



Child Care and Development Block Grant (CCDBG) and Racial Equity

Opportunities in the CCDBG Reauthorization to Support Racial Equity in State Child Care and Early Learning Systems

Cemeré James, National Black Child Development Institute
Hannah Matthews, Center for Law and Social Policy

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NBCDI
National Black Child
Development Institute



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Executive Summary

On November 19, 2014, President Barack Obama signed the Child Care and Development Block Grant (CCDBG) Act of 2014 into law. This Law reauthorizes the Child Care and Development Fund (CCDF) and makes significant advances to support early learning and financial security for families and children. New regulations, released in September 2016, include provisions designed to 1) strengthen requirements to protect the health and safety of children in child care; 2) help parents make informed consumer choices and access information to support child development; 3) **provide equal access to stable, high-quality child care for low-income children**; and 4) **enhance the quality of child care and the early childhood workforce**.

With an explicit focus on ensuring low-income families have the same access to high-quality child care as all other families in the CCDBG Act reauthorization, this policy brief is written to encourage state administrators and advocates to also focus on racial equity in accessing high-quality child care.

Consideration of racial equity is especially important given the demographics of low-income families. Data shows that of children ages 0-6 from low-income families 20% are Black, 34% are Latino, and 37% are White.ⁱ The CCDBG reauthorization brings changes to state child care and early learning systems, which provides an opportunity to address racial disparities in academic achievement and poverty. Research has demonstrated that children in high-quality programs perform better on a range of indicators of cognitive and social development.ⁱⁱ Child care is an essential two-generation support that serves as a core support for working parents and caregivers by providing economic stability for the whole family.

In this brief, we first examine a report from the U. S. Commission on Civil Rights Mississippi Advisory Committee which investigates access to child care assistance in Mississippi from a civil rights perspective. In this report, based on testimony from public hearings held by the Committee, they explained the reason for the investigation: “given the continued disproportionate and long term impact of childhood poverty on the African American community in Mississippi, the Committee sought to examine whether the way in which early child care and development resources were being allocated in Mississippi may serve to exacerbate, rather than narrow these disparities.” The Committee’s investigation led to findings that the state’s administration of CCDBG funds, including implementation of discretionary state policies, restricts low-income families of color from accessing high-quality, affordable child care. These findings should push all states to examine the administration of child-care assistance programs to ensure they are serving families in a way that addresses racial disparities.

This brief also provides a set of recommendations to support racial equity through effective implementation of CCDBG with special attention focused on opportunities to enroll, engage, and educate Black children and families. Our goal is to support state administrators committed to racial equity and advocates who are partnering with state administrators. While CCDBG is primarily funded at the federal level, the new law did not come with the significant increases in federal funding needed to cover the cost of implementation.ⁱⁱⁱ While funding CCDBG will be a challenge, states have significant discretion and authority to determine the policies of their child care assistance programs and how they spend CCDBG funds. As states analyze new regulations, we encourage them to reexamine their programs and use state-level discretion to implement policies that support the unique and diverse needs of all children and families.

Our recommendations include:

- Policymakers and program administrators should be careful to implement new requirements in a way that will benefit all families and make decisions that will support all families in successfully enrolling in and maintaining child-care assistance.
 - CCDBG now **requires 12-month eligibility periods for children receiving child-care assistance**, with few exceptions. We recommend states implement those exceptions judiciously and avoid early termination of assistance whenever possible. Losing child care means children are pulled from early learning environments and can put parents and caregivers' jobs in jeopardy. It is also harder to secure new employment without stable child care.
 - After a job loss, states are required to ensure that all parents/caregivers receive child-care assistance for at least 3-months before terminating assistance. We recommend that all states go beyond the 3-month requirement and allow families to have a full 12-month eligibility after job loss, while parents and caregivers are engaged in job searches, which is permissible under the law.
 - As a new requirement of The Law, parents and caregivers whose pay fluctuates frequently can submit the pay stubs that most accurately reflect their income instead of strictly requiring them to submit their most recent. In addition, states can choose to support parents who are managing fluctuating work schedules by allowing them to choose the child-care setting that is best for their children without limiting them to child care that strictly matches their work schedule.
- Creating inclusive learning environments for children of color is essential to supporting their development.^{iv} Cultural competence is a core component of high-quality programs. States should use quality set-aside resources to support cultural competency as states increase the portion of funding invested in quality improvement.
 - In particular, we recommend using professional development opportunities to equip child care and early learning providers for family engagement and partnership with Black parents and caregivers.
 - We also recommend using these dollars to address racial bias and support providers in implementing positive discipline practices that can prevent suspensions and expulsions. Early learning programs disproportionately employ these harsh, exclusionary discipline practices with Black children.

