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Administration for Children and Families
Office of Planning, Research, and Evaluation (OPRE)
330 C Street SW, Washington, DC 20201
Attn: ACF Reports Clearance Officer

Sent Via Electronic Mail to infocollection@acf.hhs.gov

Re: Public Comment, FY 2022–2024 State and Territory Child Care and Development Fund Plan Preprint

To whom it may concern:

Please accept this letter as submission of public comments on behalf of Groundwork Ohio concerning the FY 2022-2024 State and Territory Child Care and Development Fund Plan Preprint. Groundwork Ohio is the state early childhood public policy, research and advocacy organization whose mission is to champion high-quality early learning and healthy development strategies from the prenatal period to age five, that lay a strong foundation for Ohio kids, families and communities. In advancing this mission, Groundwork Ohio is the leading statewide advocate for Ohio's publicly funded child care program for which the Child Care Development Fund is critical. The following comments and suggestions are organized in order of the Preprint's Table of Contents with section and page numbers for reference.

Section #	Page #	Comment
1.2.5	10	This question acknowledges that Lead Agencies must have policies to govern the use and disclosure of confidential and personally identifiable information about children and families receiving CCDF funds. Accordingly, this section asks the Lead Agency to certify the fact that there is a policy by describing policies related to the use and disclosure of confidential and personally identifiable information. Given the fact that access to data by the Lead Agency, other state agencies and external partners is critical to measuring progress and advancing the goals of the CCDF, especially where COVID-19 has had significant impacts on the program, this question should continue to ask the Lead Agency to certify their policy, but in doing so, also require the agency to describe how the policy protects confidential and personally identifiable information without unnecessarily limiting access to data and delivery on public records requests. Our experience working in Ohio and what we hear anecdotally from other external stakeholders in other states, share the

		broad recognition that accessing data, especially when seeking disaggregated data by race, age or geography for child care programs has become increasingly difficult over time, even where there is not a real threat to confidential and personally identifiable information. This question should ensure the sufficiency of the policy to protect personally identifiable information but also seek to ensure that that same policy doesn't unnecessarily mask data that is relevant and even necessary to delivering on the letter of and intent the CCDF.
1.3.1	10	Lead agencies must consult with other entities in developing the CCDF plan. In describing how the Lead Agency meets or otherwise obtains input from the named entities in this question, the call of the question should specifically ask for number, dates and agendas of meetings including attendance that allows ACF to assess whether meaningful input and an accessible timeline prior to a public hearing required by 1.3.2 for input was achieved among a host of diverse partners named in the responses sought by 1.3.1 (a-d).
1.3.3(b)	11	In the fifth checkbox, we suggest reordering the examples of stakeholder groups to prioritize parents over providers because states overall are not doing a sufficient job across the country in engaging parents in the CCDF planning process. This subtle clue communicates priority or attention on parents in the format of the plan. We also suggest including advocacy groups in the examples to acknowledge their objective and important role in the CCDF work as a valued stakeholder group. In conclusion, we suggest updating the question to read as follows: "Providing notification to stakeholders (e.g. parent and family groups, provider groups, advocacy groups).
1.4	12	Within the scope of the requirement referenced to coordinate with partners to expand accessibility and continuity of care, we suggest adding programs for the benefit of "Black, indigenous, children of color, and rural children" to acknowledge racial and geographic equity when considering access. If this change is not possible within this question because of the limitations to what is required by law, we suggest asking this question to gather information to inform how states are considering or not, racial and geographic equity when coordinating with partners to expand access.
1.5.1	14	<p>The question should require the Lead Agency to name and justify where the state has limited the blending of multiple funding streams, pooling funds, or layering funds, such is the case with Head Start and CCDF funds in Ohio despite the state having the option to combine funds.</p> <p>When the Lead Agency identifies in the affirmative that TANF funds are among funds that are "combined," the call of the question should require that they further identify the yearly TANF allotment being "combined" versus other TANF funds that have been underspent in child care or other programs or otherwise reserved over time that are being "combined." This is an important indicator to understand the sustainability of the choices the Lead Agency has made to fund their state child care program and, ultimately, how increased CCDF funds may be viewed by the Lead Agency in terms of their need to supplant dollars or fill funding gaps and whether they have the ability to advance the objectives of CCDF with new investments.</p>
1.8.2	19	We suggest that this question should require more context in 1.8.2(a) such that the Lead Agency must name how collaboration was achieved in terms of providing details on communications, meetings, attendance and timeline.

