientation for child care providers, and training/education of state officials who inspect child care facilities.

#### *Integrating CSP Resources with Child Care License Application Materials*

In some states, child care licensing officials provide CSP program information and resources directly to providers or potential providers. This could be accomplished by including CSP information in newsletters or other news features created by the child care licensing agency. The Pennsylvania CSP program used this strategy, which led to a significant increase in the number of property screening questionnaires received by the program. The Florida CSP program also has advertised its program resources effectively in this way.

A more targeted approach to reaching potential child care providers is to include state CSP information on a licensing agency web page aimed at those interested in applying for a license. Colorado and Florida are two examples.

*Colorado.* In Colorado, the “Apply for a Child Care License” [page](#) includes a sentence about and link to the CSP program.

*Florida.* In Florida, the web page “[How to Become a Provider](#)” has fact sheets on opening each type of licensed child care. The fact sheets include a paragraph noting the importance of safe siting and providing links to the CSP program and the voluntary property assessment.

The most direct way to reach potential child care providers is to incorporate state CSP information into the application materials themselves, which reach prospective providers early in the licensing process. Connecticut, Utah, and Wisconsin have used this approach.

*Connecticut.* In Connecticut, the property history questionnaire is [attached to the licensing application](#) for a center-based facility, for first-time applicants and for those moving to a new location or changing ownership.

*Utah.* Utah’s property self-assessment survey and a CSP fact sheet are provided by the child care licensing agency to license applicants at the time they apply.

*Wisconsin.* The Wisconsin CSP property history survey and brochure are included in the [inquiry packet materials](#) for obtaining a license for both group and family child care.

These examples reflect strong working relationships between CSP and licensing programs, as well as state licensing programs that have flexibility in designing their application packets. For Connecticut and Wisconsin, this has been the key mechanism for the CSP program to receive questionnaires. In both states, applicants get CSP program information together with other initial paperwork to become licensed or certified. However, applicants are not required to use or return the property history questionnaire in order to obtain a license.

### *Integrating CSP Resources with Child Care Provider Training/Orientation*

Many states require some type of training or orientation as a condition of obtaining a child care license. These required education sessions could serve as a vehicle for licensing officials to provide information on safe siting considerations and on the voluntary property screening resources available through the state CSP program. Whether this is feasible in a particular state depends on the state’s regulatory requirements and on the licensing agency’s discretion in developing the content of the mandatory sessions.

*Massachusetts.* During its pilot phase in the southeast region of the state, the Massachusetts CSP program worked to include safe siting information and voluntary screening resources into the regional child care licensing office training required for providers for initial and renewal (every 2 years) licenses. The training, which was conducted in person and included slides explaining safe siting and pointing people to the voluntary property screening questionnaire, served as the pilot’s primary way of communicating with providers. At the time, each region in the state conducted its own trainings and had some discretion in terms of content. The mandatory training is now centralized for the entire state and provided online, and the CSP program plans to work with the state licensing agency to add safe siting information and voluntary screening resources to the online training.

*Georgia.* Beginning in 2019, the Georgia CSP program was able to incorporate information about safe siting into the Licensure Orientation Meetings that are required for each type of child care license prior to submission of an application. Recently these sessions were moved to an [online platform](#). The CSP information includes a link to the online property history questionnaire and resources on why safe siting is important.

*North Carolina.* In North Carolina, a mandatory [two-day pre-licensing workshop](#) is the first step in getting a childcare license. The state CSP program began incorporating its information about safe siting, the CSP program, and how to complete the voluntary property checklist into the workshop presentation (PowerPoint) in early 2019. The sessions have been provided online during the pandemic.

*Pennsylvania.* In Pennsylvania, CSP information is not part of the orientation session, but a short description of and link to the program is included on the licensing agency [landing page](#) describing the required orientation training.

In addition to mandatory pre-licensing training sessions, child care licensing regulations commonly require providers to complete a certain amount of *continuing education or training*. Some CSP programs have developed videos or other types of training modules that could potentially be approved by the licensing agency for continuing education credit to satisfy regulatory requirements. Massachusetts is considering pursuing this approach for a self-paced training it is creating on safe siting and the CSP program.

