Intellectual Foundations of CCEE Licensing: A Synthesis of Key Researchers and Contributions

1. The Research Landscape: Two Decades of Licensing Scholarship

The Child Care and Early Education (CCEE) licensing system constitutes the primary regulatory infrastructure for the nation's early childhood landscape. This literature review provides a high-level strategic synthesis of over 200 articles and reports published between 1999 and 2019. Funded by the Office of Planning, Research, and Evaluation (OPRE), this body of work serves as the definitive baseline for understanding the American licensing system during an era defined by a rigorous search for evidence-based policy following the 1996 establishment of the Child Care and Development Fund (CCDF). By mapping the evolution of regulatory standards, this scholarship documents the field's transition from a narrow focus on physical safety to a multifaceted system integrated with quality improvement and child development.

The research methodology employed by Kelly Maxwell, Brenda Miranda, and the Child Trends team utilized a rigorous, multi-stage review process to ensure a comprehensive landscape analysis. The team systematically queried major academic and industry databases, including ERIC, Google Scholar, ProQuest Psychology, ProQuest Health, and Research Connections. This exhaustive search yielded a corpus of 229 sources, reflecting a sophisticated blend of 69 peer-reviewed journal articles, 103 pieces of gray literature (federal and NGO reports), and 50 state-specific reports. This longitudinal perspective allowed researchers to identify deep-seated trends in the regulatory environment while acknowledging foundational historical precedents.

Research Sample Distribution

Provider Type	Percentage of Studies Included
Child Care Centers	75%
Family Child Care (FCC) Providers	63%
Group Child Care (GCC) Homes	18%
License-Exempt Care	3%
Other (Parents, Administrators, Policy Experts)	3%

Note: Categories are not mutually exclusive; studies frequently addressed multiple provider types.

Policy Implications: Addressing the Data Void The distribution of research across provider types reveals a stark strategic imbalance in the evidence base. While centers and FCC providers are well-documented, the relative invisibility of license-exempt care—represented in a mere 3% of

the literature—creates a critical knowledge gap. Because license-exempt providers are often the primary choice for families receiving subsidies in underserved communities, the lack of research on how monitoring affects these settings prevents policymakers from making data-informed decisions regarding the safety and developmental outcomes of the nation's most vulnerable children.

2. Primary Architects: Maxwell, Miranda, and the TRLECE Conceptual Framework

In a regulatory environment as fragmented as the U.S. CCEE system, where 50 states operate under distinct statutes, a unified conceptual framework is a strategic necessity. The work of Maxwell and Miranda provides the field with a common language, organizing disparate licensing functions and management tasks into a cohesive architecture. This framework moves beyond the traditional view of licensing as a siloed compliance exercise, positioning it instead as a dynamic driver of the broader early childhood ecosystem.

The **CCEE Licensing Conceptual Framework** defines the system through two primary dimensions:

- **Licensing Cultural Values:** Ideological pillars that shape agency behavior.

    o **Child Well-Being:** A collaborative approach that views the regulator's role as supporting the child's total development.

    o **Quality:** The conceptualization of regulations as the necessary baseline for quality improvement initiatives.

    o **Equity:** An active value focusing on fair outcomes across race, geography, and setting type.

- **Licensing Functions:** The core operational duties of the agency.

    o **Regulations:** Setting, reviewing, and revising legal operational requirements.

    o **Monitoring:** The active oversight of providers through inspections.

    o **Enforcement:** Executing progressive or immediate actions when standards are unmet.

    o **Technical Assistance (TA):** Providing the training required to reach and maintain compliance.

    o **Consumer Education:** Ensuring families can access and interpret provider compliance data.

This framework was refined through the contributions of the Licensing Expert Panel and notable reviewers such as **Daphna Bassok**, **Richard Fiene**, and **Sheri Fischer**, ensuring the model accounted for both academic rigor and the practicalities of state governance.

Strategic Pivot: Redefining Licensing Success The shift from a "protection from harm" model to one centered on "child well-being" and "equity" fundamentally alters the professional burden of proof for the licensing workforce. Under the legacy model, success was measured by a lack of accidents or physical hazards. The Maxwell and Miranda framework requires inspectors to move beyond checklists of broken fences to observing the quality of adult-child interactions. This transition validates licensing as a contributor to positive child development rather than a purely bureaucratic "harm-reduction" unit.

3. Subject Matter Specialists: Regulatory Impact and Governance

Individual subject matter specialists have been instrumental in bridging the gap between high-level state statutes and the daily operational realities of CCEE providers. Their research traces the historical trajectory of the field, from the 1968 Federal Interagency Day Care Regulations (FIDCR) to modern differential monitoring strategies.

