

Achievements

Second Challenge: To Provide Educational Opportunities for the New Century.

Making the Necessary Investments in Education

- Increased **Head Start funding by almost \$800 million** to provide early education to tens of thousands of additional children in need. Under the Clinton administration, funding for Head Start has increased 80% to \$4 billion in 1997. These additional funds have enabled Head Start to serve 180,000 more children and their families. President Clinton proposes continued investments to allow Head Start to grow to serve over one million children by the year 2002. [HHS Press Release, 3/26/96]
- Supported the development of **voluntary standards of excellence** for students while encouraging grassroots reforms to improve our schools. [Goals 2000: Educate America Act, P.L. 103-227]
- Encouraged schools, colleges and employers to join in creating **school-to-work opportunities**, providing students with work-based learning and giving them new pathways from high school to good jobs and post-secondary education. [School-to-Work Opportunities Act, P.L. 103-239] In 1994 and 1995, over 500,000 young people in 1,800 schools throughout the nation participated in school-to-work systems that integrate academic and vocational instruction and provide work-based learning. Over 135,000 employers have been involved in school-to-work systems. [Source: Department of Education]
- Gave schools **greater flexibility to use federal aid** and develop **effective teaching innovations** to help all students achieve their full potential. [Improving America's Schools Act, P.L. 103-382]

Preparing Our Schools for the 21st Century

- Proposed a **\$2 billion Technology Literacy Challenge Fund** to help communities and the private sector ensure that every student is equipped with the computer literacy skills needed for the 21st century.
- Launched an **Educational Technology Initiative** to connect every classroom to the Information Superhighway and provide all students with access to computers by the dawn of the next century.
- Challenged each state to give **parents the right to choose the public school** their children will attend and to allow parents, teachers and administrators to form new charter schools. The President has proposed an additional \$100 million for Charter Schools, a \$49 million increase, to support planning and start-up costs for between 900 and 1,100 new or redesigned public schools that offer enhanced

public school choice. These State- or locally authorized schools are created by teachers, parents, and other members of the community and, in exchange for greater accountability for student achievement, are exempted from many local, State, and Federal education regulations. The Administration's goal is to stimulate the creation of 3,000 charter schools by 2002.

Opening the Door to College

- Reformed the **student loan program**, making college more affordable this year for millions of students in the Direct Lending program and others who will have access to flexible repayment options, including pay-as-you-earn plans.[Student Loan Reform Act of 1993, P.L. 103- 66] This year, the program will provide \$10 billion in loans at over 1,600 schools. More than 2.1 million student and parent borrowers have received direct loans since the program began. During the 1996-1997 academic year, it is expected that Direct Loans will make up approximately 36 percent of federal student loans.[Source: Department of Education]
- Enabled **70,000 volunteers to earn money for college** by serving their communities and their country in the **AmeriCorps** program. [The National and Community Service Act, P.L. 103-82; U.S. Newswire,4/28/97]
- Proposed **America's Hope Scholarships** to make access to two-years of college universal by providing students with a \$1,500 refundable tax credit for full-time tuition in their first year of college and another \$1,500 credit in their second year if they work hard, stay off drugs and earn at least a B average in their first year.
- Increased the Pell Grant from \$2,300 in 1993 to \$2,700 in 1997. These grants will provide a total of 3.8 million low-income students the opportunity to attend college this year. [Source: Department of Education (Memo to President, 12/6/96)]

The Agenda Ahead:

- Challenged Congress to make **\$10,000 of college tuition tax-deductible each year**; expand **work-study** to help 1 million young Americans work their way through college by the year 2000; provide **\$1,000 merit scholarships** for the top 5% of graduates in every high school; and increase the number of **Pell Grants** for students who need help.

Early Childhood
Child Care

Nicole R. Rabner

08/04/97 09:42:02 AM

Record Type: Record

To: William R. Kincaid/OPD/EOP

cc:

Subject: child care

Since Mike is away, I thought you might want to see the following. Please feel free to call me or Jen to discuss. Thanks.