Section 1: The Case for Racial Equity from the U.S. Commission on Civil Rights—Mississippi Advisory Committee

In February 2016, the Mississippi Advisory Committee to the U.S. Commission on Civil Rights issued a report based on their investigation of the federal low-income child-care assistance program in Mississippi. The report, *Low Income Child Care Subsidies Distribution in the State of Mississippi*, highlights the need for all states to examine policies and practices in child-care assistance programs; how they impact diverse families and providers; and whether they are exacerbating racial disparities. In the investigation of the child-care assistance program in Mississippi, the Committee examined whether the state’s administration of CCDBG funds restricts low-income families of color from accessing high-quality, affordable child care. The Committee heard testimony from researchers, state officials, advocates, and child-care providers on alleged discrimination against Black providers and families in the administration of the child-care assistance program in Mississippi.

To summarize the core findings from the Committee (see additional details in text box):

- Mississippi Department of Human Services (MDHS) imposed a number of discretionary requirements which may unnecessarily restrict families in greatest need from accessing high-quality, affordable child care;
- Testimony provided indicated that federally required spending on the quality improvement for child-care services has been less accessible to Black early care and education providers in Mississippi (see text box for more details); and,
- In 2013, MDHS had millions in unobligated, unspent TANF funds that could have been used to serve nearly 3,000 more children and families.^v

In Mississippi, 92% of CCDBG participants are Black children and, nationally, 42% of CCDBG participants are Black children.^{vi} High participation in CCDBG among Black children means that policy decisions that impede access to CCDBG will disproportionately have negative impacts on low-income Black children. States’ policy decisions and low funding levels for CCDBG are limiting access to child-care assistance for low-income families. According to *Disparate Access: Head Start and CCDBG Data by Race and Ethnicity*, a paper from the Center for Law and Social Policy (CLASP), Mississippi only serves 16% of Black children that are federally eligible for child-care assistance. Other states (12) are serving a lower percentage of federally eligible Black children. For all children, at the national level, only 13% of children who are federally eligible for child-care assistance are being served.^{vii}

Child care assistance has the potential to give children from low-income families an opportunity to access the same high-quality early learning programs as children from families with more resources. **The data on low participation rates is disturbing because we are impeding opportunities for early learning that support long-term positive outcomes and access to a critical work support for parents and caregivers.** Recommendations from the Mississippi Advisory Committee make it clear that all states should examine their child-care assistance programs to ensure they are not implementing the

program in a way that detracts from the goals of the program, or impedes access for families on the basis of color.

To ensure equity for all communities, the findings from this report indicate that state administrators should: 1) examine their application and enrollment process for child-care assistance programs to ensure they reduce barriers for eligible families seeking child-care assistance and to 2) examine their quality initiatives like Quality Rating and Improvement Systems (QRIS) to ensure that providers in all communities, especially those with high participation in child-care assistance programs, have access to resources that allow providers to raise the quality of child-care programs. Equity in access to quality improvement resources for providers will help advance the CCDBG Act goal to ensure children from low-income families have equitable access to high-quality early care and education (ECE). Finally, the Commission's report should also be a call to action for states to allocate resources to support access to child-care assistance for diverse families and children.

In the following sections, we provide recommendations for states as they are implementing CCDBG that can support access to child-care assistance for low-income Black families and raise the level of high-quality, culturally-competent, child-care programs.

The U.S. Commission on Civil

Rights is an independent agency that advises the President and Congress. The Commission has state advisory committees that conduct hearings on civil rights issues and promote public awareness. On December 1, 2015, the Mississippi Advisory Committee to the U.S. Commission on Civil Rights submitted a memo to the Commission based on an investigation of the child care assistance program in the state of Mississippi. The Committee explained the reason for the investigation: "the Committee sought to examine whether or not the way in which early child care and development resources are currently being allocated in Mississippi may serve to exacerbate, rather than narrow these disparities." Core findings cited in the memo include Mississippi left \$7,865,405 in unobligated TANF funds unspent, which could have been allocated to CCDF for nearly 3000 children to access early learning programs. The report also says that CCDBG reimbursements are only 60% of market rates, which means providers don't have the means to reach the quality level that our children deserve.

Section 2: Supporting Families Enrollment in Child-Care Assistance Programs

The Mississippi Advisory Committee report stated that states' policy choices "can make an enormous difference in either supporting or hindering parents' ability to work, children's access to high-quality care, and providers' ability to meet high-quality standards." States have the opportunity to implement their child-care assistance programs in ways that counter disparities and support the unique and diverse needs of children and families. This section focuses on three opportunities to implement policy changes to give greater support to families by taking into consideration the daily realities of parents and caregivers who are working to access or maintain access to employment and parents whose hours and income fluctuate each pay period.

The CCDBG Act is designed to allow "lead agencies to tailor policies that better meet the needs of the low-income families they serve."