		<p>Separately, we believe that as part of demonstrating compliance with the elements of the Statewide Disaster Plan, that in light of COVID-19, the Lead Agency should report data analysis of the impact of COVID-19 on the state child care system during the acute disaster and during the recovery period to inform the updating of the Plan and ensure that the Plan is data-driven. Data should include, but not be limited to, evaluation of supply and demand of child care, monthly publicly funded child care utilization data during disaster compared to comparable month in prior year where there was no disaster occurring, disaggregated data utilization by age of child, race of child, disability, mapping of capacity loss and program closures over time.</p>
3.1.10	36	<p>In addition to identifying the definitions established by the TANF agency and how parents are informed about the exception to the individual penalties associated with the TANF work requirements, the form should require data that demonstrates how many parents who receive TANF benefits benefited from the exception to the individual penalties associated with the TANF work requirements in a fiscal year. The Lead Agency could provide statewide data or county specific data depending on the responsible entities for TANF eligibility. This data requirement may be an indicator of whether or not the exception is being communicated to parents or a greater indicator of supply and demand of suitable child care in a given geographic area.</p>
3.2	40	<p>The lead agencies are required to periodically revise a sliding-fee scale for CCDF families, however, nothing in Section 3.2. requires the Lead Agency to report on compliance with this requirement including how often the scale is revised and who collaborates with the Lead Agency in the evaluation and revision of the scale. We suggest adding a question that requires the Lead Agency to report on this revision schedule and indicate plans for collaboration for the plan period in addition to including the last time the scale was revised and the level of collaboration during that revision period.</p>
3.3	41	<p>In this section, the form asks the Lead Agency questions to determine if and how they give priority for child care assistance to children with special needs and other vulnerable populations including families with very low income and children experiencing homelessness. For every population identified, the Lead Agency should be required in this section to provide data on how many children within the last fiscal year benefited from this priority (i.e. how many children from a specific population utilized publicly funded child care). While the numbers don't negate the policies and plans on the books to prioritize populations, in light of the comparable statewide eligible populations or compared with all children served by publicly funded child care, this would be an important indicator of whether current policy is achieving the intent of the requirement to prioritize this population. For example, in Ohio when examining the number of "children with special needs" utilizing the system would indicate that the current efforts to prioritize the population is not serving it's intended purpose.</p>
3.3.3	42	<p>As part of this question, which asks the Lead Agency to identify any other priority groups established by the Lead Agency, it should also ask the Agency to indicate whether or not there are plans or intent to prioritize any populations listed in 3.3.2 for which the state does not currently prioritize or if additional strategies will be utilized to better serve populations that are already prioritized. We would also suggest identifying other priority groups as</p>

		examples for Lead Agencies such as infants and toddlers and foster care children, among others.
4.1.1	49	This question requires the Lead Agency to describe the child care certificate, including when it is issued to parents (before or after the parent has selected a provider) and what information is included on the certificate. Where states issue the certificate after the parent has selected a provider, it is possible that this practice may mask demand for child care. For example, where the child certificate is received before choosing a provider, the Lead Agency could compare the numbers of children with a certificate against child care utilization data to determine whether or not the child was actually being served by a provider. For states who only provide the certificate after a provider is identified, it limits the Lead Agency in learning and identifying whether or not families have issues finding suitable child care that meet's their unique needs. Given this limitation, states who only provide the certificate after a provider is identified, should be required to identify how they ensure that the demand for child care isn't masked by those who may be eligible but are unable to identify a provider effectively removing any state "waitlist". We often hear that child care programs have waitlists but the Ohio is able to communicate that there is no waitlist for child care subsidies.
4.1.3	49	Given that a core principle of CCDF is that families receiving CCDF-funded child care have equal access to child care that is comparable to that of non-CCDF families, when lead agencies are required to describe how parents have access to the full range of providers eligible to receive CCDF in 4.1.3(a), the question should require that they also provide data analysis to support their assessment. This may include supply/demand mapping and should include publicly funded child care utilization data disaggregated by age, race, quality level, program type and geography at a minimum.
4.1.6	51	Question 4.1.6(b) requires the Lead Agency to identify if they plan to use grants or contracts for child care services to increase the supply or quality of specific types of care. The responses are "No" or "Yes." We suggest that if the answer is "No," the Lead Agency also be required to respond why they have decided not to use grants or contracts for these reasons. In other words, how do they plan to increase the supply or quality for specific types of care in the absence of grants or contracts in consideration of the current data available to them and reported in 4.1.7 relative to specific populations.
4.1.7	51	In this question, lead agencies should be required to answer the questions for each of a, b, and c generally and also when applying the same question to identify shortages of high-quality centers or homes to serve the specific populations in, including but not limited to, the table included in 4.1.6(b). This data should include data disaggregated by age, race, ethnicity, disability, and geography. The Lead Agency should not just list data sources but also share the actual data which supports their finding.
4.1.8	52	This question asks the Lead Agency to identify which method(s) will be used to increase supply and improve quality for specific populations. In a separate question, or incorporated into this same question, the Lead Agency should be asked which methods they seek to explore or evaluate for future development or implementation even where they aren't currently being used so that over time the state plan can benchmark and support progress on delivering upon the promise of equal access based on various policy choices and methods.