----- Forwarded by Nicole R. Rabner/WHO/EOP on 08/04/97 09:42 AM

Nicole R. Rabner

08/04/97 09:20:05 AM

Record Type: Record

To: Michael Cohen/OPD/EOP

cc: Jennifer L. Klein/OPD/EOP

Subject:



POLICYOP.J23

Mike, attached is a working document of policy options for discussion relating to child care. The list is neither exhaustive nor necessarily realistic, but it is guiding some of our thinking so far. I wanted to call your attention to the last two options on the list, which deal with two education-related issues:

1. school age care and stimulating community learning centers in schools and elsewhere; and
2. establishing a scholarship program for child care professionals by exploring loan forgiveness and scholarship funds.

As you may know, we plan for the October Conference to address child care issues relating both to young children and school age children.

Today, Elena is chairing our first policy working group with WH and agency staff -- Pauline Abernathy is coming from DOE, and has been giving some thinking to these education issues. It might make sense for you or Bill to get involved in these discussions.

The meeting is today at 3pm in room 180. Sorry for the late notice.

FOR INTERNAL DISCUSSION PURPOSES**ONLY****Child Care Policy Options
Draft Working Paper****1. Make the Dependent Care Tax Credit Refundable for Child Care Expenses and/or Increase the Amount of Credit Available on a Sliding Scale to Reach Low and Moderate Income Working Families**

The Dependent Care Tax Credit (DCTC) is an income tax credit for taxpayers who incur employment related expenses for child care or elder care. The credit is now available to single parents who work and to two-parent families in which both parents work. The maximum allowable credit, available on a sliding scale depending on income, ranges from \$480 to \$720 for families with one child and from \$960 to \$1440 for families with two or more children. Since the credit is not refundable, it cannot be used by most low income working families with incomes below the federal income tax threshold (approximately \$24,000 for a family of four).

2. Double the Number of Children from Working Families Receiving Child Care Assistance through the Child Care Development Fund (CCDF) By Increasing CCDF Funds Over Five Years To Reach 2 Million Children by 2002

Low-income families face major obstacles in finding or affording child care services. While the average family spends about 7 percent of their income on child care, low-income families spend approximately a quarter of their income for child care services. An estimated 10 million children from working families will be eligible for federal child care assistance, yet only 1-1.4 million children currently receive assistance. Among working families earning 150% of poverty, 4 out of 5 do not receive federal child care assistance. Among working families earning at or below the poverty line, 2 out of 3 do not receive assistance.

3. Establish a Quality Incentive Grant Fund to Provide Grants to States (With Match from the Private Sector) to Improve Child Care for Young Children Based on the Military Child Care Model, Including Support for Achieving Accreditation

Research confirms that the quality of child care can impact children's language and cognitive development and can affect school-readiness. Yet study after study reveals a crisis in the quality of child care across the country. At the White House Conference on Early Childhood Development and Learning, the President pointed to the military child care program as a model for the rest of the country. Of particular note is the military's focus on establishing family child care networks, achieving outside accreditation of its facilities, and tying professional training to compensation.

4. Launch an Infant/Toddler Family Child Care Initiative by Providing Additional Funds

through CCDF or Another Funding Mechanism to Encourage Communities to Establish and Support Family Child Care Networks

As the number of infants and toddlers in care increase, many families are turning to small family child care homes to provide a more home-like setting for their children. One of the most effective strategies for improving the quality of these settings is the establishment of networks of support and training specifically designed for family child care providers.

5. Establish a Scholarship Program for Child Care Professionals By Exploring Loan Forgiveness and Scholarship Funds

Research confirms the importance of early childhood staff to the quality of child care services. Yet child care providers receive inadequate wages and there are limited resources to recruit and retain staff. When scholarships are provided, the quality of care improves (as seen in the TEACH scholarship program in NC).

6. Double the Number of School Age Children Who Have Access to Quality Child Care By Providing Incentive Funding to Stimulate Community-Wide School-Age Child Care Efforts, With Involvement of Schools and Community-Based Organizations

The need for after-school care has grown dramatically in recent years. With the vast majority of parents with school-age children in the workforce, millions of school-age children go home to an empty house after school. Yet most schools close at 3:00 pm and remain closed in the summer months. While the number of school-age programs has grown over the last decade, there are still dramatically few school-age programs for low-income working families, particularly for children aged 10-13. Despite poor access to quality programs, recent research documents the positive effects that school-age programs can have on academic achievement of low-income children. FBI studies report that crime rates increase between 3-6pm.