The new law requires all states to provide *a minimum 12-month eligibility period for children receiving child-care assistance*. This provision is designed to ensure that once families access child-care assistance and enroll their children in a child care and early learning program they have a full year of stable child care allowing for continuity of care and stable connections with caregivers. Longer periods of reliable child care give families greater economic security while parents or caregivers are working or in school. Specific language from the Act requires states to provide "a minimum of 12-months, regardless of increases in parents' earnings (as long as income remains at or below the federal eligibility limit) and temporary changes in participation in work, training, or education." While a minimum 12-month eligibility period is required, there are limited instances where families' eligibility can be terminated within that time period. States will need to be careful in revising policies and procedures to ensure early termination only takes place when allowed by CCDBG law and regulations.

As states transition to a 12-month eligibility period and create procedures, they should consider that the decision to disrupt a families' access to child-care assistance—putting work in jeopardy, pulling children from a familiar early learning environment, and breaking relationships with caregiver/teacher—should be made judiciously with the core goal of providing stable access to child care taken into consideration. Other than non-temporary changes in work or education/training (with the requisite period of job search), eligibility can be terminated within the 12-month eligibility period only for the following reasons:

- Excessive unexplained absences (after attempts to contact the family);
- A move by a participant to a new state or territory; and
- Substantiated fraud or intentional program violations that invalidate prior determinations of eligibility.

As states implement new procedures for early termination of child-care assistance, they should take into consideration guidance and training that will support this transition, technology changes required, and how they will monitor instances of early termination.

- **Written procedures and training:** For example, for families that may be terminated due to excessive unexplained absences from child care, the state agency must “attempt to contact the family” before terminating assistance. Written procedures and training should clearly define what constitutes sufficient attempts to contact family; who is responsible for initiating contact; and how attempts will be documented. Guidance to eligibility workers should be clear to avoid situations where families are terminated or continue to receive assistance solely based on eligibility workers’ discretion and action. We also recommend identifying and creating a formal documentation process for child-care providers to report a claim of excessive unexplained absences and to document their attempts to communicate with parents in their home language.
- **Technology implication:** For states that use automated eligibility systems, their eligibility systems can be reprogrammed to prompt action only at the end of a 12-month eligibility period. These systems can also be programmed to require supervisor approval when an eligibility worker is terminating child-care assistance within the 12-month period. Technology can also be used to monitor implementation by recording data on the percent of families that receive an early termination and the reasons for early termination.

New provisions will also require states to reexamine their interim reporting process. While many states had implemented 12-month eligibility prior to the CCDBG Act reauthorization, most required interim reporting with varying degrees of complexity in the information that families are required to verify.^{viii} Families are now allowed to retain eligibility through most changes in circumstances, which makes comprehensive interim reports no longer necessary. These reporting requirements can disrupt the time that parents and caregivers have dedicated to work and education, which ultimately does not support the goals of promoting continuity of care and supporting families’ financial stability.^{ix}

New regulations limit interim reporting:

- Families are required to report a change during their 12-month eligibility period only when their income exceeds 85% of state median income (SMI).
- Families have a range of options to report changes including phone, email, and online forms and are not required to travel to meet an eligibility worker in-person.

Under the new regulations, the interim reporting process may NOT include:

- Families reporting changes that do not impact eligibility for child-care assistance, such as changes in work hours.
- Eligibility workers reducing benefits or increasing co-pays based on information learned during the reporting period, other than when a family is in graduated phase-out—or their income has increased above the initial income eligibility level.

The CCDBG Act also allows states to ***support employment by providing child-care assistance for parents and caregivers engaging in job searches***. With higher unemployment rates among Black job seekers (BLS, September 2016: nationally unemployment at 5% overall and 8.3% for Black people)

providing child-care assistance to parents who are seeking employment is an opportunity to provide access to high-quality early learning for more Black children and support employment for parents. To fulfill the promise of stable access to child care, states must recognize the instability in workforce participation and employment patterns among parents and caregivers and allow work participation to include job search, which means more families will be able to get and keep child-care assistance during financial hardships.^x

- *Recommendation 1:* We recommend supporting stability by providing 12-month eligibility even when parents lose their jobs. States are required to continue assistance for at least 3-months “to allow parents to engage in job search, resume work, or attend an education or training program, as soon as possible” but they have the discretion to maintain the full 12-month eligibility period for families even in circumstances where parents lose their jobs.
- *Recommendation 2:* There is no federal requirement that families provide documentation to verify job search and states should not impose this requirement on families; printing documents or traveling to meet with an eligibility worker, to submit forms is likely to be cost prohibitive for a family after a job loss.
- *Recommendation 3:* All states should consider job search to be work participation in order to allow children to have access to early learning while parents are looking for work. Some states allow a period of job search to be a work activity so that families can enroll in child-care assistance based on parents and caregivers engaging in job search activities.

Parents are more likely to maintain access to child-care assistance when states’ policies account for the needs of families as their circumstances change.

