# CHILDREN'S EQUITY PROJECT

August 27, 2023

Molly Jones, ACF PRA Lead
Office of Planning, Research, and Evaluation (OPRE), Administration for Children and Families
(ACF), U.S. Department of Health and Human Services (HHS)

**RE:** Proposed Information Collection Activity; Child Care and Development Fund Plan Preprint for
States/Territories for FFY 2025-2027 (ACF-118) and Extension of Child Care and Development Fund
Plan Preprint for States/Territories for FFY 2022-2024 (OMB #0970-0114)
**Document:** 88 FR 41962 / 2023-13676

Dear Molly Jones and OPRE staff,

The Children's Equity Project (CEP) at Arizona State University (ASU) is grateful for the opportunity to
provide written comment for the proposed information collection activity for the Child Care and
Development Fund (CCDF) Plan Preprint for States/Territories for FFY 2025-2027 and the Extension
of CCDF Plan Preprint for States/Territories for FFY 2022-2024.

The CEP is a center housed at Arizona State University and led with scholars at universities across
the country focused on closing opportunity gaps and advancing equity in the systems that serve
children and families in the United States. The CEP works at the intersection of research, practice,
and policy and focuses on a range of equity issues in the early years and the early grades.

We appreciate the Department's thoughtful proposals to improve the State/Territory plan template to
better ensure practical, quality, clear information is collected and reported and that states and
territories can use the preprint document to guide meaningful decisions around assurances towards
equitable access to child care for children and families. We appreciate the Department's concern
with burden, but we believe strongly that child and family well-being must be prioritized and
centered as the main driver of any data collection activity, including this one. A recent National
Academies of Sciences, Engineering, and Medicine (NASEM), funded in part by the Department,
outlined the historical and contemporary inequities in child care and early care and education more
broadly, deeply impacting the workforce, and children and families from marginalized communities.[1]

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[1] National Academies of Sciences, Engineering, and Medicine. (2023). *Closing the opportunity gap for young children.* The National Academies Press.
https://doi.org/10.17226/26743.

**Better data are critical to understanding inequities in opportunity—including well-documented inequities in access to and experiences in child care, and in enabling States/Territories to develop targeted, effective solutions to ensure that all children have equal access to ensure they thrive.**

The CCDF plan is a key mechanism that ACF uses to determine State/Territory compliance with the requirements of the law and rule. It also serves as a key goal post for states and territories to plan their implementation of CCDF across their geographic region and to adjust and amend based on data. **The CCDF plan has the potential to help States/Territories ensure subsidies are reaching eligible children and families in low-income households, and especially those who have been historically or contemporarily marginalized** including Black, Latine, Indigenous, and Asian families, immigrant families, families who speak languages other or in addition to English, , and families of children with disabilities.

Currently, States/Territories are not required to include in their application how they will collect these important equity-relevant demographic data, a major limitation to the public's understanding of the implementation of CCDF. We recognize that the Child Care and Development Block Grant (CCDBG) law prohibits any state reports from containing any personally identifiable information.[2] While still maintaining this requirement, the Department should require all data reported to the federal government by States/Territories be reported across the categories of race, ethnicity, income, language, geographical location, and disability category. The Department should also ensure that data can, without revealing personally identifying information, be cross-tabbed to examine intersections between each of these identities.

In addition, data on the implementation and reach of child care subsidies are reported in the aggregate, leaving states, the federal government, and the public uninformed about how services are impacting outcomes for particular groups of children, such as children of color, those with disabilities, and those in rural communities. With more refined data reporting requirements and disaggregated data where possible, States/Territories can make fair, data-informed, and relevant policies that directly affect the access, experiences, and outcomes of children and families.

The remainder of our feedback is organized around the following sections of the plan:

[Section 2: Promote Family Engagement Through Outreach and Consumer Education](#)

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[2] S.1086 - 113th Congress (2013-2014): Child Care and Development Block Grant Act of 2014. (2014, November 19). https://www.congress.gov/bill/113th-congress/senate-bill/1086.

Please let us know if we can provide any additional information or guidance.