July 24, 1997

MEMORANDUM FOR DISTRIBUTION

FROM: Jennifer Klein, DPC/OFL
Nicole Rabner, DPC/OFL

RE: Background for Working Group Meeting on Child Care

Attached please find a draft working paper of policy options relating to child care for your review in advance of the working group meeting at the White House, which will take place on Tuesday, July 28 at 5:15pm, in room 180 OEOB. The paper is meant for discussion purposes only and does not represent an exhaustive list of ideas for consideration and discussion. Please bring reactions, as well as other suggestions, to the meeting, and feel free to call either of us at 202/456-6266. Thank you.

DISTRIBUTION:

Elena Kagan, DPC
Cynthia Rice, DPC
Olivia Golden, HHS
Cherrie Carter, OPL
Faith Wohl, NPR
Ann Rosewater, HHS
Joan Lombardi, HHS
Mary Bourdette, HHS
Keith Fontenot, OMB
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Jennifer Friedman, OMB
Mark Mazur, DPC/NEC/CEA
Anne Lewis, NEC
Kris Balderston, WH Cabinet Affairs
Emily Bromberg, WH IGA
Lynn Cutler, WH IGA
Janet Murguia, WH Legislative Affairs
Carolyn Beecraft, DOD
Linda Smith, DOD
Carrie Wofford, Labor
Martha Johnson, GSA
Pauline Abernathy, DOE
Michael Barr, Treasury

TBD, Labor

TBD, SBA

TBD, Commerce

July 25, 1997

MEMORANDUM

TO: Elena Kagan
FROM: Nicole Rabner
CC: Jennifer Klein
RE: Child Care

Our first child care working group meeting is set up for Tuesday, July 28, with representation from the appropriate agencies (list attached). You had asked Jen and me to distribute paper to the working group on possible policy options for discussion. With Olivia's blessing, we sent out the attached 2-page document, which is a shortened version of the document that HHS sent to us earlier.

Also attached is a summary of the focus groups you chaired, prepared by Joan and her staff for internal use, as well as the final, released statement by the President on the conference and the accomplishments document.

We also have a meeting scheduled with the First Lady, Melanne, David Hamburg and Deborah Phillips to discuss child care and get feedback from them on policy- and conference-development direction.

July 25, 1997

MEMORANDUM

TO: Hillary Rodham Clinton
FROM: Nicole Rabner
Jennifer Klein
CC: Melanne Verveer
RE: Child Care

As you know, over the past many weeks, we have been meeting with child care experts and Administration officials on child care, both to consider policy options and to begin thinking about the structure and message of the White House Conference in October. Attached for your review and comment are several documents:

- A Draft Working Paper on Child Care Policy Options
- A Summary of the Focus Group Meetings on Child Care
- A Statement by the President on the White House Conference
- Administration Accomplishments on Child Care

On your schedule for Wednesday, we have a meeting with David Hamburg, Deborah Phillips, Elena Kagan and Joan Lombardi from the Child Care Bureau to discuss the direction and themes of the Conference and to consider child care policy options.

Early Childhood

Too many parents have learned that day-care licensing and regulation, even when they exist, do not guarantee quality. Not to mention safety

BY VICTORIA POPE

Julie Fiedelholz arrived unannounced to pick up her son, Jeremy, at day care. Jeremy was 3 months old, and it was his first day at Chrissy's Kids day-care center in Plantation, Fla. Julie had left him there two hours earlier; now she was returning to get a candid look at his new surroundings. The day-care helper greeted her reassuringly: "Oh, Jeremy is sleeping so fine. He did good." Julie relaxed and looked with pride at her baby boy. "Buddha belly," she said to herself. That was his nickname, because Jeremy was so nicely plump.

ed while lying face down. During the minutes when he was struggling for breath, one day-care employee had been responsible for Jeremy—and 12 other children, according to official reports. This lone day-care worker was a 25-year-old woman, herself in the seventh month of pregnancy. The center's owner, Christina Schwartzberg, was not there because she had left the facility for 45 minutes to go food shopping.

