

NOVEMBER 2020



TRANSITION BRIEFING & RECOMMENDATIONS

**Urgently Address the Child Care Crisis and Invest
in Equitable Child Care and Early Learning for All**

KATHERINE GALLAGHER ROBBINS,
DIRECTOR, CHILD CARE AND EARLY EDUCATION

kgallagherrobbins@clasp.org

CLASP
The Center for Law and Social Policy

By Katherine Gallagher Robbins and Stephanie Schmit

Introduction

Our country's existing and long-term child care crisis—inequitable access for communities of color, poverty-level wages for early educators, and unaffordable care for far too many families—has been exacerbated by the terrible, inequitable impacts of the coronavirus pandemic, which has pushed the child care and early learning sector to the brink of collapse. Providers are struggling to make ends meet with reduced enrollment and increased health and safety costs, while parents are struggling to pay for care as the result of lost jobs or facing the impossible juggle of caring for children while working. Since February, the industry has lost more than one in every six workers,¹ and since women hold virtually all child care jobs, these losses impact women and their families most of all. More than 100,000 child care programs have closed,² and without additional federal support 2 out of 5 providers say they will close permanently, half of whom are providers of color.³ Permanent child care closures will hurt children, families, and workers—and hold back our nation's economic recovery. The supply of child care in communities with low incomes and communities of color, which was already insufficient before the pandemic, is likely to be hardest hit.⁴ This will have devastating consequences for parents who need to work and their children who will be left with potentially unsafe options as states and communities reopen.

This document lays out necessary, urgent actions the Biden-Harris Administration should take to address the child care and early learning crisis to ensure the health and safety of early educators and families during COVID, as well as the survival of the sector. These steps are essential for increasing racial equity, building the 21st century caregiving and education workforce the country needs, and making it possible for parents—especially mothers—to stay in or return to the labor force. The document also outlines actions the Administration can take in the first 100 days—including key personnel requests, visibility opportunities, and investments—to move from stabilization to making the necessary investments and policy changes to create a child care and early learning system that works for all families.

Urgent Pandemic Relief to Stabilize Early Childhood Systems

Even before COVID-19, child care and Head Start programs across the nation were experiencing drastically rising operating expenses, immense challenges with recruiting and retaining staff, aging facilities, and increasing needs of children and families.⁵ In the face of concurrent crises—the COVID-19 pandemic, systemic and historical racism, and economic destabilization—these systems need a substantial influx of funding to survive and support communities during this critical time. In addition to funding, the Administration should support child care providers and early educators by issuing clear health and safety guidelines and providing sufficient technical assistance and funding so programs can adhere to these guidelines.

To weather the COVID-19 pandemic, child care and early learning programs immediately need:

- At least **\$50 billion** dedicated to a stabilization fund and at least **\$7 billion in funding through the Child Care and Development Block Grant (CCDBG)** to support the child care sector during the COVID-19 crisis.⁶ CLASP, in partnership with the National Women’s Law Center and former CEA Economist Aaron Sojourner, estimates that at least \$9.6 billion is needed each month during the pandemic to fully fund existing providers in the child care system.⁷ These funds should be structured to support providers and the workforce, ensure the safe reopening of child care at the appropriate time, build future capacity, increase racial equity, and reduce cost burdens for struggling families.
- **\$11.2 billion** for **Head Start and Early Head Start** through the end of FY 2021 to meet urgent, pandemic-related cleaning and safety costs, personnel costs, and infrastructure needs.⁸ The comprehensive services that Head Start and Early Head Start provide are more important than ever given rising economic need among families with young children and reduced access to regular health care, early developmental screenings, and vaccinations. Without additional investment during COVID, Head Start families—which include households living in poverty, Native American families, and migrant and seasonal workers—will not have access to these critical, stabilizing services.

