



CHILDREN NOW



May 21, 2018

State Plan Public Hearing Coordinator
Early Education and Support Division
California Department of Education
1430 N Street, Suite 3410
Sacramento, CA 95814

Re: Input on Draft FY 2019-21 CCDF State Plan

The federal Child Care Development Block Grant Act (CCDBG) of 2014 represents the most significant change in the child care legal landscape in the last two decades. The new law provides clear directives to help states improve the health, safety and quality of early care and education settings while also addressing disparities within their subsidized systems so that more low-income working families have access to stable, quality child care.

The organizations listed above submit these comments jointly, demonstrating broad consensus on a number of recommendations for California Department of Education (CDE) in its design and implementation of its Child Care Development Fund (CCDF) State Plan for

FY 2019-21. Individual organizations may also be submitting their own comments, which provide greater detail in areas of specific concern or expertise.

California has made some notable strides in meeting the intent of the federal law, particularly its improvements in family eligibility policies to ensure continuity and stability of child care services. Yet there are still critical steps that must be taken, not only to meet remaining federal requirements, but to ensure California is on the path toward a family-friendly, comprehensive, quality child care system that truly meets the needs of California's children and working families.

We believe the FY 2019-21 CCDF State Plan represents an opportunity for CDE, as lead agency, to put forward an aspirational vision for the state's early care and education system. While several sections of the draft State Plan include constructive ideas, it largely *reports on* the current provision of services without indicating how CDE *plans* to improve access, coordination and delivery of quality services over time. Given California's CCDF allocation is now set to increase by \$232 million, it is all the more urgent for the State Plan to provide a tangible roadmap that reflects existing strategies and recent progress, articulates significant challenges and potential remedies, and lays out key multi-year milestones.

We encourage the revision of the following sections of the draft State Plan so that they better reflect the key priorities of the early care and education field and provide solid markers for CDE, other state agencies and the Legislature to act upon:

Section 1.1 – CCDF Leadership and Coordination with Relevant Systems

We encourage the State Plan to actively describe the leadership CDE will provide to better coordinate child care, especially for programs that benefit children with special needs and other vulnerable children, including infants and toddlers, homeless children, children living in high poverty communities, low-income children of color, and children who are Dual Language Learners. CDE should also indicate its role in advocating for additional resources to address unmet need for services in the state.

Section 1.3 – Consultation in the Development of the Plan

CDE should not merely engage in consultation for the development of the State Plan, it should also reference and incorporate comprehensive action plans already in existence, produced external to the plan process. A key source is the California Comprehensive Early Learning Plan (CCELP) that came out of deliberations by the Governor's appointed State Advisory Council on Early Learning (SAC) and was jointly released by CDE and the California Department of Social Services (CDSS) in 2013. Although not produced as part of the State Plan process, referencing and adopting the CCELP as a guiding policy statement for the State Plan will further the general goals of the Act, provide a comprehensive roadmap to guide the Lead Agency, and fulfill the specific requirement to consult with the SAC in developing the State Plan.¹

¹ Section 658E(c)(2)(R).

1.4 – Coordination with Other Federal, State, Local Early Childhood Programs Serving Infants and Toddlers with Disabilities

The Act requires that the state coordinate CCDF child care services with early childhood programs that serve infants and toddlers with disabilities, among other vulnerable populations. The goal of this coordination is to (1) ensure that children with disabilities or developmental delays, or at risk of developmental delays, are being identified, screened, and provided comprehensive and inclusive child care and other services;² and (2) expand accessibility and continuity of care for children with disabilities.

The State Plan should spell out CDE’s coordination with the State Interagency Coordinating Council on Early Intervention (ICC), which advises the California Department of Developmental Services (CDDS) regarding the California early intervention services system established under the federal early intervention program, Part C of the Individuals with Disabilities Education Act (IDEA). The Plan should reference the ICC and the Early Start Program and how CDE will pursue coordination of services for infants and toddlers through the ICC. Further, county-led early intervention systems, like Help Me Grow, are connecting families to relevant information regarding their child’s development and referring families to appropriate interventions daily. Given the Act’s requirement on local coordination, we strongly encourage CDE to include Help Me Grow in their planning and coordination efforts.

Section 2.3 – Consumer Education Website

The State Plan should detail CDE’s commitment to fully implementing the state’s consumer education database, now known as the My Child Care Plan database. Beyond just stating that a database feasibility study and additional funds are needed for the website to be operational, we urge the commitment of a portion of the one-time quality set-aside funds for the next phase of the database. This section should also provide an estimated timeline for this project, the scope of the project and the anticipated benefits of the database. For example, the My Child Care Plan database could serve the function of providing real-time data to inform the Regional Market Rate, which would create cost savings and efficiencies in the long-term. Additionally, the State Plan should articulate the need to develop an integrated child care data system that allows linkages between the consumer education database, the workforce registry, and the CDSS Licensing and QRIS websites to ensure streamlined eligibility and enrollment for families, quality services for children, and accessible workforce and program supports.

Section 4.2 – Assessing Market Rates and Child Care Costs

We urge the State Plan to more accurately describe the need for reimbursement rate reform, the current efforts that are underway to develop plans for a single rate system, an anticipated timeline and what legislative and administrative changes will be necessary to reach that goal. This section should be informed by the work of the stakeholder group that has been meeting for the past year to look at the best strategies to consolidate the current bifurcated reimbursement system into a single regional system which would increase

² The Individuals with Disabilities Education Act, 20 U.S.C. § 1400 *et seq.*, 34 C.F.R. Part 303.

overall compensation for providers based on the existing requirements for care, and support the economic viability of all types of care.