While Jeremy was still lying comatose in the hospital, Roy Chandler, an investigator for the Florida Department of Children and Families, told the Fiedelholtses that police had found serious violations when searching the Chrissy's Kids site that afternoon.

Mark Fiedelholz recalls. Later, after Jeremy's death, Broward County officials cited Schwartzberg for violation of child-adult-ratio regulations and for leaving the children with an unapproved aide who was not certified in CPR. Schwartzberg voluntarily surrendered her license. She acknowledged no

Day-care dangers

The word caught in her mind: Belly. He's lying on his belly. Fear drew her closer to his crib. Jeremy's tiny hands were pulled alongside his head. His head was face down against a rumpled sheet, a smear of vomit across his cheek. His skin was tinged blue. Julie gathered her baby up, but he flopped like a rag doll. She dropped to her knees and screamed his name. She tried CPR. Paramedics arrived a short time later, summoned by the helper.

At 4:17 p.m. the next day, Jan. 30, 1997, Jeremy was pronounced brain dead at the hospital. When the final autopsy results were ready two months later, his parents learned that he had died of "positional asphyxia"—in layman's terms, Jeremy had suffocated.

Deaths of the innocent. Clockwise, from top right: Kierra Harrison, 14 months, from head injuries in Las Vegas; Alexandra LeVasseur, 4, of heatstroke in Peters, Pa.; Jordan Ambrozewicz, 23 months, of drowning in Pasadena, Md.; Raegan McBride, 2, of head injuries in Windsor, Conn. At center: Jeremy Fiedelholz, 3 months, of suffocation in a crib in Plantation, Fla. Such recent tragedies, experts say, underscore unanticipated hazards that can exist in day-care centers.

wrongdoing. No charges were filed against her.

As the Fiedelholtses sought to investigate why and how their son had died, they realized that they had been far too trusting. Before deciding on Chrissy's Kids as a suitable site for Jeremy, they had determined that it was licensed by the county. They had assumed that this ensured at least an adequate level of physical safety. Yet in Broward County, they learned, accreditation required only three hours of training for providers. They saw the county's official child-care manual; only one page was devoted to infants. It made no mention of the American Academy of Pediatrics' recommendations that babies be laid to sleep not on their bellies but on their backs. After Jeremy's death, police interviewed other parents whose children had stayed at Chrissy's Kids at the same time. The Fiedelholtses were stunned to hear that most of the parents said they would gladly put their

PHOTO ILLUSTRATION BY DOUG STERN—USNEWS; (CLOCKWISE FROM TOP RIGHT) MICHAEL LLEWELLYN FOR USNEWS; (ALEXANDRA, BOTTOM RIGHT) MICHAEL REDFORD

children back in Schwartzberg's care.

What happened at Chrissy's Kids is an extreme illustration of what can occur when parents place their trust—and their children—in the fast-expanding but only lightly supervised American day-care system. Already, 4.6 million infants, toddlers, and preschool children from every income group, spend part of their day in licensed day care. The pressures on the system are about to increase dramatically: As new welfare reform laws take hold in coming months, some 2 million parents (mainly mothers) now on welfare will join the work force, and their children will need care outside the home. Under pressure of welfare reform, many state legislatures are now scrambling to create new facilities as quickly—and inexpensively—as possible. Within three years, 3 out of 4 American women with children under 5 will be working and need child care.

As more and more mothers have moved into the work force, the varied effects of day care have provoked bitter debate. Some cognitive scientists argue that hired attendants cannot provide the stimulation or attention children need for emotional development; others contend that the independence and socialization forced on children by day care actually help children thrive. Economists point to day care's problems as a classic case of "market failure": Large numbers of parents need the service so they can work, but they are not willing to pay the fees that would be necessary for the well-trained, highly motivated workers they would like their children to have.