In addition, the Administration should take immediate, Day 1 action to draw attention to and help solve the crisis in our nation’s child care and early learning system by issuing an **Executive Order** addressing the need for urgent action and directing agencies to take the following actions to address immediate safety concerns and create a path for reopening to rebuild the economy:

- **Convene a panel of experts** across child wellbeing, child care, public health, early childhood workforce, and racial equity to develop and issue immediate joint guidance from the Centers for Disease Control and Prevention (CDC) and the Administration for Children and Families (ACF) addressing the unique concerns of early childhood programs during the pandemic. These recommendations should take into account best available research on safety and child development and address considerations for relevant age ranges and different program types, address workforce health and safety concerns, and seek to reduce racial inequities on all fronts. Upon issuance of this guidance, the Administration should provide funding to support relevant health and safety recommendations, including necessary funding for PPE, testing, and cleaning.
- **ACF should issue guidance to the states recommending flexibilities for quickly reopening and rebuilding capacity when it is safe to do so.** This guidance should be based on an immediate review of existing research on health and safety in child care during COVID-19 and barriers to safely reopening. Recommendations should include expedited licensing options and expedited background checks. The Administration should also consider and address diverse parent preferences in reopening plans, including through rapid focus groups and surveys of parent concerns.

Families and workers also have critical health care, paid leave, and nutrition needs that policymakers should fully fund in any relief package to meet their comprehensive needs, with special attention to the needs of young children.⁹ The Administration should work with Congress to ensure this happens.

Maintaining the Momentum and Building the Capacity for Child Care and Early Learning for All

As the Administration addresses the sector's immediate stabilization needs, it must simultaneously lay the groundwork for an equitable recovery. We lay out a multi-prong first-100-days strategy for doing so including:

- Passage of a comprehensive relief and **recovery package** in early 2021 (as outlined above);
- Support for the introduction of the *Child Care for Working Families Act* in early 2021, and swift passage of this bill;
- Support for a **dramatic expansion of Early Head Start**, as well as immediate executive actions to increase access now;
- Proposals in a first budget to sustain recovery and make a substantial down payment on **child care and early education for all**; and
- **Building public will, creating capacity, and expanding expertise** to address the crisis and the recovery through visibility opportunities, personnel recommendations, and urgent research.

Working with Congress to Introduce—and Swiftly Pass—a Bold Legislative Vision for Child Care and Early Education

The COVID pandemic has made it abundantly clear: it's past time that we transform our child care system to create high-quality, affordable child care for all families. We need significant public investments to fill the gap between what families can afford to pay and what educators need to make to provide high-quality care and early learning opportunities. Only with substantial direct investments and effective policies will we be able to meet our shared responsibility to give each of our nation's children a strong start in life, ensure an equitable economic recovery, and support a 21st century caregiving and early education workforce. To this end, it is essential that Congress and the Administration work together to introduce and swiftly pass the *Child Care for Working Families Act*.

Legislation to transform our child care system for all must address the needs of families and early educators to ensure all families with children up to age 13 can access and afford high-quality child care when they need it. The bill should ensure that early childhood professionals in all settings can receive the support, resources, and compensation they need to provide high-quality care and support their own families. This should include access to apprenticeships and unions. Meeting these goals requires that parents and other caregivers are engaged in the development and implementation of the system to ensure it meets the needs of diverse families and that funding is provided through direct assistance and targeted first at families, providers, and communities most in need of support.¹⁰

Urgent Investments and Actions to Support Early Head Start

COVID has made the comprehensive services of Early Head Start more essential than ever. In addition to an immediate investment to stabilize Early Head Start now, creating a child care and early education system that supports an equitable recovery will require a significant investment in Early Head Start. Our nation should be ashamed that more than 25 years after the founding of Early Head Start, the program only serves 11 percent of eligible children,¹¹ despite the fact that its critical services are proven to improve outcomes for children and adults.¹² Investing in Early Head Start is an especially

powerful tool for increasing equity during the pandemic, particularly because staff and families are disproportionately people of color with low and moderate incomes. As such, this investment provides a two-fold result: it helps meet the immediate needs of families, and it promotes economic activity within communities. The Administration should call for a substantial increase in Early Head Start funding so that the program covers half of eligible children and families within the next three years.