- **Morgan (2003):** Remains the preeminent source for the historical trajectory of regulatory policy, characterizing licensing as the foundational baseline for all subsequent quality initiatives.

- **Gormley (1991, 2000):** A central architect in the analysis of regulatory stringency. Gormley highlights that while U.S. licensing is heavily facility-focused, international models often prioritize technical assistance and the direct child experience.

- **Fiene & Kroh (2016):** Revolutionized the monitoring landscape through "differential monitoring" and the identification of "key indicators"—high-leverage regulations that serve as a proxy for a provider's overall compliance, thereby optimizing limited state resources.

- **Shapiro (2002):** Provided critical insights into the political machinery of regulation, demonstrating that while agency staff influence the *content* of rules, external interest groups and politicians primarily control the *timing* of regulatory revisions.

Synthesizing the Regulatory Tension: Supply vs. Stringency A critical synthesis of this scholarship reveals an inherent tension between Shapiro's findings on political timing and Gormley's concerns regarding regulatory stringency. When the "politics of timing" delays necessary regulatory updates, it can exacerbate the "regulatory burden" on providers, making it difficult for the supply of care to adapt to modern quality standards. This trade-off between

strict safety requirements and the adequate supply of affordable care remains one of the most significant challenges for state policy analysts.

4. The Equity Vanguard: Researching Structural Disparities in Licensing

The intersection of structural racism and licensing has emerged as a critical focal point for current CCEE scholarship. Researchers are increasingly analyzing how licensing policies can inadvertently perpetuate historical inequities in communities of color.

- **Lawrence et al. (2004):** Established the foundational definition of **structural racism** as a system where public policies and institutional practices reinforce racial group inequity, allowing privileges associated with "whiteness" to adapt and endure.

- **Vieira and Hill (2019):** Identified how systemic barriers, such as zoning and housing policies, disproportionately impact FCC providers in communities of color, creating obstacles to licensure that are untethered to the actual quality of care.

- **McDaniel et al. (2017) & Agénor et al. (2021):** Positioned CCEE disparities within the broader context of systemic biases found in human services and the judicial system.

To address these disparities, the research highlights three distinct definitions of equity:

- **NAEYC (2019):** A state where individuals fare the same regardless of race or class; emphasizing that "equal treatment given to individuals at unequal starting points is not equitable."

- **White House Executive Order 13985 (2021):** The consistent and systemic fair, just, and impartial treatment of all individuals, including those in underserved communities.

- **Race Forward (2015): Systemic Equity** is a robust system consciously designed to create, support, and sustain social justice, prioritizing equitable outcomes over simple variety or diversity.

The Structural Imperative: Representation as a Functional Asset The research argues that diversifying the demographics of the licensing workforce is not merely a DEI goal but a strategic functional requirement. When licensing staff share racial or linguistic backgrounds with providers, they are better equipped to deliver "culturally responsive technical assistance." Linguistic matching and cultural competence are essential for navigating historical mistrust and ensuring that the technical assistance provided is actually actionable for the community.

5. Conclusion: The Research Frontier and Identified Gaps

The current CCEE licensing evidence base has matured significantly, shifting from an era of descriptive data to one of analytical synthesis. However, the field is now at a critical frontier. We

have a robust understanding of *what* is regulated, but we lack definitive evidence on *why* specific licensing functions produce better child outcomes.

Maxwell et al. identified four critical gaps that must be addressed to advance the field:

1. **A Lack of Hypothesis-Driven Research:** A transition is needed from descriptive "landscape" studies to research that tests specific associations, such as the direct link between inspection frequency and injury reduction.

2. **A Lack of Research on Licensing Management:** Current data focuses on functions (monitoring/enforcement) but ignores the internal management of licensing units, including staff support and data-informed decision-making processes.

3. **A Lack of Focus on Outcomes:** There is a dearth of longitudinal research connecting specific licensing standards to child developmental milestones or family economic stability.

4. **A Lack of Perceptions Data:** The "voices" of families and providers are conspicuously absent, leaving a void in our understanding of how the system is experienced by its primary constituents.

Validating the Developmental Link The shift from descriptive to hypothesis-driven research is the most vital strategic step for the field. Validating the link between licensing standards and child development is essential for transforming licensing from a perceived bureaucratic exercise into a recognized pillar of child health and education.

To ensure the safety of the millions of children currently in care, state licensing units must continue to leverage the longitudinal trends identified in the 2005–2017 Child Care Licensing Studies (CCLS). Moving forward, the integration of data-informed decision-making and an unwavering commitment to systemic equity will be the hallmarks of an effective, modern CCEE licensing system.