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State Representative Harry Benton (97th)

Benton Presses DCFS to Lessen Burdens on Childcare Providers Through Improved Flexibility

PLAINFIELD, Ill. – State Rep. Harry Benton, D-Plainfield, is questioning recent decisions by the Department of Children and Family Services (DCFS) in response to concerns voiced by childcare providers across the state following DCFS’ decision to issue new rules ending the so-called “three hour rule,” which had been put in place to address childcare staffing concerns during the COVID-19 pandemic.

“Families all across Illinois rely on childcare services being readily available, and bureaucratic rules that make it harder for providers to operate aren’t helpful to anyone,” Benton said. “Nobody—least of all me, as the father of two young children—wants corners to be cut when it comes to the safety, health and wellbeing of our kids. But if the rules you’re putting in place to protect kids are too restrictive, and you end up forcing providers to cut hours, cut programs or even close in some cases—reducing access and raising prices—that’s taking it to the other extreme. That’s not constructive.”

During the pandemic, childcare providers had been permitted to staff classrooms with qualified Early Childhood Assistants, without an Early Childhood Teacher being present, in response to the staffing crisis brought on by the widespread impact of COVID-19.

In a notice issued June 2, DCFS partially ended these pandemic-era measures by issuing new restrictions on when assistants could supervise children without a teacher, and limiting the use of assistants to 90 minutes at a time, and only at the beginning and end of the day. DCFS also stipulated that no more than fifty percent of classrooms could be staffed by an assistant at one time.

In late July, the General Assembly’s bipartisan Joint Commission on Administrative Rules (JCAR) suspended some of DCFS June 2 rules, citing “unreasonable and unnecessary economic costs” and “a threat to the public interest and welfare.”

Benton says he plans to introduce a bill in the House of Representatives to require that DCFS implement policies that better take into account the economic realities facing childcare providers.

“Childcare is too important to kids, to parents and, honestly, to the whole economy, for us not to be striking a good balance. Working families and childcare providers need help, affordability and accessibility,” Benton said. “That’s why I’ll be pushing DCFS to reconsider its stance here by coming up with real-world solutions instead of tone-deaf, arbitrary restrictions.”

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