In addition to a significant investment in Early Head Start, the Administration should:

- Provide additional training and technical assistance to support Early Head Start programs in expanding the services they offer families so they can address the many issues they face related to COVID-19, including mental health and wellbeing needs.
- Issue new guidance encouraging or requiring programs to reach out to a range of communities to increase participation from all eligible families such as BIPOC families, rural families, migrant and seasonal families, immigrant and mixed-status families, LGBTQIA families, and families with disabilities. Officials should make sure outreach efforts encompass multiple languages and are accessible to people with disabilities.

Addressing the Urgent Needs of Children in Immigrant and Mixed-status Families

The harm caused by the Trump Administration to children in immigrant families has been far-reaching with devastating effects. If left unaddressed, this harm will have long-term impacts on families' healthy development and ultimately our nation's future. Children in immigrant families now comprise 1 in 4, or approximately 18 million, of all children in the United States.¹³ Over 5 million children have at least one parent who is undocumented.¹⁴ A focus on undoing the harm done and prioritizing children of immigrants for additional resources to support their healing is essential on Day 1 of the Biden-Harris Administration. A full scope of immediate recommendations to support children in immigrant families is available here, with key recommendations for the child care and early learning sector including:

- The Departments of Education (ED) and Health and Human Services (HHS) should issue guidance to state agencies and grantees regarding immigrant eligibility for child care and early education programs including Head Start, child care subsidies, public pre-kindergarten, and home visiting.
- ACF should issue guidance to state CCDBG administrators on:
 - Policies that reduce barriers to child care subsidy for immigrant parents, such as:
 - Only asking for the citizenship status on the child(ren) in need of care.
 - Allowing parents to self-attest to employment and wages.
 - Accepting Individual Tax Identification Numbers (ITINs) for family, friend, and neighbor (FFN) caregivers.
 - Exemptions to the citizenship/immigration status verification requirements in CCDBG, including operationalizing the exemption for child care-Head Start collaborations and

broadly defining “public educational standards” to cover child care services subject to educational or early learning program standards.

- ACF should leverage Head Start to share information and best practices regarding trauma-informed care; culturally appropriate services; and outreach and enrollment to immigrant families, including by:
 - Issuing educational resources to Head Start programs immediately to convey Head Start as a welcoming program for immigrant families.
 - Broadly disseminating research and best practices on early childhood practices with dual language learners (DLLs) and monitoring implementation of Head Start standards on DLLs to identify areas for technical assistance.

The President's First Budget: An Opportunity to Accelerate An Equitable Recovery

President Biden’s first budget provides a critical opportunity to lay out both short- and long-term investment plans for child care and early learning programs to meet the immediate and pressing needs of the sector, to accelerate the recovery process, and to signal a deep commitment to child care and early learning. The President’s Budget for FY 2022 must include robust funding for child care and early learning programs, with a strong focus on the CCDBG and Head Start and Early Head Start.¹⁵ To support the system in recovering from this historic crisis and lay the groundwork for a visionary, legislative push for high-quality child care and early education for all, the Administration should ask Congress to make significant investments in these programs in FY 2022. These investments should be sufficient to ensure that (1) gains achieved through stabilization funds are not lost and programs do not face a cliff as these funds are spent; (2) programs dramatically increase services available for families, especially at the outset of an economic recovery; (3) funding focuses on increasing racial equity; and (4) early educators’ compensation levels are increased.

Building Public Will, Creating Capacity, and Expanding Expertise to Address the Crisis and the Recovery

While funding and policy change are essential to both recovery and rebuilding, the Administration has additional tools available. To shine a spotlight on the crisis and drive Congressional action, the White House should use **high-visibility moments** such as the inauguration, Presidential and Vice Presidential speeches, and the State of the Union (SOTU) to highlight the child care crisis, including inviting a child care provider to SOTU. The White House should also host a **high-profile convening** on caregiving to make the case that child care, paid leave,¹⁶ and other critical caregiving supports are essential to the economic recovery and to increase equity. ACF and the Department of Labor (DOL) should lay the groundwork for this with a **nationwide listening tour**.