State CSP programs have also worked with child care resource and referral agencies and other non-governmental organizations to integrate safe siting into health and safety optional training and education opportunities for child care providers.

*Colorado.* During its pilot phase, the Colorado CSP program participated in a licensing forum sponsored by the Early Childcare Council in the City/County of Denver. These forums are question and answer sessions for people working on their initial or renewal child care license application, and the event produced considerable interest in the CSP program. The program also has made presentations at the annual Rocky Mountain Early Childhood Conference, which have been very effective in raising interest in CSP; following the 2021 and 2022 conferences, a majority of the voluntary property questionnaires submitted to the CSP program were a result of this outreach. The in-person booth at the 2022 conference was especially effective in generating completed questionnaires.

### *Integrating CSP Resources with Training/Education of Licensing Officials*

Another strategy for integrating voluntary property screening with the licensing process is to educate licensing staff who inspect child care facilities. These activities focus on educating staff about safe siting issues, so the inspectors are in a better position to identify potential site hazards and provide that information to the CSP program for follow-up. The trainings provide a way to engage directly with the staff who interact with child care providers and are in a position to answer question that providers might have. Regular training – e.g., annual or biannual – can help reach new staff and also get feedback from more experienced staff.

*Connecticut.* The Connecticut SAFER program conducts trainings for new and existing child care licensing staff approximately once every two years. The training describes the SAFER program and

highlights potential hazards that inspectors can look for and bring to the attention of the program. The trainings also provide an opportunity for the program to get feedback on the screening process.

*Massachusetts.* During its pilot phase, the Massachusetts CSP program conducted annual training for the licensing staff in the southeastern (pilot) region of the state. The program is now statewide and has trained four of the state's five regions, with the goal of training all regions annually.

*Utah.* The Utah CSP program conducted a training for inspectors that discussed a range of safe siting issues and also provided inspectors with a checklist that they could use during their inspections. The checklist provides a list of several hazards that might be visible on the property, as well as examples of nearby businesses that might pose a hazard.

*Georgia.* Georgia's CSP program is currently working with the licensing agency to set up training for licensing inspectors that would cover key elements of safe siting as well as directions for using the program's online mapping tool. The licensing agency was recently granted access to the tool, which could aid inspectors in providing guidance, resources, and recommendations to child care facilities.

In addition to setting up stand-alone training sessions in coordination with child care licensing agencies, CSP information could be presented at third-party conferences – such as those held by statewide environmental health associations – that are attended by staff (including inspectors) from multiple state and local agencies. Utah, Ohio, and Colorado have participated in this type of event to discuss safe siting issues and CSP resources. North Carolina's CSP program has also used this approach, with a different focus: local planners. The program worked with Centralina Regional Council, a regional planning council that covers a nine-county region in the Charlotte area, and the American Planning Association to provide two, 2-hour virtual training sessions for local government planning professionals, for which continuing education credits were offered. The session discussed safe siting issues and available resources, as well as strategies for local planners (including model plan and code language) in the siting of child care facilities, with a goal of integrating safe siting considerations into local land use decisions.

In addition to these direct training activities, the state of New York has purchased an e-learning course on environmental health in child care settings to distribute free of charge to licensing staff. The course developed by Eco-Healthy Child Care®, Protecting Children's Environmental Health, trains child care professionals on best practices for reducing environmental hazards like pesticides, lead, and VOCs, which are important considerations in the safe siting of a child care facility. The state of New Hampshire has also purchased the course to distribute free of charge directly to child care providers.

## Observations

There are a variety challenges and opportunities in implementing a property screening program and integrating that voluntary initiative with the regulatory licensing process. As noted earlier, absent a formal regulatory requirement for submitting site information or conducting an assessment, a voluntary screening program may be limited in the information it can obtain about the property and its history. This affects the type and scope of recommendations and information a program offers and has led many programs to include disclaimer language with their questionnaires. This limitation also may be a factor for programs considering whether to provide a certificate or other recognition for providers who participate in the voluntary screening.

Following are some considerations raised during conversations with state CSP program officials around two other key challenges in implementing a voluntary screening program: competing demands on child care providers and resource needs.

