

Lack of online records leaves parents in dark

By Katharine Mieszkowski, Center for Investigative Reporting

The infant boy had been left alone in a closet. He was strapped into a car seat, facing a wall on the second floor of a Milpitas day care.

A state inspector discovered the isolated boy when she visited in April and shut down the day care that Stephanie Newbrough had run out of her home for more than 18 years. Newbrough had been a respected member of the local community. Many parents who left children in her care lived nearby or learned about her day care through word of mouth.

But behind that neighborly image, the day care had a long history of breaking state rules, including a lack of supervision of children in its care. Parents like Denise Davis knew nothing of the problems. "It's your worst nightmare," she said.



Denise Davis, shown in her daughter's bedroom in her San Jose, Calif., used to send her children to a day care that was shut down last year after a long history of

breaking state rules.

Photo/Noah Berger/Center for
Investigative Reporting

The violations were so severe that Newbrough ultimately lost her license and was banned for life from operating a day care in California.

California doesn't make it easy for parents to find out what's going on at the places that care for their children.

The state keeps a vast archive of inspection and complaint reports against nearly 48,000 state-licensed day care, preschool and after-school programs. But for the most part, these records remain stored away in obscure government offices, making access difficult for busy parents of the 1.1 million children who attend these programs.

The majority of states already make public reports available online. California has no plans to do so, despite years of pressure from state and now federal officials who want to give parents a complete picture of what the state knows about the care of their children.

Davis, who'd known Newbrough since she was a teen, said she would not have sent her three children to the day care if she had known about its record. She did not know the records existed, much less what they said about Newbrough's day care when she sent her children there.

The Center of Investigative Reporting is trying to get electronic copies from the state under the California Public Records Act with the hopes of putting them online. The state Department of Social Services says it will cost more than \$20,000 and take more than two years for CIR to get the public data.

Experts say the request should take minimal time and money because databases are designed to be able to export

information easily.

“That’s just embarrassing. Do they really want to be known as the dumbest, most backward government agency in California?” said David Cuillier, an expert on public records who directs the University of Arizona’s School of Journalism. “Because if they cannot export data quickly, then they’ve got problems.”

Contrast California with other large states, like Texas.

Google “Texas child care,” and the first search result that comes up is the Texas Department of Family and Protective Services’ site for day care records. “Don’t be in the dark about child care!” the website warns. “Before entrusting your child to a day care, check its state record.”

In California, a top official at the Department of Social Services admitted the problem and called its technology “old and outdated.”

“We all expect that any information that we want to know, we just Google it, and we should be able to pull up everything,” said Pat Leary, chief deputy director. “And it’s frustrating for parents, I know, when they can’t just get easy access to information.”

Research shows that putting the reports online improves the quality of child care.

That’s one reason that the federal government is finalizing regulations that will require states to put records online in order to receive subsidies for low-income families.

California is the nation’s largest recipient from the U.S. Department of Health and Human Services’ Child Care and Development Fund, pulling in more than half a billion dollars a year. It’s the only one of the four largest states that doesn’t already make investigation and inspection information available on the Web.

The U.S. Health and Human Services Department considers the records an essential tool for parents choosing child care. "Limiting access to this information creates a burden for parents," its proposed new rule says.

Ann Dryden Witte, an economist at the National Bureau of Economic Research, found in 2004 that providers' quality of care for children of low-income families went up when the reports went online in Broward County, Florida. The mean assessment score of local providers went from 89 to 91, on par with education efforts to improve classroom environment or curriculum. Inspectors also were more productive, completing an average of 14 more inspections a year.

"As a result, they cleaned up their act," Witte said.

In California, parents can contact child care resource and referral agencies to find out which child care providers are licensed. But these agencies don't have access to the state's inspection and complaint records. The agencies tell the parents they must get in touch with one of the state's regional licensing offices.

Calling or visiting such a little-known office is too high a barrier for busy parents of young children, the state auditor concluded in a 2006 report. The offices are open only during typical work hours, and most parents who send their children to child care do so because they're at work.

For more than seven years, the Department of Social Services has been pledging to get the records online. In 2006, the department assured the state auditor that it was working on it but warned that it needed money to do so. More than five years later, it told the auditor that it planned to use stimulus money to get the job done.

In 2012, the state auditor gave up on the department, saying it had no confidence the state would put the records online. The Department of Social Services ended up getting \$1 million

in education stimulus money, but it's being spent on other things. Leary said that money didn't cover the costs for the project. The department still doesn't have a plan to get the records online.

For CIR's request, the department estimates that extracting the data from its database would require more than 500 hours of staff time at a cost of \$41 an hour, totaling at least \$20,500. The agency also says it can devote only four hours per week to this project, so it would take more than two years to complete.

Experts say that estimate strains credulity. "If it takes someone working full time for 12 and a half weeks to export data, that is probably one of the worst government computer systems I've ever heard of," Cuillier said.

In Milpitas, Davis and her husband abruptly pulled their children out of the Newbrough's day care in 2010 when they learned from a worker at the day care that their infant daughter was put down for naps in her car seat, which may inhibit the child's breathing. Newbrough subsequently sued the parents for breach of contract in small claims court and won.

The inspector who found the infant in the closet and shut down the facility also discovered that there weren't enough caregivers providing supervision, a violation that Newbrough had received before. In years prior, inspectors cited the day care seven times for threatening the health, safety or rights of children, its most serious violation.

Newbrough, who didn't respond to requests for comment, is no longer operating a day care. But that doesn't mean she's entirely out of the child care business in the state.

Newbrough still is listed as the president and founder of Prince and Princess Sitters on the company's website. It is a baby-sitting and nanny placement agency in San Jose.