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Pennsylvania Association for the
Education of Young Children

February 21, 2024

Office of Child Care
U.S. Department of Health and Human Services
Administration for Children and Families
Mary E. Switzer Building
330 C St. SW, 4th floor
Washington, DC 20201

Dear Director Friedman,

The Pennsylvania Association for the Education of Young Children (PennAEYC) is a statewide, non-profit membership organization of over 3,000 early childhood care and education professionals and is the Pennsylvania affiliate of the National AEYC. We thank you for the opportunity to provide comments on the Child Care and Development Fund Plan Preprint for States/Territories for FFY 2025-2027 and extension of CCDF Plan Preprint for FFY 2022-2024 (OMB #0970-0114). Promoting children's healthy development and school success and supporting parents who are working or in training or education are extremely important to ensuring all children have access to high-quality child care. We appreciate the flexibility that the Child Care and Development Fund (CCDF) program gives states to implement family and child care program friendly policies with the goal that all children have access to high-quality child care. Along with this flexibility, continued investments are needed at the federal and state levels to implement the policies that support children, families and child care programs.

We appreciate your consideration of the following comments:

We overwhelmingly appreciate the Office of Child Care's reorganization of the plan preprint to further organize policy themes, asking more direct robust questions of states and focusing more on policy action.

1.2.5 - CCDF Policy Decision Authority

The plan (1.2.5) requires states to describe policies related to the use and disclosure of confidential and personally identifiable information about children and families receiving CCDF assistance and child care providers receiving CCDF funds. We understand the importance of accessing data for both the Lead Agency and



Pennsylvania Association for the Education of Young Children

415 Market Street, Suite 208
Harrisburg, PA 17010
717-635-9026
888-272-9267

external partners to ensure CCDF goals are being met. We believe the Lead Agency should also describe how policies will protect confidential and personally identifiable information without unnecessarily limiting access to data and delivery on data requests, as well as how the Lead Agency makes data publicly available. Accessing data, particularly disaggregated data by race, age or geography for child care programs has become increasingly difficult, even with no threat to confidential and personally identifiable information. We support protecting personally identifiable information, but we also do not think policies should unnecessarily mask data that is relevant and necessary to show that states are meeting the intent of CCDF.

2.1.1 – Reducing Barriers to Family Enrollment and Redetermination

This line of questions appears to be an addition to the plan preprint. We appreciate the requirement for states to indicate what eligibility practices they have implemented to reduce barriers to enrollment, such as presumptive eligibility. Any activities that reduce barriers to enrollment for families are welcomed greatly.

3 – Child Care Affordability

Lead agencies should have to describe payment practices and how they are reducing the possibility of costs being passed on to providers.

4 – Parental Choice, Equal Access, Payment Rates, and Payment Practices

We fully agree with the following narrative in this section “CCDF payment rates and practices must be sufficient to support equal access by allowing child care providers to recruit and retain skilled staff, provide high-quality care, and operate in a sustainable way. Supply-building strategies are also essential. Building a supply of high-quality child care that meets the needs and preferences of parents strengthens families, communities, businesses, and the economy.”

We support (4.2) states being required to analyze the cost of providing child services and to identify the gaps between the cost of care and subsidy levels and then consider that as part of the rate setting process. For states that conduct a market rate survey, they should also be required to provide details of the status of conducting a market rate survey versus moving to using an alternative methodology.

The plan (4.2.6) requires the state to report the results of the estimates of the cost of care by geographic location, category of provider or age of child to support providers’ implementation of health, safety, quality, and staffing requirements and high quality care. In order to fully and adequately report the cost of care and adequately ensure all major factors driving program cost are considered, such as program type, quality level, geographic region, age of child, part/full time child care, cost to compensate teachers appropriately, etc. an alternative methodology must be conducted. A market rate survey examines the fees that child care providers typically charge and parents typically pay per unit of care in the priced

child care market. We strongly recommend the Office of Child Care move to require states to use an alternative methodology, rather than the market rate survey, to conduct ratesetting.

The plan (4.3.2) requires the reporting of the payment rate when set at the 50th, 60th and 75th percentile. Market rate surveys are not effective in setting rates and further deepen inequities in the system as long as they remain as the tool used to calculate the payment rate for subsidized child care. Therefore the market rate survey perpetuates a broken system. We support raising the minimum for what states can pay providers, if conducting a market rate survey, to the 50th percentile, recognizing that the previous minimum was at the 25th percentile and the change will improve opportunities for families to have equal access to child care. We however again emphasize the need to move away from the market rate to set subsidy rates.

The plan (4.5.1) requires states to report if they direct child care services through grants or contracts for child care slots, which we support.

The plan (4.5.3), as a core principle of CCDF, should demonstrate equal access to child care. Equal access to child care for eligible families as provided to those not eligible, should consider the quality rating of the child care provider. All children should have equal access to high-quality child care. We appreciate the more robust questions on supply building of high-quality child care.

The plan (4.5.4) requires states to develop and implement strategies to increase the supply and improve the quality of child care services and also includes states reporting on strategies employed at the child care staff member level. We support the strategies that states must describe related to bonuses or stipends paid directly to child care staff, connecting to health insurance, subsidizing retirement benefits and providing paid sick, family or vacation leave.

The plan (4.5.2) requires states to report if providers are allowed to charge families additional amounts above the required co-payment, when the provider's price exceeds the subsidy rate. It is important to acknowledge that states should aspire to increase payment rates so there is no longer a need for programs to charge this difference, creating more stable payment for providers and eliminating a financial hardship on families. As such, states should be required to report the barriers they face to increasing payment rates, creating stable payments and eliminating hardship for families.