States can also ensure they implement the CCDBG Act in a way that *supports parents who are facing income volatility due to frequent fluctuations in work schedule*. The lowest income workers face the most irregular work schedules.^{xi} Black families are nearly twice as likely to be working poor—working 27 weeks or more in a year and still having incomes below the federal poverty level—as workers overall.^{xii} Families that are eligible for child-care assistance need the eligibility process to be responsive to irregular fluctuations in earnings and work schedules.

- **Take fluctuating hours into consideration.** States should consider irregular fluctuations in work schedule and not limit care to parent schedule. When parents are given the impossible task of matching child care to unpredictable work schedules it limits their choices in child-care providers and their ability to access stable child care. When parents and caregivers apply for assistance, they should only be required to prove that they are eligible for child-care assistance based on income and work/education participation. Their choice of provider should not be limited based on their work schedule. States should also avoid setting strict thresholds for minimum hours of work, which make it difficult for parents and caregivers who do not control their work schedule to qualify for child-care assistance. For example, parents working in jobs with fluctuating hours should not be disqualified from assistance because a few weeks out of the year they work less than 20 hours based on a scheduling process that is out of their control.

- **Take fluctuating pay into consideration.** For parents and caregivers whose pay and work hours fluctuate weekly, their most recent paychecks at the time of application may not be the best reflection of their average pay. To account for families with fluctuations in pay, parents and caregivers should be allowed to provide pay stubs that most accurately reflect their average pay (instead of most recent). Policymakers may also choose to ignore temporary increases in income when parents and caregivers can demonstrate that an isolated increase in pay (e.g., short-term overtime pay, lump sum payments such as tax credits, etc.) is not permanent. For example, if a parent takes on extra hours for additional pay during the holidays, this should not result in higher co-pays (parent/caregiver contribution to child care) or affect eligibility.^{xiii}

This section covered recommendations to support families in qualifying and maintaining access to high-quality early learning programs. When children are enrolled in early learning programs, providers should have the resources to provide high-quality early learning and be equipped to engage and educate children from diverse families.

Section 3: Equity in Accessing High-Quality Early Learning Programs

A core requirement in the law is for states to ensure that families who are receiving assistance to have equal access to high-quality early learning programs as families not receiving assistance. New regulations support this goal by requiring that states increase the portion of Child-Care Development Fund (CCDF) funding dedicated to improving quality. States will be required to gradually increase the mandatory quality set-aside over a 5-year period from the previous level of 4% annually to 9% by FY 2020. Although many states reached this spending threshold before new provisions required it, CCDBG implementation is an opportunity to reexamine allocation of quality resources to ensure all children are benefiting from higher quality programs. **Increases in quality improvement resources should benefit providers across a diverse range of communities to make high-quality early learning programs accessible where participating families live and work.** In Mississippi, the Advisory Committee to the Commission on Civil Rights recommended state agencies that administer CCDF build positive trusting relationships with providers in diverse communities to spur innovation and collaboration and keep them engaged in quality improvement initiatives.^{xiv}

Quality improvement funds should be disseminated equitably to match the diversity among families participating in the child-care assistance program. The ultimate goal is for all families receiving assistance to be able to choose a high-quality, child-care provider that is accessible to their home or place of work/education. Research indicates that communities with the highest percentages of Black residents have a lower supply of child-care programs as well as a slightly lower availability of degreed workers.^{xv}

In addition, to building the supply of high-quality programs in diverse communities, **quality improvement initiatives should be designed to ensure programs are inclusive and culturally responsive.** States should ensure that they are allocating additional resources to build cultural competence in early learning programs. CCDF regulations recommend the following ways to use mandatory quality set-

asides: training and professional development; early learning & development guidelines; tiered quality rating system; infant and toddler supply (in addition to the 3% set-aside allocated to infant and toddler quality and supply); child-care resource & referral services; licensing and health & safety requirements; quality evaluation; accreditation; program standards; and other measurable quality activities. States should consider ways to support culturally-competent programming as they invest funds. See examples in table below:

Category for Quality Improvement Funding	Recommendations to Support Cultural Competence
<p>Training and professional development: Supporting the training, professional development, and postsecondary education of the child-care workforce as part of a progression of professional development.</p>	<p>States must provide assurances that training and professional development will improve the quality, diversity, stability, and retention of the workforce.^{xvi} To support social-emotional and cognitive development in Black children, we recommend training and professional development resources focus on developing early care and education providers in the following areas: family engagement, racial bias, and positive discipline practices. In the remainder of this section, we elaborate on this recommendation.</p>
<p>Early learning & development guidelines: Improving the development or implementation of the early learning and development guidelines.</p>	<p>States develop guidelines for early learning and development in order to make it explicit what all children should know and do by kindergarten. We recommend that these guidelines incorporate guidance for affirming children’s identity and culture.^{xvii}</p>
<p>Tiered quality rating system: Developing, implementing, or enhancing a tiered quality rating and improvement system (QRIS).</p>	<p>The regulation encourages “Lead Agencies to implement QRIS that are applicable to all child-care sectors and address the needs of all children, including children of all ages, families of all cultural-socio-economic backgrounds, and practitioners.” We recommend that all states administrators incorporate cultural competence into their rating system with tiers to measure progress. This is also an opportunity to provide education to diverse families on what quality ratings mean for their child’s development. Parents should understand the quality benchmarks and how they are designed to support developmentally appropriate practice.</p>