4.2.2	56	The Lead Agency should be required to report the nature of communications, dates and timelines for how and when the Lead Agency consulted with the State Advisory Council and other organizations prior to developing and conducting the MRS or alternative analysis and the narrow cost analysis.
4.3.4	60	The Lead Agency in responding to 4.3.4(a) should be asked directly if in establishing base payment rates based on the most recent MRS or ACF pre-approved alternative methodology and the Narrow Cost Analysis, whether or not it resulted in any rates being lowered. In Ohio, the state has proposed lowering some rates in the past when applying the MRS despite being in noncompliance for insufficient rates. Solving the problem of insufficient rates by decreasing some rate categories is inconsistent and nonsensical where the geographies impacted by a proposed rate cut were rural counties with insufficient child care supply in that instance. Advocates including Groundwork Ohio have had to take action to prevent rate decreases from occurring but believe the State's initial proposal to reduce some rates ultimately questions the validity of the MRS as a rate setting tool. States should be required to report whether in applying rate setting tools whether rates were decreased and the rationale for doing so.
5.3.6	73	We suggest adding examples of "the identification and protection from hazards that can cause bodily injury" in parentheses after this language and to include lead hazards as an example. If not specifically enumerated in the law, this application has an opportunity to solicit more detailed responses on public health concerns such as childhood lead poisoning which is not often specifically enumerated in state licensing policies.
5.3.13	79	We suggest that there is an added option in this question for the Lead Agency to share where there are additional efforts including the creation of certifications or endorsements to support or encourage ongoing training in child development specific to the age of the child (school age certification, infant-toddler certification, infant mental health endorsement) based on identified needs of populations served or underserved.
6.1.3	93	This question should specifically require the reporting of child care workforce data including gender, age, race, ethnicity, wages, benefits, receipt of public benefits, employment status and retention that is informing how the Lead Agency responds to all questions in Section 6. It should specifically ask when the last time the state has commissioned a report on the early childhood workforce to examine data and trends over time.
7.4.2	109	This question should specifically require the Lead Agency to report how many infants and toddlers are being served in the state relative to the full population of children receiving CCDF funds. This question should also specifically ask the Lead Agency to consider how progress has been impacted by COVID-19. For example, in Ohio, lost child care capacity has impacted infants and toddlers disproportionately to older children. CCDF specifically calls attention to the infant-toddler population and monitoring data on states' performance will help inform future policy and evaluation of the impact of the infant-toddler set aside.

(See Next Page)

Thank you for your consideration of Groundwork Ohio's comments as partners in advancing the intent of the Child Care Development Fund in our state. If you have additional questions or concerns related to these comments or our experience in advocating for children and families in Ohio, please don't hesitate to contact me directly at lgutierrez@groundworkohio.org.

Sincerely,

A handwritten signature in black ink that reads "Lynanne Gutierrez". The script is fluid and cursive, with the first name "Lynanne" being more prominent than the last name "Gutierrez".

Lynanne Gutierrez
Assistant Director & Legal Counsel
Groundwork Ohio