Avoiding harm. But whatever their positions in these debates, most parents take it for granted that day care will not be physically dangerous. To a larger degree than many realize, this assumption is incorrect. In a query of all 50 states and the District of Columbia concerning deaths

in child-care facilities, *U.S. News* tallied 76 deaths in 1996. The causes included drownings, falls, being struck by autos, and sudden infant death syndrome—but the data are sketchy, since many states do not report the causes of these deaths. This is doubtless not the full total, since seven states as well as the District did not respond to repeated requests for informa-

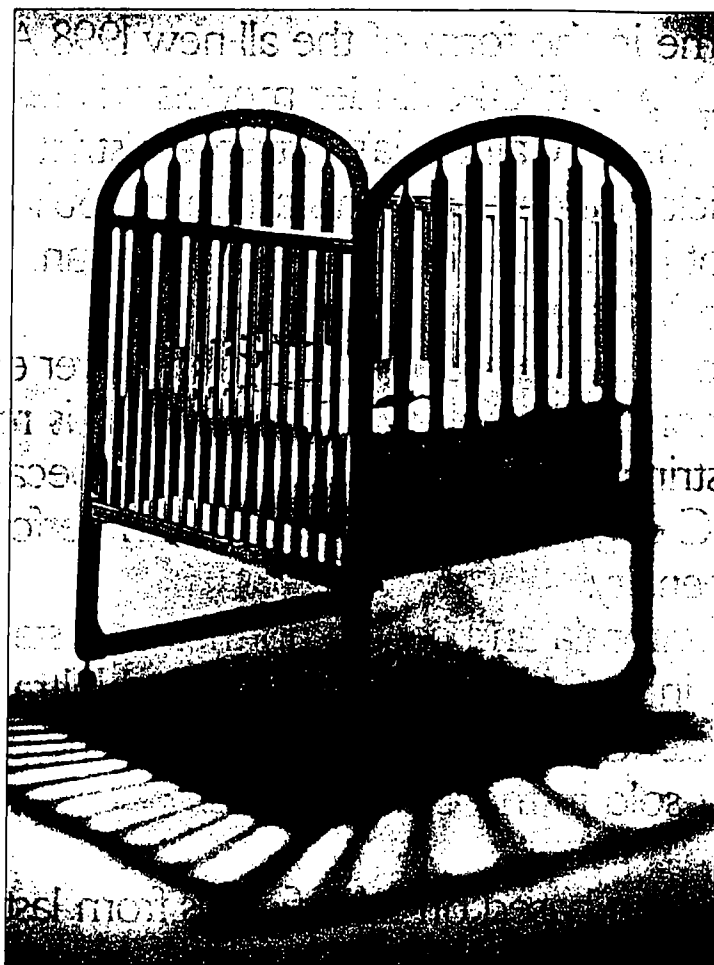
recorded in Texas and Massachusetts (which also collects detailed data) were projected per capita on the national population, day-care deaths would number between 240 and 320 a year. As a comparison, in 1995, 2,260 American kids between ages 1 and 4 died in all accidents, including 825 in motor vehicle collisions.

Cursory oversight. No degree of care could prevent all deaths or accidents; but the system into which millions of Americans entrust their children is notably underregulated and poorly supervised. The great waves of safety regulation in America, from the meat-packing reforms of the muckraking era to the pesticide controls prompted by Rachel Carson's *Silent Spring*, have stemmed from concern that without regulation, public safety will be at risk.

Worries about children's safety have led to no such day-care reforms. Typically, the required training for day-care workers is minimal, oversight is cursory, and standards are low. Complaints roll in, but punitive action is rarely taken—until it is too late. Agencies fail to share data that might have prevented injury and greater tragedy. Says Donna Overcash, director of Save the Children Child Care Support Center, an Atlanta-based advocacy group: "Zookeepers make more, and fast-food restaurants are better regulated."

Starting a day-care center is easy. *U.S. News* sent a 20-year-old male summer intern to apply for a day-care license in Washington, D.C. One of his letters of reference flatly stated he had "no professional training in child care." He filled out some forms, paid a \$50 fee, and had his apartment checked out. He was told that with some first-aid training, some spot-cleaning, and a new fire extinguisher he could be licensed in a week.