<p>Infant and toddler supply: Improving the supply and quality of child-care programs and services for infants and toddlers.</p>	<p>States can use quality resources to improve the quality and/or increase the supply of infant and toddler care. The funds can be combined with the required 3 percent infant and toddler quality set-aside. This is a substantial opportunity to allocate resources to build the supply of high-quality infant and toddler care, which is a critical need in communities of color. For example, according to analysis from CLASP, just 5 percent of eligible children were served by the Early Head Start programs nationally with only 6 percent of Black infants and toddlers served.^{xviii}</p>
<p>Quality evaluation: Evaluating and assessing the quality and effectiveness of child-care programs and services offered, including evaluating how such programs positively impact children.</p>	<p>States’ evaluation processes should be objective and reliable with measures that are tied to positive outcomes for children. Findings from the Mississippi Advisory Committee’s report also indicate the need for providers to have assurance that the evaluation process is objective. State administrators should record data evaluations by race and review data to ensure evaluations for Black providers or any other group do not show lower trends in scores.</p>
<p>Program standards: Supporting efforts to develop or adopt high-quality program standards relating to health, mental health, nutrition, physical activity, and physical development.</p>	<p>The regulations encourage “Lead Agencies that choose to use their quality funds for this activity to focus on research-based standards and work with specialists to develop age-appropriate practices in these areas.” As states work with specialists to develop standards, they should also ensure that these specialists have expertise in cultural-competence as well as age-appropriate practices. For example, early learning programs should ensure that their policies and practices respect participants’ language, values, attitudes, beliefs, and approaches to learning.</p>

NBCDI recommends that states invest quality set-aside funds for professional development that supports family engagement and addresses racial bias. As states allocate additional funds or reallocate existing funds to new quality initiatives, the highest priority should be professional development related to cultural competence, family engagement with a focus on engaging diverse families, and both racial bias and positive discipline practice designed to address the disproportionate suspension and expulsion of Black boys and girls from preschool.

“Research shows the fundamental importance of the caregiver in high-quality, early learning settings, and [CCDBG regulations were written to help] ensure that early childhood professionals have access to the knowledge and skills they need to best support young children and their development.”^{xix}

Family engagement training should be required professional development for all providers.

One study reported that only 7% of college administrators believe their teacher education programs adequately prepare their graduates to engage effectively with families or communities.^{xx} We may have many well-educated ECE providers who were not prepared by their college programs for family engagement or how to effectively engage diverse families.

Increasing professional development focused on parent engagement is essential to bolstering positive outcomes for Black children and developing more culturally-responsive pedagogy.

State administrators can use quality set-aside funding to provide professional development that helps early learning providers develop dynamic strategies to build strong partnerships with all parents and caregivers. Research demonstrates that when families and schools cooperate, children have better educational outcomes.^{xxi} Strong relationships with parents are also essential as teachers strive to create high-quality, culturally-responsive learning environments. Per Copple and Bredekamp, “When young children are in a group setting outside the home, what makes sense to them, how they use language to interact, and how they experience this new world depend on the social and cultural contexts to which they are accustomed. A skilled teacher takes such contextual factors into account, along with the children’s ages and their individual differences, in shaping all aspects of the learning environment.”^{xxii} Engaging with parents is critical for teachers to fully grasp the social and cultural context of young children.

Family engagement training must also be culturally responsive. Professional development related to family engagement should be inclusive of multiple cultural norms but also consider the unique strengths and qualities that each family will bring. Therefore, early learning providers should learn dynamic ways to respond to the unique needs of parents/caregivers and children instead of having a stagnant strategy for engaging with parents.^{xxiii}

Achieving a meaningful engagement between parents/caregivers and early learning providers may require professional development to specifically help some providers develop a strengths-based perspective and address deficit perceptions regarding Black families and culture. “Black families and low-income communities in particular often face multiple barriers to forming partnerships with schools, including teachers and other program personnel who have low expectations for their engagement and little

understanding or respect for their culture and experiences.” Without proper training, providers’ strategies to engage families may not be successful due to 1) lack of understanding on how factors, such as culture, race and social class, may influence their engagement with schools and 2) not employing a strengths-based approach to families due to racial bias.^{xxiv}

Professional development should also be focused on addressing racial bias and implementing positive discipline practices in order to address the issue of disproportionate suspension and expulsion of Black boys and girls in early learning settings. Black public preschool children are suspended from school at high rates: Black preschool children are 3.6 times more likely to receive one or more out-of-school suspensions as white preschool children.^{xxv} This data demonstrates that children are being excluded from learning and have been for many years. Data has consistently shown disproportionate rates of suspension and expulsion for Black children for over ten years.