The Administration should appoint high-level personnel specifically focused on these issues. We recommend a **Deputy Assistant to the President (DAP) within the Domestic Policy Council on child care and early learning** to lead the Administration’s cross-sector and cross-agency efforts. This position, which should be appointed by the end of January 2021, will be responsible for advancing a bold administrative and legislative agenda on child care and early learning for all. We also urge the Administration to appoint strong cabinet and subcabinet leaders with deep early childhood

experience who understand both the critical importance of child care and early learning for the workforce and for families' wellbeing, as well as provide a strong racial equity approach.

A key aspect of getting critical expertise is to have people involved in shaping the policy who are directly involved in the child care sector as either providers or families who depend on child care. To this end, we recommend a new child care and early learning **grassroots advisory body** that would be consulted by the Office of Child Care (OCC) and Office of Head Start (OHS) as they develop and revise policies, regulations, monitoring, issue guidance, and work with regional offices and states on implementation.¹⁷ The newly created advisory body should include representation from a range of families, providers, educators, and other stakeholders who are directly impacted by the child care and early learning system. This diverse advisory board should, at a minimum, include people from a range of regional geographies and settings (home-based, center-based, and family, friend, and neighbor care providers and educators), as well as from families of children with disabilities; Black, Indigenous, and People of Color (BIPOC) families; immigrant and mixed-status families; justice-impacted parents or caregivers; children in foster care; indigenous communities; LGBTQIA families and caregivers; and families and providers in rural areas.

To ensure broad support for the sector's recovery, the White House should issue an **Executive Order (EO) within the first month in office on child care and early learning**. The EO should task agencies to identify administrative changes and/or new administrative actions within 90 days of the EO's announcement that will stabilize child care programs, increase equity, improve job quality for caregivers, and support families' diverse caregiving needs.¹⁸

The White House should also directly gauge the situation on the ground within the first 100 days by directing ACF to **assess and report on the need for child care**, with a focus on equity, access, quality, and affordability. This report should include information on the specific impacts of COVID-19 on the child care and early learning sector, including parent access and preferences and the effects on the workforce, incorporating the views of those who are directly impacted. The report should make specific recommendations regarding actions necessary to implement a visionary child care program, including scaling up the number of providers to serve all children and building stronger state infrastructure.

¹ Calculations based on Bureau of Labor Statistics, Current Employment Statistics survey released November 6, 2020 for “Child day care services” per Table B-1 Employees on nonfarm payrolls by industry sector and selected industry detail, seasonally adjusted, available at <https://www.bls.gov/webapps/legacy/cesbtab1.htm> (last accessed Nov. 9, 2020). Data for October are preliminary and the latest available.

² National Association for the Education of Young Children, From the Front Lines: The Ongoing Effect of the Pandemic on Child Care, 2020, https://www.naeyc.org/sites/default/files/globally-shared/downloads/PDFs/resources/topics/naeyc_coronavirus_ongoingeffectsonchildcare.pdf.

³ National Association for the Education of Young Children, Holding on Until Help Comes: A Survey Reveals Child Care’s Fight to Survive, 2020, https://www.naeyc.org/sites/default/files/globally-shared/downloads/PDFs/our-work/public-policy-advocacy/holding_on_until_help_comes_survey_analysis_july_2020.pdf.

⁴ Indeed, early data regarding the impact of the pandemic demonstrate that half of households with low incomes are not sure they will be able to return to their previous child care arrangement, compared to one-quarter of middle- and upper-income households. Rapid EC Research Group, Not in the Same Boat, 2020, <https://medium.com/rapid-ec-project/not-in-the-same-boat2d91ed57df2d>. See also, Shiva Sethi, Christine Johnson-Staub, Katherine Gallagher Robbins, “An Anti-Racist Approach to Supporting Child Care Through COVID-19 and Beyond,” CLASP, 2020 <https://www.clasp.org/publications/report/brief/anti-racist-approach-supporting-child-carethrough-covid-19-and-beyond>.

⁵ While this document focuses primarily on child care and Head Start, preschool is also an essential part of the early childhood system. Programs have struggled with lower enrollment and rising health and safety costs. We recommend the Administration pursue state and local fiscal relief, as well as education stabilization, to support these programs.

⁶ Such funding levels were provided in the *Child Care is Essential Act*, which passed the House with bipartisan support in July, as well as in HEROES 2.

