



## BrainGain@PEC

Produced by the PEC Policy Department

For more information, [email us](#)

[Click here](#) to remove your name from our email list.

Date: October 2016



BrainGain@PEC provides brief summaries of research or publications on family homelessness and related issues. Previous issues of BrainGain@PEC can be found at [http://www.pec-cares.org/index.php?page=be\\_informed](http://www.pec-cares.org/index.php?page=be_informed)

# Final Child Care and Development Fund Regulations

## Making child care safer and more accessible for families needing assistance

Agencies: Office of Child Care (OCC), Administration for Children and Families (ACF), Department of Health and Human Services (HHS).

The Administration for Children and Families and Youth published The Final Child Care Rules Announced: New Policies for Children and Families Experiencing Homelessness to put a spotlight on the “essential components of a comprehensive respond to family homelessness.”

The new CCDF regulations eliminate some of the barriers homeless families face, and present important opportunities for state and local action to support families experiencing homelessness. They also further align child care policy with Head Start and public preschool policies for children experiencing homelessness.

### Summary

This final rule makes regulatory changes to the Child Care and Development Fund (CCDF) based on the Child Care and Development Block Grant Act of 2014. These changes:

- Strengthen requirements to protect the health and safety of children in child care
- Help parents make informed consumer choices and access information to support child development
- Provide equal access to stable, high-quality child care for low-income children
- Enhance the quality of child care and the early childhood workforce.

**Research shows that families experiencing homelessness are less likely to access child care than housed families with very low incomes.**

**46% of ever homeless families use informal sources of care versus 22% of stably housed families**

**24% of ever homeless families use a center to care versus 45% of stably housed families**

[FROM ICPH WEBSITE](#)

Under the new rules, States must use the definition of homelessness from the education subtitle of the McKinney-Vento Act; establish a grace period for children experiencing homelessness to comply with immunization and other health and safety requirements; provide training and technical assistance on identifying and serving children experiencing homelessness to providers and staff, and engage in specific outreach targeted to families experiencing homelessness; Prioritize children experiencing homelessness for direct child care services, just

as States are required to do for children with special needs and children of families with very low family income; and, coordinate the provision of child care with early childhood programs serving children experiencing homelessness, State Coordinators for Homeless Education, and, as

practicable, local liaisons and Continuum of Care Grantees funded by the U.S. Department of Housing and Urban Development. This ruling is effective October 1, 2016.

### **% of Homeless Children and Youth enrolled in Public Schools: (2013-2014)**

- 4% of children Ages 3-5**
- 36% of children Grades k-3**
- 15% of children Grades 4-5**
- 20% of children Grades 6-8**
- 25% of children Grades 9-12**

[2016 NAEHCY fact sheet on young children](#)

McKinney-Vento Act.

### **Definitions**

Child experiencing homelessness means a child who is homeless as defined in section 725 of Subtitle VII-B of the McKinney-Vento Act (42 U.S.C. 11434a). Effect of regulation: States must use the definition of homelessness from the education subtitle of the

Child Care and Development Fund (CCDF) made available \$5.2 billion to States, Territories, and Tribes in Fiscal Year (FY) 2012. CCDF is authorized by the Child Care and Development Block Grant Act and Section 418 of the Social Security Act. CCDF assists low-income families in obtaining child care so they can work or attend training/education. The program also improves the quality of child care, and promotes coordination among early childhood development and afterschool programs.