Thank you for considering,

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Proposed Information Collection Activity; Child Care and Development Fund Plan Preprint for States/Territories for FFY 2025-2027 (ACF-118) and Extension of Child Care and Development Fund Plan Preprint for States/Territories for FFY 2022-2024 (OMB #0970-0114), **Document:** 88 FR 41962 / 2023-13676

From The Children's Equity Project at Arizona State University

**Section 2: Promote Family Engagement Through Outreach and Consumer Education**

**2.3 Consumer Education Website** (pages 23-31 of the 2025-2027 CCDF State Plan Draft)**:**
Consumer education is an important lever to ensuring that families, the general public, and providers, have access to information about child care subsidies in ways that are easy to understand and transparent. Current state requirements for the Consumer education website include having content available in languages other than English and ensuring the site is accessible for people with disabilities. While we support these accessibility questions as part of the CCDF plans, we also recommend improving the information presented to families, particularly those who are of color, those with children who are dual language learners, and those with disabilities.

Disparities exist in the number of children who qualify for child care subsidies and the use of these subsidies.[3] This is particularly true for families of children with disabilities and those who are Latine.

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[3] Ullrich, R., Schmit, S., & Cosse, R. (April, 2019). *Inequitable access to child care subsidies.* The Center for Law and Social Policy. www.clasp.org/publications/report/brief/inequitable-access-child-care-subsidies/.

Currently, 34% of parents of children with disabilities report having difficulty finding child care for their children, compared to 25% of parents of children without disabilities.[4] Latine families also experience disparities in accessing child care subsidies. While 35% of those eligible for CCDF are Latine, only 20% of them who qualify receive the subsidies. In addition to other major barriers that hinder Latine's access to CCDF subsidies, such as general documentation (e.g., birth certificates, tax reports, social security numbers, etc.) and rigid work reporting requirements, States/Territories vary in the extent to which all CCDF materials are available in Spanish, creating language barriers for many Latine families.

Recommendations for 2.3 Consumer Education Website
- *We recommend requiring States/Territories to report on how they will match the language and literacy needs of communities with the languages the site and other application materials are available in.*
  - For example, on page 24 of the 2025-2027 CCDF State Plan Draft, we recommend 2.3.2 be updated to read "Describe how the Consumer Education website meets the language and literacy needs of local communities and how the consumer education website ensures the widest possible access to services for families that speak languages other than English (98.33(a))."
- *We recommend that States/Territories provide in their Consumer Education website a list of programs that are equipped to serve dual language learners through bilingual education or home language support, and which offer inclusive services for children with disabilities.*
  - For example, on pages 25-26 of the 2025-2027 CCDF State Plan Draft, we recommend that a row be added to the chart under 2.3.5.c to include "Other program characteristics such as specialization or training for certain populations (e.g., offers bilingual education, has inclusive classrooms with children with disabilities and children without disabilities in the same settings)."
- *We recommend requiring that the monitoring and inspection reports included in the Consumer Education website (e.g., number of serious injuries, number of deaths, etc.) also report data that are disaggregated by demographic variables*, including race and ethnicity, gender, home language, and disability status.
  - For example, on pages 28-29 of the 2025-2027 CCDF State Plan Draft, we recommend updating 2.3.8 by adding a sentence at the end of the paragraph reading, "The aggregate report should include data that show serious injuries,

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[4] Novoa, C., (2020, January). *The Child Care Crisis Disproportionately Affects Children with Disabilities.* Center for American Progress. https://www.americanprogress.org/wp-content/uploads/sites/2/2020/08/Child-Care-for-Children-with-Disabilites2.pdf

deaths, and substantiated cases of child abuse that have occurred in child care settings each year by race and ethnicity, gender, home language, and whether or not the child has a disability."

- *We recommend that the number of expulsions and suspensions also be made available to families through the Consumer Education website.* This is an important indicator of socio-emotional safety, and Black children are far more likely to experience harsh discipline than White children.[5] Reporting this disaggregated data is important as Black, Latine, and other children of color, as well as children with disabilities, are more likely to experience bias and poorer experiences within child care settings[6]. This information is particularly useful and relevant for families who disproportionately experience these harsh disciplinary actions.
  - For example, on page 29 of the [2025-2027 CCDF State Plan Draft](#), before 2.3.9, add a new section reading, "Data on the number of expulsions and suspensions that have occurred in child care settings each year must be posted by Lead Agencies on the consumer education website (98.33(a)(5)) for children receiving and not receiving CCDF. The report should include data by program-level to the extent possible, and child demographic characteristics, including race and ethnicity, gender, home language, and whether or not the child has a disability."