In order to implement payments at the 50th, 60th or 75th percentile, there is a need to have greater federal and state investments to reach the goal.

5 – Health and Safety of Child Care Settings

The plan (5.2.3) should include the reporting of the average statewide wage, in addition to already required reporting of teacher/caregiver qualifications. This can serve as a way to nationally collect teacher wage data.

This subsection (5.3) should include a question on how states will communicate these policies to child care providers that is accessible to all. States should have to include what resources, processes, and ways of communication that are in place. Lastly, a description on how communication is handled with providers whose first language is a language other than English should be required.

We support this new section (5.4) for states to provide more details on meeting each of the health and safety standards for pre-service or orientation training. This section does not require states to report on ongoing service training, which should be included as well.

States (5.6) should be required to report what they are doing to ensure there is consistent application of the certification regulations on a statewide basis. States should be required to describe their plan for ensuring consistent, fair, and equitable monitoring and enforcement from licensing inspectors. We suggest states describe their reporting infrastructure related to a child care provider's negative experience with a licensing inspector, so that quality improvement can occur so the process is fair and reciprocal for programs.

The plan (5.6) requests states have policies and practices that ensure individuals hired as licensing inspectors are qualified. Training and education for licensing inspectors that ensures consistency of application of regulations statewide will ensure consistency across and inside regions of states. States should report quality assurance efforts and describe their formal, organized quality assurance program. We suggest adding a section on how states will ensure licensing inspectors are consistent and fair. Activities around consistency and fairness will assist in eliminating bias and will lead to more equitable practices.

The plan (5.6.5) requests Lead Agencies to post monitoring and inspection reports on the consumer education website for each licensed child care provider and for each non-relative provider eligible to provide CCDF services. Lead Agencies should also be required to report on the quality of the system annually so parents and external stakeholders have a better understanding of the system as a whole. In addition, Lead Agencies should describe how they make the reports easily accessible for families, including the most recent report and the quality rating of the program to be consumer friendly.

The plan (5.7) requires additional detail and explanation on the background check process that is in place. This will help ensure a clear and timely response for providers. The section also expands to collect additional details on allowing prospective child care staff to provide care after completion of FBI fingerprint or

search of the state criminal repository using fingerprints (until other background checks come back clear) while under supervision of someone who has all background checks completed. Lastly, it asks for more detail about the 45 day time frame for completion.

6 – Support for a Skilled, Qualified, and Compensated Child Care Workforce

We recognize the improvements made to this section and appreciate the additions related to recruitment and retention given the child care workforce crisis. We strongly appreciate the lead in to Section 6 stating that Lead Agencies should also implement policies that focus on improving compensation and access to benefits for the child care workforce.

The plan (6.1.1) requires states to identify activities that relate to strengthening workforce recruitment and retention bonuses and identify which activities apply, including investments in staff compensation. The plan (6.1.2 and 6.1.3) requires states to describe ongoing efforts and future plans to assess and improve the compensation of the child care workforce and expand access to benefits, which we strongly support. The plan (6.2.4) requires states to describe how the framework improves the quality, diversity, stability, and retention of caregivers, teachers, and directors (98.44(a)(7)). There is no reference as to how the state will assess its success in these areas. We suggest that states be required to describe how the state will assess its efforts. In addition, the state should describe how it makes this data public and available and describe its plans for collecting workforce data on wages and benefits.

The plan (6.2.1) requires states to describe how providers receive updated information and/or training. This should also include a description of the methods and supports that are provided to ensure providers with limited English proficiency meet these requirements.

7 - Quality Improvement Activities

The plan (7.2.2) requires that states identify plans to spend CCDF funds for quality improvement activities, this list should also include an activity related to equity, inclusion, cultural and linguistic responsiveness. The plan (7.2) requests that states improve the quality of child care services and increase parental options for and access to high-quality child care. States should describe how they are supporting the growth of quality programs through professional development and degree attainment of their staff. Teachers remain at the center of quality. Each and every child, birth through age 8, across all settings, should be supported by early childhood educators who have recognized early childhood degrees and credentials. This is highlighted in and a focus of Power to the Profession, [Unifying Framework for the Early Childhood Education Profession](#).

The plan (7.2.2) requests that states identify and describe activities that are implemented to improve the supply and quality of child care programs and services to infants and toddlers. It is suggested that contracted slots and grants be added to the chart to demonstrate if the state is utilizing contracted slots or grants to improve the supply and quality of infant and toddler care in center-based or family child care homes.

8.3 – Coordination with Child Care Resource and Referral Systems

The plan requests that the child care resource and referral (CCR&R), at the direction of the state agency, collect data and provide information on the coordination of services and supports, including services under Part B, Section 619 and Part C of the Individuals with Disabilities Education Act. We suggest that CCR&R include race, gender and dual-language learner data collection for infant/toddler EI and school age EI, to determine race, gender and dual-language learner differences in receipt of EI services in order to address racial disparities in receiving services.

9.2 – Consumer Education Website

The plan requests that aggregate data on serious injuries, deaths and substantiated cases of child abuse occurring in child care settings be posted by the state agency on the consumer education website, separated by care level and licensing status. This data should also include the quality rating when reporting the provider category/licensing status to provide additional information to consumers.

Thank you again for the opportunity to provide input and for your consideration of our comments on the Child Care and Development Fund Plan Preprint for States/Territories for FFY 2025-2027 (OMB #0970-0114). Please contact our Senior Director of Public Policy and Advocacy, Kimberly Early at kearly@pennaeyc.org should you have any questions.

Sincerely,



Jen DeBell

Executive Director

Pennsylvania Association for the Education of Young Children