Access to child-care assistance and enrollment in early learning programs will not have the desired impact when Black children are disproportionately “locked out” by a system that suspends and expels them and other children of color at alarming rates. According to a study from Yale, preschool suspensions and expulsions cause young children to lose their early educational placement or time in care, directly undermining their access to early education.^{xxvi} State-by-state analysis performed by Attendance Works demonstrates that students who miss more school than their peers consistently score lower on standardized tests, a result that holds true at every age, in every demographic group, and in every state and city tested.^{xxvii} Research shows early experience with exclusionary discipline lead to labels that make children feel that the academic environment is not welcoming for them, which can have long-term negative impacts on children’s academic outcomes.^{xxviii} To deliver on the promise of early care and education, we must move from exclusion as a disciplinary tactic to inclusive learning environments by providing professional development that prepares them to address their own biases and implement positive, culturally responsive discipline practices. In a policy statement on eliminating suspensions and expulsions in early learning, the U.S. Departments of Education and Health and Human Services cited studies that identify coping with challenging behaviors as the most pressing training need for early learning teachers.^{xxix}

In addition to opportunities to allocate quality funds to professional development, new provisions also require states to describe policies to prevent suspensions and expulsions of children birth to age 5 in child-care & other early childhood programs. **States should ensure that new policies benefit children by taking actions to align practice with new policies.** Early care and education providers need professional development to support them as they implement practices that support social-emotional development and prevent suspensions and expulsions of children birth to age 5 in child care & other early childhood programs.^{xxx} For example, in Connecticut, effective July, 2015, out-of-school suspensions and expulsions of children in preschool and kindergarten through second grade were prohibited with expectation only given through a formal hearing process. **The state is providing grants and professional development to implement positive disciplinary practices to support ECE providers in turning these new policies into practices.**^{xxxi}

States' quality improvement initiatives should be designed to build access to high-quality early learning by equipping providers with training and professional development needed to deeply engage with parents and create inclusive learning environments for all children. As states use the opportunity from CCDBG implementation to allocate and reallocate funds for quality, they should recognize that professional development for providers is essential to successful outcomes for the children and families they serve.

Section 4: Taking Action: Advocacy Strategies to Support Racial Equity in Your States' Child-Care Assistance Programs

The implementation timeline for CCDBG required states to submit implementation plans for CCDF for fiscal year 2016-2018. CCDF State plans were approved and became effective June 2016. The plans were accepted as draft because the final CCDF regulations were released in September 2016. For advocates seeking to support access to child-care assistance and high-quality early learning programs, we provide below a few tips on how to use this guide to get involved.

- **Stay informed of your states' implementation plan:** This brief identified the opportunities to use new provisions in CCDBG to support families and children. As you review and analyze the specific details in your state's implementation plan, use this as a guide to help identify the elements that are most important to families. Hold elected officials and policymakers accountable for implementing the plan in a way that supports all families and children. Be prepared to use talking points from this brief as you partner with administrators in the lead state agency for effective implementation.
- **New regulations require transparency from lead agencies.** This additional transparency presents a critical opportunity for advocates to stay informed including:
 - States must provide a summary of the facts used to determine that payment rates are sufficient to support access to high-quality early learning for young children.^{xxxii}
 - States must provide assurances that training and professional development will improve the quality, diversity, stability, and retention of the workforce.^{xxxiii}
 - States must report on the measures they will use to evaluate progress in improving the quality of child-care programs and services.
 - States must provide a description and demonstration of how they will implement the 12-month eligibility period in a way that promotes continuity of care for children and stability for families receiving CCDF services.
 - States must describe the process for taking into account irregular fluctuation in earnings in a way that supports access to child-care assistance.
 - States must provide a description of co-payment structure and how co-payments have been set to be more affordable for families.
- **Monitor data points that are important for Black children** and provide feedback to state administrators from families on the application and enrollment process for child-care assistance and opportunities to improve supply or quality. Two core data points that advocates should pay close attention to include:

- The number of families and children on wait list to access child-care assistance: These families are likely using child care, but without assistance parents have likely chosen an alternative source of child care they can afford, which may not be as reliable or high-quality.
- Suspension and expulsion rates disaggregated by race: Children excluded from learning as a form of discipline detracts from the goal of access to high-quality early learning. This issue disproportionately impacts Black children and research has shown that implicit bias among early learning providers is a contributing factor. Advocates have an opportunity to work with state administrators to address this issue by ensuring providers receive professional development on racial bias and positive, culturally-competent discipline practices.
- **Advocate for funding to fully implement:** Understand funding challenges in your state. New provisions of CCDBG that have been designed to meet the needs of families and children will also have expensive budget implications for child-care assistance programs. The new law was passed without a significant increase in federal funding to support increased cost. CLASP estimates that we needed a \$1.7 billion increase in federal funding in FY2017 for states to implement the new law without reducing the number of children served.^{xxxiv} Early learning advocates and state-level administrators must commit to advocating for increased investments in their states to ensure CCDBG lives up to the promise of equal access to safe, high-quality early learning programs. Policymakers are responsible for adequately allocating resources to support early childhood systems so that programs have the support they need to increase access to child care, improve quality, and build higher levels of cultural competence.
 - Advocates can ensure policymakers are hearing from their constituents about what they need and challenge them to ensure that they are responding to the true needs of those most impacted by CCDBG. We recommend a *strengths-based approach* that demonstrates to policymakers that child-care assistance has a positive impact on Black families by supporting children’s early learning and building financial stability and mobility. Ensure your policymakers and elected officials know that the program works for families by bringing those families to testify and advocate for themselves.
- **Work in coalitions with other advocates** to ensure you are presenting a united front with a strong voice in support of children. Elected officials have tough choices when it comes to allocating funds. Joining with other groups communicates the critical importance of this issue to policymakers.

Ultimately, changes to early learning systems are an opportunity to ensure equitable access to child-care assistance—which gives children the opportunity to access high-quality, culturally responsive early care and education.

ⁱ National Center for Children in Poverty. “Race/ethnicity by family income, 2011” Accessed February 10, 2017. <http://nccp.org/publications/images/BF01811-fig6.png>

ⁱⁱ Schulman, Karen, and Helen Blank. *Turning the Corner: State Child Care Assistance Policies 2014*. National Women’s Law Center, 2014.

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- ⁱⁱⁱ Matthews, Hannah and Christina Walker. “Child Care Assistance Spending and Participation in 2014”. Center for Law and Social Policy. March 2016. <http://www.clasp.org/resources-and-publications/publication-1/CC-Spending-and-Participation-2014-1.pdf>
- ^{iv} Searcy, Angela. “Moving Beyond Exclusion to Inclusion: The Significance of Culturally Responsive Teaching to Black Students.” National Black Child Development Institute. 2015. <https://www.nbcdi.org/sites/default/files/resource-files/Being%20Black%20is%20Not%20a%20Risk%20Factor%20-%20Illinois.pdf>
- ^v The Mississippi Advisory Committee to the U.S. Commission on Civil Rights. “Low Income Child Care Subsidies Distribution in the State of Mississippi.” Advisory Memo. December 1, 2015.
- ^{vi} The Mississippi Advisory Committee to the U.S. Commission on Civil Rights. “Low Income Child Care Subsidies...”
- ^{vii} Schmit, Stephanie and Christina Walker. “Disparate Access: Head Start and CCDBG Data by Race and Ethnicity.” Center for Law and Social Policy. February 2016. <http://www.clasp.org/resources-and-publications/publication-1/Disparate-Access.pdf>
- ^{viii} Minton, Sarah, Christin Durham, Erika Huber, and Linda Giannarelli. 2012. “The CCDF Policies Database Book of Tables: Key Cross-State Variations in CCDF Policies as of October 1, 2011.” OPRE Report 2012-51. Washington, DC: Office of Planning, Research and Evaluation, Administration for Children and Families, US Department of Health and Human Services.
- ^{ix} Office of Child Care (OCC), Administration for Children and Families (ACF), Department of Health and Human Services (HHS). “Child Care and Development Fund (CCDF) Program Rules and Regulations.” Federal Register Vol. 81, No. 190. 2016.
- ^x Adams, Gina and Hannah Matthews. “Confronting the Child Care Eligibility Maze Simplifying and Aligning with Other Work Supports.” Work Support Strategies Initiative. December 2013. www.clasp.org/resources-and-publications/publication-1/wss-cc-paper.pdf
- ^{xi} Golden, Lonnie. “Irregular Work Scheduling and Its Consequences.” Economic Policy Institute. Last updated April 9, 2015. <http://www.epi.org/publication/irregular-work-scheduling-and-its-consequences/>
- ^{xii} Michel, Zoe Ziliak and Liz Ben-Ishai. “Buenos Empleos: Latinos’ Limited Access to Quality Jobs.” Center for Law and Social Policy. August 2016. <http://www.clasp.org/resources-and-publications/publication-1/Latinos-and-Job-Quality-FINAL.pdf>
- ^{xiii} Office of Child Care (OCC), ACF, HHS. Child Care and Development Fund (CCDF) Program Rules and Regulations...
- ^{xiv} The Mississippi Advisory Committee to the U.S. Commission on Civil Rights. “Low Income Child Care Subsidies...”
- ^{xv} Bassok, Daphna Maria Fitzpatrick and Susanna Loeb. “Disparities in Child Care Availability across Communities: Differential reflection of targeted interventions and local demand.” Stanford Center for Education Policy Analysis. April 2011. <https://cepa.stanford.edu/content/disparities-child-care-availability-across-communities-differential-reflection-targeted>
- ^{xvi} Office of Child Care (OCC), Administration for Children and Families (ACF), Department of Health and Human Services (HHS). “Child Care and Development Fund Final Rule.” Webinar. Published September 23, 2016. <https://www.youtube.com/watch?v=u7AYV7Psfyc&feature=youtu.be>
- ^{xvii} Quality Benchmarks for Cultural Competence Toolkit. Build Initiative. January 2009. <http://www.buildinitiative.org/TheIssues/DiversityEquity/Toolkit/ToolkitResourceList/ViewToolkit/tabid/224/ArticleId/106/Quality-Benchmark-for-Cultural-Competence-Tool.aspx>
- ^{xviii} Schmit, Stephanie and Christina Walker. “Disparate Access: Head Start ...”
- ^{xix} Office of Child Care (OCC), ACF, HHS. Child Care and Development Fund (CCDF) Program Rules and Regulations...
- ^{xx} Quality Benchmarks for Cultural Competence Toolkit...
- ^{xxi} Garin, Geoff, Mario Brossard, Rebeca Cantu-Helmstetler. “Communities of color and public school reform: Findings from qualitative and quantitative research.” Brossard Research, Hart Research and Insights Marketing Group. Accessed February 10, 2017.