**Section 3: Provide Stable Child Care Financial Assistance to Families**
**3.3 Prioritizing Services for Vulnerable Children and Families:** (pages 47-49 of the [2025-2027 CCDF State Plan Draft](#))**:** A third of children between birth to age 5 are considered English Learners (ELs) or Dual Language Learners (DLLs)[7] in the United States. Nearly 80% of these children come from homes where Spanish is spoken, followed by Mandarin, Tagalog, Vietnamese, Arabic, and French[8] (although the most prominent languages other than English spoken will vary by region). There is a robust body of scientific evidence indicating that children who are DLLs have better academic and social outcomes when they receive dual language instruction (i.e., instruction in English and their home language), and that providing dual language instruction does not delay or hinder English acquisition.[9] Children who are DLLs who receive dual language instruction in

[5] *Addressing harsh discipline and disparities: What we know, What we don't know, and what we should do about it.* Children's Equity Project and Bipartisan Policy Center. https://childandfamilysuccess.asu.edu/sites/default/files/2020-07/CEP-discipline-pullout-070620-FINAL.pdf

[6] Meek, S., Iruka, I., Allen, R., Yazzie, R., Fernandez, V., Catherine, E., McIntosh, K., Gordon, L., Gilliam, W., Hemmeter, M.L., Blevins, D., & Powell, T. (2020). *Start with equity: 14 priorities to dismantle systemic racism in early care and education.* Children's Equity Project. https://childandfamilysuccess.asu.edu/sites/default/files/2021-12/14-priorities-equity-121621.pdf

[7] Paki, M., O'Toole, A., & Katsiaficas, C. (2017, October 12). *Research: Dual Language Learners: A National Demog..* Migration Policy Institute. https://www.migrationpolicy.org/research/dual-language-learners-national-demographic-and-policy-profile

[8] Batalova, J., & Zong, J. (2016, November 11). *Article: Language Diversity and English Proficiency.* Migration Policy Institute. https://www.migrationpolicy.org/article/language-diversity-and-english-proficiency-united-states

[9] Jennifer L. Steele, Robert O. Slater, Gema Zamarro, Trey Miller, Jennifer Li, Susan Burkhauser, Michael Bacon, "Effects of Dual-Language Immersion Programs on Student Achievement: Evidence From Lottery Data," *American Educational Research Journal* 54, no. 1S, (April 2017): 282S–306S, https://journals.sagepub.com/doi/abs/10.3102/0002831216634463.

preschool and Kindergarten are more likely to have higher GPAs and less likely to be considered English Learners by 5th grade.[10] In addition, children who maintain their bilingualism when older, especially Latinos, are more likely to graduate from college.[11] Ensuring that the CCDF plan is aligned with the gold standard for children who are DLLs is an important lever for providing these children with the support they need to optimize their learning and thrive as bilinguals.

Although DLLs represent a large portion of young children, with the number of DLLs growing across regions of the United States, the current draft of the 2025-2027 CCDF Plan seldom mentions DLLs, creating a major gap in providing high quality child care to this population. Currently, the draft of the CCDF plan only requires States/Territories to report on how they will provide outreach to families who speak a language other than English and how they plan to involve child care providers considered to have limited English proficiency. While these are important aspects of serving children who are DLLs, there is currently no explicit mention of whether these children will receive high quality, research-informed services once they enter the child care system.

In addition to DLLs, other populations of families are known to experience barriers to accessing quality early care and learning including children with disabilities, parents who work non-traditional hours that are typically outside of the operation hours of most local child care facilities, parents of infants and toddlers who often have fewer slots available, and families living in rural communities where both distance and transportation may pose challenges to accessing child care services.[12]

Recommendations for 3.3 Prioritizing Services for Vulnerable Children and Families
- Under 3.3.3 on page 49 of the 2025-2027 CCDF State Plan Draft, *we recommend that the Department add a paragraph in section outlining the well documented challenges in child care that other groups of children and families face*—such as families of dual language learners, Latine families, immigrant families, families with non traditional work hours, and families living in rural areas- and including this list in the body of the question (i.e. Does the Lead Agency define any other priority groups, such as families of dual language learners,