In most states, the course of study for a driver's license is longer than for certification as a day-care worker. It takes about 1,500 hours of training at an accredited school to qualify as a licensed haircutter, masseur, or manicurist. Day-



When infants are laid in a crib to sleep, the American Academy of Pediatrics recommends that they be placed on their backs to help prevent SIDS. But many child centers don't heed this advice.

tion—and 16 others, including California and Ohio, said they do not track deaths in day care. Even fewer states record injuries. Figures also are difficult to obtain because so many of the nation's facilities are unregistered. In Texas, a state that has recently revamped its reporting system and does collect detailed data, 22 day-care deaths and 134 serious injuries were recorded in fiscal 1996. If the deaths

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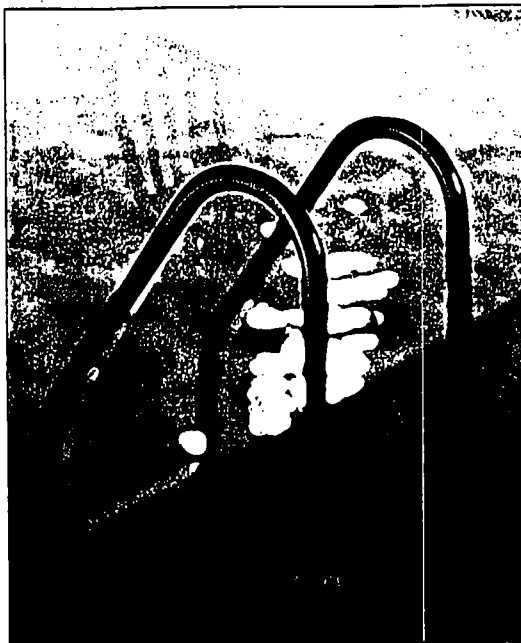
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PHOTOGRAPHY BY
MICHAEL LLEWELLYN FOR USN&WR

care providers, by contrast, are usually required to attend a single session devoted to a mishmash of topics from CPR techniques to food menus. In Las Vegas, Suzanne Magleby, a supervisor for Clark County social services, says her county requires six hours of training instead of the state-mandated three, which she wants to bump up to 12. "But I'm trying to go slow," she says, hinting at local resistance.

Training usually requires only passive exposure to instructional material; no tests are given. For instance, in a recent six-hour training class in Atlanta, participants sat through presentations on infectious diseases, injury prevention, and child-abuse detection. Of the 15 women there, three did not speak English. One slept through the entire video on infection control. Three women arrived an hour and a half late but were assured by the instructor that they



Training is usually required when a swimming pool is located near a day-care facility, to avoid accidents. In a day-care center in Mattapan, Mass., a drawstring caught in a playground slide apparently led to the death of a young boy. Many safety experts say that children should avoid wearing clothing with drawstrings on playground equipment.

would still be credited the full six hours to receive their certification.

Many states now urge former welfare recipients to be trained as day-care workers. This may be good for the recipients, since it prepares them for jobs; it could well be bad for children, since some states seem ready to lower existing standards to accept these "provisionally certified" providers.

In a just completed review of day-care standards nationwide, the New York-based Commonwealth Fund, a national foundation working with Yale University experts, assessed the quality of day care state by state, based on indicators such as child-adult ratios, programming, and caregiver qualifications. This study gave overall passing grades to only 17 states; and only Minnesota met their criteria in all categories. The study did not rate a single state as "good" or "optimal" on the size-of-group standard, which is key to preventing injuries.

While restaurants are shut down every day for even minor hygiene violations, records show that day-care centers in America are rarely closed. Frequently, licensing authorities try to keep troubled facilities open so working parents won't be left in the

lurch. In a recent case in Guthrie, Okla., outside Oklahoma City, a family day-care center had accumulated a staggering 415 complaints against it but was still operating when a young boy died at the facility last November. The victim was 2-year-old Michael Robinson III—known as Trey—



who attended A Child's Place day-care center. Trey, inconsolable after his mother dropped him off, had walked out of the building undetected onto a highway. He was struck by a passing automobile. According to the records of Oklahoma's Department of Human Services, A Child's Place had violations against it that included children routinely left unattended, unsafe playground equipment, and in at least one instance an employee with a criminal record of child abuse. Yet the state allowed it to keep operating on six-month permits.