The stakeholder group has been actively considering the implications for raising existing compensation in higher cost regions while keeping up with the cost of living throughout the state. There is interest in the group in building the system over time to compensate for higher quality standards across all types of care, with the understanding that caution will need to be taken to minimize impact on the 70% of fee paying parents who struggle to pay for their care, while trying to promote and improve care quality overall.

It is also important that the State Plan reflect the need to address rate issues as part of the state's plan to improve quality. A key strategy to consider as the state looks to increase quality training and assessment requirements is to pace the increases in requirements and expectations with increases in funding for reimbursement rates. Existing providers are struggling to meet existing demands and without compensation increases they will not be able to maintain services or their workforce.

Section 4.5 – Ensuring Timely Payments to Providers

The Plan does not adequately describe how the Lead Agency will ensure the timeliness of payments by either paying prospectively or paying within no more than 21 days of invoice submission. CDE does not currently have payment practices that ensure that sub-grantees are complying with this specific time frame. Current regulations delegate to the sub-grantee the discretion to decide what constitutes a timely payment. These rules do not comply with the Act and make it more difficult for providers to stay in business.

Section 5.2 – Health and Safety Standards for CCDF Providers

To meet federal requirements, California must institute ongoing health and safety training beyond the state's mandated bi-annual child abuse reporter training. We urge CDE to articulate the state's plan, including a timeline for implementation, for coordinating and offering ongoing health and safety trainings in the 10 required topics that are free, available on-line and in all of the threshold languages; and provide the regulatory or statutory mandates for that training and its frequency. To the extent that statutory authorization is needed to mandate these trainings, or to offer specific ones on-line, the State Plan should describe those needed legal changes.

Section 5.3 – Monitoring and Enforcement Policies and Practices for CCDF Providers

The State Plan should firmly emphasize the commitment of CDE and CDSS to ensuring the state implements annual inspections for licensed providers, any current administrative efforts underway to plan for this transition, cost implications and anticipated legislative changes that will be necessary.

Additionally, the State Plan should provide more concrete details on the proposed license-exempt pilot program, including the intent of the pilot program and connection to existing licensing and quality improvement systems, its projected timeline, and any further research and stakeholder engagement that will be necessary to take the pilot to scale in order to meet the federal requirement.

We urge CDE to articulate its commitment to ensuring license-exempt monitoring be done with great care and consideration for the providers and the parents who will be utilizing license-exempt care. The process should be inclusive of both the parent and provider and not punitive in nature. The value of creating an inspections process whereby the parent and provider begin to form a relationship to serve the children in care is paramount. It is also important that CDE provides resources for providers to acquire the necessary items to pass the inspection such as fire extinguishers, fire alarms, cabinet locks, and outlet covers. These items can be expensive and can be a barrier to providing safe care for children.

The State Plan should also detail the work of the CCDF health and safety workgroup that has been actively meeting for the last year and a half. As part of this workgroup, child care providers, parents and advocates developed strategies and tools to create a fair process whereby license-exempt monitoring visit will take place, including a checklist that can be used by both the parent and provider prior to the licensing visit to prepare them for evaluation. The State Plan should indicate that the tools created in this workgroup will be used in the pilot program and then broadly across California if deemed effective.

Section 7.2 – Use of Quality Funds

While Section 7 describes various quality improvement and workforce initiatives that are funded with quality set-aside funds, it fails to articulate a plan for ensuring the full spectrum of subsidized providers have access to a range of supports through the newly established Quality Counts California. We urge CDE to describe the intent and scope of Quality Counts California and how it can create an aligned and coordinated infrastructure for professional development and quality improvement, indicating the challenges of bringing the system to scale and plans for growth over time. CDE should articulate its vision for a system that:

- Enables career mobility, incentivizes education and training, and captures available resources in a workforce registry;
- Makes quality coaching and technical assistance available to support providers;
- Informs providers of training requirements and how they are tracked, either through the consumer education database or workforce registry;
- Provides a clear framework for quality improvement to guide locally driven efforts and requires all entities that receive state funding for quality improvement or professional development to develop a plan to collaborate at a regional level;
- Includes statewide evaluation, reporting mechanisms and additional state-level management capacity.

The proposed changes to the Quality Improvement Expenditure Plan and how they further CDE's overarching goals around workforce and quality improvement should be described within the State Plan, as well as how the efficacy of the various initiatives will be evaluated. Specifically, we urge the State Plan to specify that one-time CCDF carryover quality funds for FY 2018-2019 will be utilized in areas including to support implementation of the My Child Care Plan database, to expand the Child Care Initiative Project to recruit and train more family child care providers, and to re-establish professional development days for

providers. We also recommend increased funding for AB 212 and expansion of the program so that Title 22 providers can benefit as well. Finally, CDE could dedicate some resources for convening a workgroup to map out steps for achieving an integrated ECE data system, as indicated in currently proposed AB 2960.

In conclusion, we appreciate the opportunity to provide feedback on the draft State Plan and look forward to working with you on a number of these areas to ensure that California not only meets pending federal requirements, but works to significantly improve its child care system so that it can provide quality services to more children and families throughout California.

In partnership,

Advancement Project California
Alameda County Early Care and Education Program
California Alternative Payment Program Association (CAPPA)
California Child Care Coordinators Association (CCCCA)
California Child Care Resource & Referral Network
California Child Development Administrators Administration (CCDAA)
California Family Child Care Network
Child Care Alliance of Los Angeles
Child Care Law Center
Child360
Children Now
CocoKids
Community Child Care Council of Sonoma County (4Cs)
Early Edge California
First 5 Association of California
First 5 California
First 5 Los Angeles
Northern Directors Group
Parent Voices
San Francisco Office of Early Care and Education
SEIU State Council
United Domestic Workers/AFSCME Local 3930