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[10] Ellen J. Serafini, Nadine Rozell, and Adam Winsler, "Academic and English Language Outcomes for DLLs as a Function of School Bilingual Education Model: The Role of Two-Way Immersion and Home Language Support," *International Journal of Bilingual Education and Bilingualism*, 25, no. 2 (2022): 552–570; Ilana M. Umansky and Sean F. Reardon, "Reclassification Patterns among Latino English Learner Students in Bilingual, Dual Immersion, and English Immersion Classrooms," *American Educational Research Journal* 51, no. 5 (October 2014): 879–912; Jennifer L. Steele, Robert O. Slater, Gema Zamarro, Trey Miller, Jennifer Li, Susan Burkhauser, Michael Bacon, "Effects of Dual-Language Immersion Programs on Student Achievement: Evidence From Lottery Data," *American Educational Research Journal* 54, no. 1S, (April 2017): 282S–306S, https://journals.sagepub.com/doi/abs/10.3102/0002831216634463.
[11] Lucrecia Santibanez, Maria Estela Zárate, "Bilinguals in the US and College Enrollment," in *The Bilingual Advantage: Language, Literacy and the US Labor Market*, ed. Rebecca M. Callahan and Patricia Gándara (Tonawanda, NY: Multilingual Matters, 2014).
[12] Henly, J.R. & Adams, G. (2018). *Increasing access to quality child care for four priority populations*. Urban Institute. https://www.urban.org/sites/default/files/publication/99150/increasing_access_to_quality_child_care_for_four_priority_populations_report_0.pdf.

Latine families, immigrant families, families with non traditional work hours, families living in rural areas, or others).

**Section 6: Recruit and Retain a Qualified and Effective Child Care Workforce**

**6.2 Training and Professional Development Requirements** (pages 131-132 of the [2025-2027 CCDF State Plan Draft](#))**:** The Child Care Development Block Grant Act notes that as appropriate, States/Territories should report how they will offer professional development related to special populations, including dual language learners (referred to as ELs in the law). However, the current CCDF plan does not collect data on whether States/Territories will allocate funding and training to provide professional development specific to dual language learners and bilingual education. The current mandated reporting section has a subsection on "cultural and linguistic diversity," but this general term does not specifically address the need for dual language support for children who speak a language other than English at home. Explicitly including DLLs in state and territory plans is key to ensuring these children receive the high quality services they need to develop academically and socially.

Recommendations for 6.2 Training and Professional Development Requirements
- *We recommend requiring States/Territories to report on specific training and professional development around how they support the child care workforce to support special populations.*
  - For example, after 6.2.1.c on page 132 of the [2025-2027 CCDF State Plan Draft](#), we recommend adding a new subsection "d" reading, "Effective practices and support for special populations identified in the state- or territory-determined priority populations served through CCDF such as dual language learners through dual language education or how to support children's home language development when providers do not speak their home language."
- *We recommend adding a distinctive section in the plan to support the application of Early Learning and Developmental Guidelines for children who are DLLs and children with disabilities.*
  - For example, in 6.2.1.a on page 132 of the [2025-2027 CCDF State Plan Draft](#), we recommend updating the sentence to read, "The knowledge and application of its early learning and developmental guidelines and the knowledge and application of these guidelines for children who speak a language other than English and children with disabilities."

- This adjustment would further support States/Territories to plan relevant professional development supports for the workforce and to better clarify their approaches to meeting this requirement under 6.3.1.a row iv of the chart (page 135 of the 2025-2027 CCDF State Plan Draft), "Implementing developmentally appropriate, culturally and linguistically responsive instruction… that are aligned with State/Territory early learning and developmental standards."

**Section 7: Support Continuous Quality Improvement**

**7.3 Quality Rating and Improvement System (QRIS) or Another System of Quality Improvement:** The positive child and family outcomes associated with early care and education are entirely dependent on the quality of care children experience.[13] A clear consensus of research suggests that quality in ECE is beneficial to children across a host of domains that they need to be ready for school and life. Specifically, high-quality ECE has been associated with improved executive functioning, social and emotional skills, and pre-academic skills like early math and literacy.[14] High-quality programs tailor content and schedules to children's context and their developmental needs, provide warm and supportive peer and adult interactions, prioritize play-based learning, and develop children's lifelong skills.[15]

Access to high-quality ECE is essential for all children. However, those from historically and presently marginalized groups are the least likely to have access. For example, one analysis found that in states that collect disaggregated data, only 1% and 4% of Latine(a/o) and Black children, respectively, were enrolled in high-quality state preschool in 2019.[16] Black, Latine(o/a), and Indigenous children are also more likely to experience poverty due to the legacies and current day manifestations of systemic racism. Research shows that children living in poverty and children with disabilities may uniquely benefit from high-quality ECE.[17]

[13] Burchinal, M., Zaslow, M., Tarullo, L., Votruba-Drzal, E., & Miller, P. (2016). Quality thresholds, features, and dosage in early care and education: secondary data analyses of child outcomes. *Monographs of the Society for Research in Child Development, 81*(2), 1-126. https://doi.org/10.1111/mono.12236; Weiland, C., & Yoshikawa, H. (2013). Impacts of a prekindergarten program on children's mathematics, language, literacy, executive function, and emotional skills. *Child Development, 84*(6), 2112-2130. https://doi.org/10.1111/cdev.12099; Vandenbroucke, L., Spilt, J., Verschueren, K., Piccinin, C., & Baeyens, D. (2018). The classroom as a developmental context for cognitive development: A meta-analysis on the importance of teacher–student interactions for children's executive functions. *Review of Educational Research, 88*(1), 125–164. https://doi.org/10.3102/0034654317743200.