Run over, again. When police tried to reconstruct what happened prior to Trey's death, they turned to a 12-year-old named Anthony. By Anthony's account, written longhand on the police report, a staffer named Dale had asked him to help look for the missing boy. Anthony saw him first, lying on the busy road. "Dale told me

to stay there and make sure he didn't get run over again," Anthony wrote. When a speeding car approached, Anthony jumped up and down to try to get it to stop, but the little boy was again run over. The center's owners deny any neglect; no criminal charges were filed. Judy Collins, the statewide licensing coordinator for Oklahoma's Department of Human Resources, says her agency had moved to deny the facility its license before Trey's death.

In Seminole, Fla., near St. Petersburg, Beth Bennion pulled her son out of a day-care center two years ago, she says, after it let a pest-control company spray the premises while children were there. She says the center had also told the licensing board that it had fixed some dilapidated playground equipment when it hadn't. So when Bennion later heard that a gun had been found one Monday morning at the center, she expected it to be summarily shut. Instead, one of the center's owners told the licensing board that the gun might have been a toy or left by carpet cleaners over the weekend. (Later, the owner's lawyer said it was a BB or pellet gun, even though three witnesses—including the center's direc-

tor—described it as a firearm, “gray, heavy, and could fit in the palm of the hand.”) The center was fined \$200 for keeping a weapon on the premises, but it was not closed.

Extra kids. In the Fiedelholz case, the 13 children present at the time of Jeremy’s death were nine more than the center’s owner, Schwartzberg, had told Jeremy’s parents would be there at one time. (While police say only one adult was present when Jeremy is thought to have suffocated, Schwartzberg’s attorney, Harry Solomon, says that the children were in an area that was small enough to be supervised.)

Regulations that call for adult supervision, of course, can’t guarantee it. Two-year-old Jordan Ambrozewicz drowned in an ornamental pond at his Maryland day-care center two years ago. According to Jordan’s mother, three adults were on the



If a chin gets caught in a highchair, a child may be injured. More than once in a day-care facility, a provider has stepped out of the room during mealtime and a child has strangled in a chair. Many states have rules against keeping a gun at a day-care facility, but witnesses said they saw a firearm in a Florida center. The center was fined \$200 but was not closed.

premises, and the other children had gone home. In a case that led to a tightening of state care regulations in Pennsylvania, a 4-year-old, Alexandra LeVasseur, died in August 1995 after being left in a sweltering van for nearly three hours. The day-care operator had unloaded the van during a field trip and left the girl sleeping in the front seat. No charges were filed in either case.

Similarly, parents may assume that a state license means inspectors will regularly check the facility. In most states, it does not. Typically, inspectors visit a center when it opens, for initial accreditation—and thereafter in response to complaints or after a few years pass. In Virginia, a legislative audit showed that the state had failed to make mandatory twice-a-year inspections of 722 of its 4,200 licensed facilities in 1996; 159 centers were not visited even once.

When inspectors do show up, they often concentrate on compliance with the safety rules—whether a first-aid kit is complete, for instance—but may be oblivious to larger concerns about the children’s welfare. When imposing regulations, licensing boards may insist on niggling requirements—that more toilets must be available in case

children have diarrhea, or that a fence be built in a completely rural area—but ignore indicators of inappropriate behavior.

Regulatory enforcement is further hampered by poor coordination between different agencies. When state agencies fail to share information, dossiers of trou-



bling testimony may go unread. That’s apparently what happened last February, when 2-year-old Raegan McBride, from the Hartford suburb of Windsor, Conn., died. According to the state medical examiner, the cause of her death was a single blow to the back of the head. The blow was allegedly delivered by the child’s day-care provider, Kathy Greene, who has been charged with manslaughter in the case. She has pleaded not guilty.

After Raegan’s death, investigators probed Greene’s record and found multiple complaints of child abuse logged over a 14-year period. Police interviews with Greene’s former charges turned up accounts of bruises, cigarette burns, dislocated arms, and vicious threats, all allegedly perpetrated by Greene. One boy told investigators that Greene had thrown him against a washing machine because he had wet his pants. After re-

viewing a series of complaints, a social worker wrote: “I would not place a child at Ms. Greene’s again,” stating that the woman was unable to control her “rage for authority and power over children.” That was in 1992. Greene remained in business five more years, until Raegan’s death.

