



DISTRICT OF COLUMBIA
OFFICE OF THE STATE SUPERINTENDENT OF

EDUCATION

**Testimony of
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Division of Early Learning**

Before the

**District of Columbia Zoning Commission
Public Hearing
February 8, 2018**

Good evening Commissioners. My name is Eva Laguerre and I am the Director of Licensing and Compliance for the Division of Early Learning and I am speaking on behalf of the Office of the State Superintendent of Education (OSSE). Thank you for the opportunity to provide testimony regarding the Office of Planning's request for text amendments to the District's Zoning Regulations. These amendments are necessary to ensure that the District is able to meet the growing demand for child care across our great city. We also believe that these text amendments will help increase access to high quality child care. We are concerned that without these changes, it will be difficult for child development providers to sustain and grow their businesses, leaving families in the District without access to high quality child care.

Therefore, we ask the Zoning Commission to adopt the proposed text amendment changes that can:

- Expand daytime care use as a matter of right instead of special exception;

- Remove pre-established caps on number of children; and
- Eliminate the requirement that play areas must be located on the same premise as a facility.

The Impact on Child Development Facilities

The current zoning regulations require providers to duplicate efforts in order to meet the requirements of multiple agencies and codes. This is not an efficient process for these businesses and it also makes it difficult for families to access the care they need. The proposed text amendments seek to remove the limitations on the number of children a provider can serve which helps to incentivize the expansion of child development facilities. OSSE supports removing these current limitations that will impact negatively the Mayor's current investments to expand seats for infants and toddlers.

Additionally, the proposed text amendments will address the very real concerns from child development operators and owners, regarding the process to obtain a certificate of occupancy which is required to receive a child development facility license from OSSE. It is important to note that the licensed capacity of a facility is already regulated by the District of Columbia Construction Codes Supplement of 2013 and OSSE's Child Development Facilities Licensing Regulations. The Construction Codes establish the maximum allowable occupant load for a child development center, which is based on the ages of children, the size of the space

and the number of exits. OSSE's Child Development Facilities Licensing Regulations, Section 5-A, Chapter 1 of the DCMR, limit the number of children based on their ages and the size of the space.

Another important point to note here is what we found in our 2016 study, *Modeling the Cost of Care in the District of Columbia*. The report concluded that most child development facilities in our city operate on very small margins, and maintaining enrollment is one of the most important factors to a facility's financial sustainability. Every day that a child development facility sits empty because they cannot open their doors, their bottom line moves closer to negative which decreases District families' ability to go to work due to the lack of available care.

DC's Commitment to Expanding High Quality Child Care

Currently, DC has enough space in licensed child development facilities to serve approximately one-third of the city's infants and toddlers. To address this pressing issue, Mayor Bowser included \$9 million dollars in her fiscal year 2018 budget to increase high quality infant and toddler child care seats for DC residents. These funds established the Access to Quality Child Care Expansion Grant, which is designed to increase the supply of child care services in the District by adding a total of 1,000 new infant and toddler slots by Sept. 2020. By supporting these proposed amendments, the Zoning Commission will help expedite the process for

increasing slots in licensed child care facilities, which addresses concerns commonly raised by parents in all eight wards.

OSSE's Community Engagement

OSSE has engaged ANCs about the proposed text amendments. Over the last six weeks, Elizabeth Groginsky, Assistant Superintendent of Early Learning at OSSE and I participated in nine ANC meetings across six different Wards to present the proposed amendments. We reached out and connected with nearly half of the ANCS across all eight Wards to discuss this matter and received overwhelming support from a majority of community leaders we spoke with. As we met with community leaders across the city, it was clearer that adopting the proposed text amendments will have a significant positive impact for our providers, communities, families, and children.

Conclusion

We are grateful for your attention to this important topic and we thank all of the organizations and individuals who will provide testimony in this matter. We are pleased to work with such strong and dedicated partners to provide District families safe, nurturing, and supportive child care and early learning opportunities for our youngest residents.

OSSE is fully committed to working with our inter-agency partners and the community to increase the number of licensed child care slots in the District of Columbia while ensuring that all child development facilities meet the highest standards for health and safety. Your support for the proposed zoning amendments will help remove barriers to small, primarily women-owned and operated, minority businesses, to expand their services and meet an ever growing demand for quality child care across the District.

Thank you for providing OSSE with the opportunity to testify and I am happy to answer any questions.