It's not whether you win or lose, or even how you play the game, but how insufferably long it takes to play it. An expert and consultant to several states offers some models for changing policy and shows how everyone can win at licensing.

Since America's system of government continues a major commitment to the private sector, public regulation of child care offers a typically American way of assuring that the privately operated programs fulfill their public purpose.

However, legislators, administrators, academicians, and the general public at present lack a clear understanding of the regulatory maze, the different regulatory statutes and their interaction, the political, legal, and fiscal constraints upon them, and the potential new models available to improve the present non-system.

For example, on the first of May last year, a community-based group in a large American city had found a source of funds and was enthusiastically beginning to take steps to start a new day care program in a neighborhood that badly needed this service. They had identified a possible building and were trying to decide whether to exercise their option to purchase. They needed a reasonably swift response, because of the decision on the building that needed to be made, because the funding source they had pursued all winter would not wait forever, and because they knew that they had to prepare for admission of children in the peak enrollment season of August-September to operate at a feasible per-child cost. They wanted to operate a program that included a socioeconomic mix of children, with some of them subsidized, with others paying the full costs and a sliding fee scale for the group in the middle. Their location was ideal for accomplishing the goals of the program, and they approached the licensing office expecting that they would get some early advice on the building and receive their license before the first of August.

They were in for a surprise. The licensing office, which they finally located after some difficulty, was sympathetic, but appeared helpless to assist the group to get through the process of securing a license in a reasonable time. As it happened, they were to go through the following steps:

1. Call the licensing office, to check whether the building can be used.
2. Licensing office gives the licensing requirements, but informs them that other requirements must also be met. Sends them to the Building Safety Department at City Hall.
3. Building inspector gives them safety requirements, but can't give opinion on the building because they must first meet local zoning requirements.
4. Planning Board, usually staffed for enforcement by city

Gwen Morgan is a consultant to the Massachusetts' Office of Children. This is the first of a two-part article on the licensing of day care.
Local health requirements for day care are not written down for potential provider, but inspection is scheduled. No approval, but inspector requires more kitchen equipment and changes in bathrooms.

They re-apply to licensing office, with copies of zoning variance, fire and building safety approval, and send to local Health Department.

More remodeling done, more dollars, more time.

They re-apply to Health Department, new inspection granted, final approval given.

Application made to Fire Department, which must also approve facility. Delay in scheduling inspection, then approval.

Call the licensing office, to check whether the building can be used.

The treasurer ran off to Mexico with the funds.

Funding source lost patience.

If you have the place and the money, this way.