

## Child Care Standards: Idaho Finally Leaves the Dark Ages

by [123idaho](#)

Sat Jun 06, 2009 at 09:47:24 AM PDT



In Idaho we have running water. We have television. There is more than one phone in the state.

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When a new child care law takes effect in Idaho on January 1, 2010, it will mark the culmination of a five-year, Democratic-led campaign to make sure our children are safer when their parents must work outside the home, according to Julie Fanselow of the Idaho Democratic Party. No one worked harder on that effort than Rep. George Saylor, a Coeur d'Alene Democrat representing District 4 in Kootenai County.

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Under current law, Idaho has **no regulation** for facilities watching six or fewer children, with **minimal regulations** for those caring between seven and 12 children and licensing only for centers with 13 or more children. The National Association of Child Care Resource and Referral Agencies has consistently ranked Idaho last among the 50 states for these lax standards.

But starting next year, employees of child-care facilities watching four or more children not related to the provider will have criminal background checks, Fanselow said. There must be a working telephone, water safety measures and smoke detector in smaller facilities covering between seven and 13 children. Staff-child ratios will be strengthened at this level, too, and the Idaho Department of Health and Welfare can perform unannounced inspections.

"Under the original bill co-sponsored by Saylor and Sen. Tim Corder, a Mountain Home Republican, those provisions would have applied to centers with four or more children, but social conservatives in the House Health & Welfare Committee watered down the bill," Fanselow wrote.

**Still, Saylor said,**

"Idaho kids will be safer today than they were last year, and that's good." An estimated 70,000 Idaho children under age 5 are in some form of outside-the-home day care.

Saylor was elected to the Legislature in 2002. The next year, the Coeur d'Alene Press sponsored a community summit to discuss the need for safer child care, and Saylor began working with citizens interested in that topic. Between 2005 and 2007, Saylor introduced legislation three times, only to see it narrowly defeated each time in the House Health & Welfare Committee.

In 2007, Rep. Tom Loertscher – one of the legislature's most ardent conservatives - buried the bill with his plea, "**What can we do to keep mom at home?**" The bill died on a 6-5 vote.

In 2008, Saylor decided the bill might fare better in the more moderate Idaho Senate and Corder signed on as its Senate sponsor. However, the Senate Health & Welfare Committee wound up holding the bill over concerns over its cost to health districts. Over the summer, Saylor and Corder worked with health districts, the Idaho Health & Welfare Department and even the National Rifle Association (on language concerning safe gun storage) to craft legislation that would pass muster.

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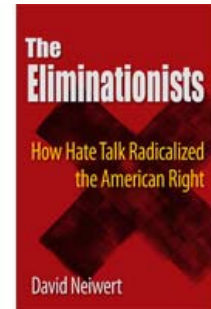
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Hopes ran high as the 2009 session began. At the bill's Senate Health & Welfare Committee hearing on March 4, lawmakers heard Corder describe how one Canyon County care facility kept babies in locked plywood boxes. In another memorable exchange, 14-term Sen. Denton Darrington pointedly asked Annie Henna – a student intern testifying for Catholic Charities of Idaho on behalf of the bill – why government had to meddle in private businesses at all. Henna kept her cool and replied, "There is a time when government needs to step in and set standards." The committee passed the bill 8-1, with even Darrington voting aye, and it went on to pass the full Senate 30-5 on March 12. Saylor says he was surprised by the lopsided vote. "Tim did a great job," he noted. "He spoke for an hour and answered everyone's questions before they had a chance to ask them."

But the bill still had to clear the House Health & Welfare Committee, which a Coeur d'Alene Press editorial called "the graveyard where child-care licensing bills go to die." At the bill's initial House hearing, testimony ran overwhelmingly in favor of the bill, and the social conservatives – widely criticized for their remarks in 2007 – kept mostly quiet about whether mothers ought to work outside the home. This time, they focused their fire on why regulation was necessary in small towns and rural areas.

In fact, there's plenty of evidence that rural child-care centers are less safe than those in cities. Saylor said that when Coeur d'Alene enacted its child-care ordinance, some providers who couldn't meet its standards moved to outlying areas. Testimony this year from the Ada County Prosecutor's Office indicated that child abuse was more widespread in care centers outside the city of Boise, which regulates child-care facilities. In testimony two years ago, Rep. John Rusche, a Democratic physician from Lewiston, told of a child who drowned in a horse trough at a rural child-care facility.

But the House panel's conservatives pressed the regulation issue, demanding amendments to make it cover only seven or more children and remove requirements for continuing education for providers. The amended bill passed the committee April 2 and was finally passed 61-5 by the full House. "These amendments change the focus from the children to the provider, from making it safe for children to making it easy for providers," Senate sponsor Tim Corder, R-Mountain Home, told the Senate when the amended bill came back before his chamber. "We still need to do it. It's better than what we have right now." The Senate passed the amended bill in the waning days of the 2009 Legislature.

"It's not the bill we wanted it to be, but it does make some significant progress," Saylor said. "It's a more consistent statewide standard now, but we still have some work to do on smaller providers." He'd still like to see stronger regulations and said he and Corder will likely bring legislation back in 2010 to address some technical issues as well as licensing costs and the continuing education requirement that was dropped from the amended bill.

#### Saylor said

he believes that the child-care fight mirrored the larger battle going on – both in Idaho and nationally – between pragmatic Republicans and more ideologically extreme members of the GOP. "The moderate Republicans have supported it all along," Saylor said of the child-care legislation. "It's the conservatives who have held it back." Still, there is little doubt which party drove the child-care issue to the front and kept it there for five years. "It's been a push the Democratic Party has supported since I've been in the Legislature," he noted.

In his four terms in the Legislature, Rep. Saylor has become best known for his advocacy for safe child-care, but he has worked on plenty of other issues, Fanelow said. Saylor – who taught government and history at Coeur d'Alene High School for 31 years – has been a strong supporter of public education. He has worked on water adjudication for North Idaho, tax credits for donations to Project Safe Place and funding for North Idaho College.

#### The Idaho Democratic Party's website states:

He is especially proud of his votes against the war in Iraq and against the mean-spirited 2006 amendment banning same-sex marriage, and he had hoped to co-sponsor state Sen. Nicole LeFavour's bill banning employment discrimination based on sexual orientation. Next session, Saylor plans to both strengthen the child-care legislation and bring a bill allowing



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First, however, Sayler plans some down time with family. His wife, Kathleen, is newly retired from teaching and they have a new fifth-wheel camping trailer that they hope will get a work-out this summer. The Saylers are the parents of two grown daughters, Michelle in New York State and Heather in Sandpoint. They have one granddaughter, too. As he enjoys his family and the great Northwest outdoors, this interim session ought to be especially sweet for George Sayler now that he's **achieved his main legislative goal: that of making child care safer for tens of thousands of Idaho children.**

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