Kristine Ragaglia, the child advocate for the state of Connecticut, acknowledges that faulty reporting was part of the problem. Beyond that, Ragaglia says, Greene stayed in business because the previous cases boiled down to a child’s word against that of an adult—and the regulators consistently sided with the adult.

Many states refuse to share their files with other states; a bad day-care provider drummed out of business in one state can reopen in another. Most states keep day-care records at the county level. Parents can review the records, but obtaining access to the files isn’t always easy. When a reporter recently requested information on 19 day-care homes in Anne Arundel County, Md., she was asked to limit herself to four requests and was told that the county could take 30 days to respond. That would discourage many busy parents.

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Reviewing a file is a good precaution, but not an ironclad one. When 14-month-old Kierra Harrison died in her Las Vegas day-care center last March, the cause of death was found to be a fractured skull from severe head trauma: Shards of bone were wedged in her brain. Doctors described her injury as equivalent to falling headfirst from a two-story building onto concrete. The day-care operator was charged with murder. She has pleaded not guilty. Yet when Kierra's mother, Amanda Harrison, checked with the licensing board, the day-care provider's record was clear. After the fatality, Kierra's family learned

choice. Mark Fiedelholz, a lawyer who runs legal studies seminars, and Julie, a social worker with Catholic Charities, have lobbied Congress as well as Florida officials for national day-care reform. In the six months since his son's death, Mark has testily confronted more than one politician for failure to support greater regulation, saying: "What do you need, a body count?"

But while the families of victims lobby for higher standards and stricter rules, proprietary day care, especially the larger franchises, employs a powerful lobby in Washington to keep up opposition to increased regulation. Industry representa-

FIXING DAY CARE

One state tries to do it right

From a regulatory standpoint, Colorado's mountains and wide expanses are a handicap. To check out a file on a day-care provider in a westernmost city like Durango, a resident would face an eight-hour drive to state offices in Denver. It's that isolation, however, that has spurred the state to create a new system of data collection. Starting next month, Colorado will put the records from its more than 7,000 licensed day-care centers on computer disk. Consumers will be able to quickly retrieve material through a half-dozen regional referral offices, where a specialist might urge that parents report day-care problems and scrutinize centers' records. "You, the parent, are there [dropping off children] every day. You need to put on your critical hat," says Gail Wilson, head of the private, nonprofit Colorado Office of Resource and Referral Agencies.

Such pragmatism has also powered an overhaul of day-care monitoring. Colorado has admitted to what most states will not: It wasn't doing its mandated annual day-care inspections, partly for reasons of cost. Now it has "risk based inspections, which means resources will be used where they are most needed. Centers failing to comply in certain key areas will be tracked carefully, while facilities that have proved their faithfulness to the rules won't be visited at all."

These innovations have worked in part because the state's population has higher levels of income and education than the national average. Gov. Roy Romer's mantra—make Colorado the best place to raise a child—is attractive to the state's many newcomers. And Colorado's business community is counting on these quality-of-life seekers to support a new voluntary checkoff program that allows taxpayers to allocate a portion of their state income tax refunds to improving licensed day-care facilities.

—Victoria Pope



When facilities are close to busy traffic, an unlocked door may invite the sort of tragedy encountered near Oklahoma City recently. A little boy wandered out of his day-care center and onto a street where he was fatally injured by a car, police said.

that the provider allegedly had been reported for abusing her own 3-year-old daughter, but it hadn't shown up in the files because her surname was misspelled. (A lawyer for the provider calls those child-abuse complaints against her "way out of proportion.")

The case has given Kierra's grandmother, Pam Rowse, a registered nurse, a political cause. After Kierra's death, Rowse dropped her 9-to-5 administrative position to work an emergency-room shift, so that she would have maximum free time during business hours to lobby for stronger regulation. Jeremy Fiedelholz's parents have made the same

tives contend that day care can maintain high standards without bolstering requirements, and that new regulations would drive costs up to unacceptable levels. What seems hardest for the mourning families is their abiding sense that they themselves had been naive—naïve in assuming that the laws and standards governing day care had produced a system in which their children would be safe. ■

With Margaret Loftus, Jill Jordan Sieder in Atlanta, and Zachary Knight

For more information see U.S. News Online (<http://www.usnews.com>).