Lead Agency (LA) must be a State agency designated by the chief executive of the State, and can be a State agency or a joint interagency office established by the governor that administers CCDBG funds, develops a State plan

## **MAJOR PROVISIONS**

### **1) Protect the Health and Safety of children in child care:**

- a. All child care staff members (including prospective staff) of all licensed, regulated or registered providers and all providers eligible to deliver CCDF services are required to have a comprehensive background check, unless they are related to all children in their care
- b. Extension of background check requirements to apply to all adults residing in family child care homes
- c. LA's are required to establish standards and training in areas related to health and safety such as first aid, CPR, and safe sleep practices, and now are extended to require reporting of child abuse and neglect
- d. LA's are required to designate a hotline or similar reporting process for parental complaints and providers are required to report serious injuries or death that occur in child care settings

### **2) Help parents make informed consumer choices and access information to support child development:**

Expands requirements for content of consumer education available to parents receiving CCDF assistance, the public, and where applicable, child care providers

- a. Lead Agencies must make available information on policies and procedures regarding licensing of providers, conducting background checks and monitoring of providers via a

- consumer-friendly and easily accessible website
- b. The website with this information must give parents information about the quality of their chosen providers
- c. Lead Agencies are required to provide CCDF parents with a consumer statement in hard copy or electronically (such as referral to the consumer education website) with specific information about the child care provider they select
- d. Lead Agencies must have information available related to best practices in child development and the state policies regarding child social and emotional development (such as policies relevant to preventing expulsion of children under the age of five)
- e. Lead Agencies must provide information that can help parents find financial benefits and services that support the path to economic stability
  - i. Specifically toward TANF, SNAP, Medicaid, CHIP
  - ii. Developmental screenings through IDEA
  - iii. This must be in multiple languages and alternative formats

### **3) Provide Equal Access to High-Quality Child Care for Low-Income Children**

Requirements to provide more stable child care financial assistance to families by:

- a. Extending children's eligibility for child care to a minimum of 12 months even if parents' earnings increases or if there are temporary changes in work, training or education participation.
  - i. If there is a non-temporary change in parent's work, training or education participation, Lead Agencies must continue assistance for a minimum of 3 months
- b. Reduces reporting requirements for families and prevents them from unduly losing assistance
- c. Makes it easier for Lead Agencies to align CCDF policies with other programs that serve low-income children (such as Head Start)
- d. Promotes continuity of care for children and allows wage growth for families to move on a path toward economic stability
  - i. Lead Agencies that set their income eligibility threshold below 85 percent of SMI must allow parents who otherwise qualify for CCDF assistance to continue receiving assistance, based on the typical household budget of a low-income families
- e. Lead Agencies may increase family co-payments only at redetermination or during a period of graduated phase-out when families' incomes have increased above the Lead Agency's initial income eligibility threshold and must provide a rationale for this practice
- f. Lead Agencies are required to consider children's development and learning and promote continuity of care when authorizing child care services, offer increased flexibility for determining eligibility of vulnerable children and clarify that they are not required to restrict a child's care to the hours of parent's work or education

### **4) Enhance the Quality of Child Care and the Early Childhood Workforce**

Detail on the statutory requirement to increase spending on initiatives that improve quality of care.

- a. Requires LA's to report data on the progress of their evaluations of quality improvement measures.
- b. Clarifies training requirements: child care caregivers, teachers, and directors of CCDF providers receive training prior to caring for children or during an orientation program, on an annual basis
  - i. Training must include the ten basic health and safety topics identified in the Act, recognizing and reporting child abuse and neglect, and on child development for children birth to 13 years
- c. LA's must provide for a progression of professional development for those who care for

- young children
- d. LA's are required to provide referrals and support to families experiencing homelessness by coordinating with licensing agencies in making sure these families can comply with immunization and health and safety requirements
  - e. LA's must use the definition of homeless applicable to school programs from the McKinney-Vento Act to align with other Federal early childhood programs

PEC thanks the National Association for the Education of Homeless Children and Youth for the content of this article.

**The information above has been collected from the following websites and newsletters:**

[Full Document of New Regulations](#)

[Office of Child Care website](#)

Email Newsletter of Legislative Updates from NAEHCY. Sent September 26, 2016 and October 1, 2016. [See legislative updates here](#).

[NAEHCY summary to these regulations](#)

[National Women's Law Center summary to CCDBG changes](#)