[14] *ibid*

[15] National Academies of Sciences, Engineering, and Medicine. (2023). *Closing the opportunity gap for young children.* The National Academies Press. https://doi.org/10.17226/26743.

[16] Education Trust (November 6, 2019). *No State Provides Both High-Quality and High-Access State-Funded Preschool for Black and Latino 3- and 4-Year-Olds.* https://edtrust.org/press-release/no-state-provides-both-high-quality-and-high-access-state-funded-preschool-for-black-and-latino-3-and-4-year-olds/.

[17] Ansari, A., & Winsler, A. (2022). The long-term benefits of Montessori Pre-K for Latinx children from low-income families. *Applied Developmental Science, 26*(2), 252-266; Bassok, D. (2010). Do Black and Latine(o/a) children benefit more from preschool? Understanding differences in preschool effects across racial groups. *Child Development, 81*(6), 1828-1845; Xie, Y., Near, C., Xu, H., & Song, X. (2020). Heterogeneous treatment effects on Children's cognitive/non-cognitive skills: A reevaluation of an influential early childhood intervention. *Social Science Research, 86*, 102389; Iruka, I. U., Gardner-Neblett, N., Telfer, N. A., Ibekwe-Okafor, N., Curenton, S. M., Sims, J., ... & Neblett, E. W. (2022). Effects of racism on child development: Advancing antiracist developmental science. *Annual Review of Developmental Psychology, 4*, 109-132.

The original intent of QRIS was to create a system that would increase transparency and support families in making informed choices about their child's care, as well as incentivize and support early childhood providers in reaching higher levels of quality, and give state leaders a better understanding of the quality landscape in a state. Many states use global classroom quality measurement tools to assess quality across child care programs. However, these instruments are limited in terms of equity. While the dimensions that they capture are critical to quality, they are insufficient by themselves, particularly in addressing the experiences of children from historically and contemporarily marginalized communities. For example, many QRIS fail to address the disproportionate experiences of harsh discipline Black children face, bilingual learning opportunities for DLLs, or high quality inclusive support for children with disabilities.

For more information and examples of specific indicators across an array of equity dimensions, we recommend the Department review the Children's Equity Project 2022 report *"Equity is Quality and Quality is Equity"*. In the recent NASEM report *"Closing the Opportunity Gap for Young Children"*, the committee outlined these very limitations in existing quality frameworks and QRIS and included in its recommendations a more inclusive, comprehensive and equity-focused quality framework that addresses indicators like discipline, language of instruction, and high quality inclusion for children with disabilities.[18]

In addition, other factors related to workforce competencies, compensation, and working conditions—each of which are important contextual factors that shape adults' and children's experiences in child care—are also lacking from many QRIS. This creates a unique opportunity for States/Territories to plan and address how quality will be measured for vulnerable and special populations and how they will collaborate with state and local partners to advance equitable access to child care.

Recommendations for 7.3 Quality Rating and Improvement System (QRIS) or Another System of Quality Improvement
- *We recommend States/Territories include in their application a description of how their quality frameworks will incorporate indicators that are particularly relevant to communities that have experienced systematic barriers to accessing quality child care,* such as children and

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[18] National Academies of Sciences, Engineering, and Medicine. (2023). *Closing the opportunity gap for young children.* The National Academies Press. https://doi.org/10.17226/26743.

families who are Black, Latine, Indigenous, and other children of color, dual language learners, and children with disabilities.

- For example, we recommend adding a subsection after 7.3.3 on page 144 of the [2025-2027 CCDF State Plan Draft](#) reading, "Describe how the Lead Agency's QRIS, or other system for improving quality, will incorporate indicators of quality for the different types of priority populations who are served by the child care system and are impacted by QRIS or other system of quality improvement. For instance, does the system of quality improvement consider language of instruction for DLLs? Inclusive practices for children with disabilities? Anti-bias and culturally affirming pedagogy?"

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