http://publiceducation.issueclab.org/resource/communities_of_color_and_public_school_reform_findings_from_qualitative_and_quantitative_research

- ^{xxii} Copple, Carol, and Bredekamp, Sue. *Developmentally Appropriate Practice in Early Childhood Programs Serving Children from Birth through Age 8 Third Edition*. National Association for the Education of Young Children, 2010.
- ^{xxiii} Quality Benchmarks for Cultural Competence Toolkit. Build Initiative...
- ^{xxiv} Quality Benchmarks for Cultural Competence Toolkit. Build Initiative...
- ^{xxv} Office of Civil Rights, U.S. Department of Education. "2013-2014 Civil Rights Data Collection." Last modified October 28, 2016. <https://www2.ed.gov/about/offices/list/ocr/docs/2013-14-first-look.pdf>
- ^{xxvi} Gilliam, Walter S., Angela N. Maupin, Chin R. Reyes, Maria Accavitti, Frederick Shic. "Do Early Educators' Implicit Biases Regarding Sex and Race Relate to Behavior Expectations and Recommendations of Preschool Expulsions and Suspensions?" Yale University Child Study Center. September 28, 2016. http://ziglercenter.yale.edu/publications/Preschool%20Implicit%20Bias%20Policy%20Brief_final_9_26_276766_5379.pdf
- ^{xxvii} Ginsburg, Alan, Phyllis Jordan, and Hedy Chang. "Absences Add Up: How School Attendance." August 2014. http://www.attendanceworks.org/wordpress/wp-content/uploads/2014/09/Absences-Add-Up_September-3rd-2014.pdf
- ^{xxviii} Center for Social and Emotional Education and Education Commission of the States. "The School Climate Challenge: Narrowing the Gap Between School Climate Research and School Climate Policy, Practice Guidelines and teacher Education Policy." 2007. <http://www.schoolclimate.org/climate/documents/school-climate-challenge.pdf>
- ^{xxix} Fox, Lise, and Smith, Barbara J. "Issue Brief: Promoting social, emotional, and behavioral outcomes of young children served under IDEA Challenging Behavior." January 2007. www.challengingbehavior.org/do/resources/documents/brief_promoting.pdf
- ^{xxx} Office of Child Care (OCC), ACF, HHS. Child Care and Development Fund (CCDF) Program Rules and Regulations...
- ^{xxxi} Jordan, Harold. "What's Wrong With Criminalizing Our Early Learners?" Accessed on February 12, 2017. <http://www.nbcdi.org/whats-wrong-criminalizing-our-early-learners>
- ^{xxxii} Office of Child Care (OCC), ACF, HHS. Child Care and Development Fund (CCDF) Program Rules and Regulations...
- ^{xxxiii} Office of Child Care (OCC), ACF, HHS. Child Care and Development Fund (CCDF) Program Rules and Regulations...
- ^{xxxiv} Matthews, Hannah and Christina Walker. "Child Care Assistance Spending and Participation in 2014..."

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About NBCDI

For 47 years, the National Black Child Development Institute (NBCDI) has been committed to our mission to improve and advance the quality of life for Black children and families through education and advocacy. With our National Affiliate Network, we develop and deliver strengths-based, culturally relevant, evidence-based, and trauma informed curricula and programs that focus on health and wellness, family engagement, and literacy. We support increased access to effective education by providing professional development scholarships for early childhood educators. NBCDI, the National Affiliate Network, and our members advocate and inform education policies at the federal, state, and local levels to ensure standards, regulations, and resource allocations support equitable systems for Black children and families.

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