*Competing Priorities and Requirements for Child Care Providers.* Because providers must satisfy a broad range and large number of requirements in order to obtain a license and operate their facility, it may be difficult to convince them to participate in voluntary property screening. This can be especially true at the outset of the licensing process, as pre-licensing training/orientation sessions and the application itself present a large volume of new information and paperwork. Thus, the voluntary nature of property screening initiatives is both an opportunity (more flexibility to adapt the program) and a challenge (more difficult to convince providers to participate). Short of requiring the submission of site information as part of the licensing process, strategies being used or considered by programs include:

- Working with licensing agencies to integrate CSP information into their direct communications with providers; this approach can also reach established providers who may be less overwhelmed by the initial licensing process.
- Integrating the voluntary questionnaire more seamlessly into the application materials to increase the likelihood that providers will submit the questionnaire.
- Streamlining the voluntary screening questionnaire to make it easier for providers to complete; some programs are streamlining or eliminating questions that providers typically have difficulty answering and/or that the CSP program has to verify in any case.

*Resource Limitations.* Although most property screening assessments carried out by CSP programs do not identify potential site hazards that need follow-up, the possibility of assessment and remediation costs may nonetheless dissuade providers from participating. While CSP programs might work with providers to identify any available state resources if the need arose, there are few clear sources of funding for this purpose.<sup>3</sup>

A more fundamental challenge for voluntary property screening programs is limited agency resources. The goal of integrating voluntary property screening into the child care licensing process is to reach a larger number of providers as early in the licensing process as possible. However, depending on the volume of received voluntary screenings, the CSP program may not have enough staff to handle the number of assessment requests from providers. This is particularly a concern in states with a high number of child care applicants each year. Property screening is time intensive and requires trained health department staff; local health departments are important partners, but they have very limited resources as well. Data and examples of success can support the evidence base for voluntary property screening programs and thus may help build programs for assisting child care providers into the future.

There are a number of approaches being used or considered by CSP programs to sustain a voluntary screening program with limited resources. One practical approach is to limit participation in the program – e.g., to new applicants or to center-based child care. Another tool for making effective use of staff resources is to develop and update an internal protocol for conducting voluntary property

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<sup>3</sup> ELI addressed this issue in a 2019 report, *Funding for Environmental Assessment and Remediation of Child Care Facilities: A Review of Selected Resources*, at: <https://www.eli.org/research-report/funding-environmental-assessment-and-remediation-child-care-facilities-review-selected-resources>.

screening and to standardize response letters issued by the program. State CSP programs have created and modified templates of this type as their programs have evolved.

Another strategy being used or considered by state CSP programs is to implement a voluntary screening process that centers on providers obtaining information on their own, rather than emphasizing CSP program investigation and assessment. This approach would rely on resources such as property history questionnaires that are interactive and easy for people to understand and use and that could steer providers to the state and local agencies that have databases and other information about site history or potential hazards relevant to the provider. Some states are exploring facilitating the use of publicly available GIS mapping tools to assist providers in checking for potential hazards themselves. While the CSP program could be focal point, cooperation among agencies would continue to be very important for a more streamlined property screening program.

Indeed, interagency collaboration is vital to maximizing and leveraging state resources generally, and partnerships among health, environment, and child care agencies have been an important component of CSP program activities. Some states have formalized these relationships – or are considering doing so – by establishing a memorandum of understanding (MOU) to set out the roles of the CSP program and other agencies in screening properties and in advancing safe siting goals. States may also have broader MOUs that can facilitate coordination around CSP issues. In Utah, for example, an MOU between the Departments of Health and Environmental Quality addressing environmental risk assessment was established in 2013 to, among other things, prevent gaps and facilitate agency coordination. The MOU affirms that each agency will respond in a timely manner to a request for assistance from the other, work cooperatively in undertaking risk assessments, and share information.<sup>4</sup>

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<sup>4</sup> Utah Dept. of Health, Interagency Agreement between the Utah Dept. of Health and the Utah Dept. of Environmental Quality Concerning Risk Assessment Agreement as it Applies to Protection of the Public's Health from Environmental Contamination.