⁷ This analysis should be treated as a lower-bound estimate, as it focuses on keeping closed programs stable through financial support and providing safe care for the children of essential workers. Providing care for a larger share of families will require additional support. Rebecca Ullrich, Aaron Sojourner, Katherine Gallagher Robbins, et al., Child Care is Key to Our Economic Recovery, CLASP, 2020, <https://www.clasp.org/publications/report/brief/child-care-key-our-economic-recovery>.

⁸ This estimate includes the existing, as yet unmet, \$1.7B relief ask for Head Start and Early Head Start that was based on estimated need through December 2020. It does not include expanding Head Start services to newly eligible families, additional insurance needs, or other anomalous, localized costs. Child Care and Early Learning: Addressing the Urgent Crisis and Investing in the Future, CLASP, 2020, <https://www.clasp.org/publications/report/brief/child-care-and-early-learning-addressing-urgent-crisis-and-investing>.

⁹ See CLASP’s additional transition papers: Olivia Golden and Hannah Matthews, Transition Briefing & Recommendations that Support People with Low Incomes and Advance Racial Equity, and Olivia Golden and Elizabeth Lower-Basch, Address the Crisis and Transform the Future for Young Children and their Families, as well as Stephanie Schmit, Rebecca Ullrich, Katherine Gallagher Robbins, “A Pandemic Within a Pandemic: How Coronavirus and Systemic Racism are Harming Infants and Toddlers of Color,” CLASP, 2020 <https://www.clasp.org/publications/report/brief/pandemic-within-pandemic-how-coronavirus-and-systemic-racism-are-harming>.

¹⁰ For additional details on the critical needs a child care and early education system in the U.S. must meet, please see, Child Care and Early Learning: Addressing the Urgent Crisis and Investing in the Future, CLASP, 2020, <https://www.clasp.org/publications/report/brief/child-care-and-early-learning-addressing-urgent-crisis-and-investing>.

¹¹ National Head Start Association, National Head Start Fact Sheet, Figures are for 2018-2019, <https://www.nhsa.org/national-head-start-fact-sheets>.

¹² ZERO TO THREE, Early Head Start Works, 2017, <https://www.zerotothree.org/resources/477-early-head-start-works#:~:text=Early%20Head%20Start%20Had%20A,play%20than%20control%20group%20children>.

¹³ Jeanne Batalova, Brittany Blizzard, and Jessica Bolter, “Frequently Requested Statistics on Immigrants and Immigration in the United States,” Migration Policy Institute, February 14, 2020,

<https://www.migrationpolicy.org/article/frequently-requested-statistics-immigrants-and-immigration-united-states#Children%20of%20Immigrants>.

¹⁴ Randy Capps, Michael Fix, and Jie Zong, "A Profile of U.S. Children with Unauthorized Immigrant Parents," Migration Policy Institute, January 2016, <https://www.migrationpolicy.org/research/profile-us-children-unauthorized-immigrant-parents>.

¹⁵ In addition to CCDBG and Head Start, young children and their families rely on other critical programs that will need significant budget investment, such as preschool, Parts C and B (Section 619) of the Individuals with Disabilities Education Act, Child Care Access Means Parents in School (CCAMPIS), Preschool Development Grants, and the Maternal, Infant, and Early Childhood Home Visiting (MIECHV) program.

¹⁶ See Pronita Gupta, *Provide Long-Overdue Paid Leave to All Workers and Their Families*

¹⁷ Without an exemption, this council will need to comply with the Federal Advisory Committee Act's notice, diversity, public comment, and other requirements.

¹⁸ The EO should list all relevant agencies and sub-agencies that are required to respond. Agencies named in the EO should include (non-exhaustively) the Departments of Health and Human Services, Education, Labor, Housing and Urban Development, Homeland Security, and Defense, as well as the Small Business Administration. The term "administrative action" must be defined broadly to include regulations, guidance, monitoring, research projects, grantmaking opportunities, and any other relevant administrative policies and processes that fall outside that EO's scope, but otherwise fall under the executive branch's purview.