



CHILD CARE & EARLY LEARNING

## STATE EARLY CARE AND EDUCATION UPDATES 2016: SOME STEPS FORWARD BUT MORE PROGRESS NEEDED

In 2016, a number of states increased funding for preschool programs, made policy changes to comply with the federal Child Care and Development Block Grant (CCDBG) Act of 2014 (which reauthorized the major federal child care program), or took other steps to expand or improve early care and education opportunities for children and families. Yet few states made the significant new investments necessary to meet the important goals of the CCDBG Act of 2014, which aims to ensure the health and safety of children in child care, improve the quality of care, and make it easier for families to access and retain child care assistance; instead, many states requested (and in most cases were granted) waivers, allowing them to delay implementation of one or more provisions of the law.<sup>1</sup> And several states made cuts that will further limit families' access to affordable, high-quality early care and education, compounding a negative trend that has occurred over the past decade—due to declining funding, 373,000 fewer children received child care assistance in 2015 (the most recent year for which data are available) than in 2006.<sup>2</sup> **Federal and state policy makers will have to do much more to ensure that families have the child care and early education that parents need to work and that children need to start on a path to success in school and in life.**

- **Alabama's** legislature passed and Governor Robert Bentley signed an Education Trust Fund Budget that increases funding for the state's voluntary First Class Pre-K program by \$16 million, from \$48.5 million to \$64.5 million, for FY 2017. This additional funding, augmented by a federal Preschool Development Grant, is expected to be used to open approximately 155 additional classrooms and enroll an additional 2,800 four-year-olds. This expansion will bring total enrollment statewide in the program to approximately 14,500 children and increase the percentage of the state's four-year-olds able to participate in the program from 20 percent to 25 percent.<sup>3</sup>
- **Alaska** protected funding for the state prekindergarten program, Parents As Teachers, and Best Beginnings. The original House and Senate budgets would have eliminated all funding for these three programs.<sup>4</sup> However, the compromise budget passed by the House and Senate restored funding for the programs, including \$2 million for prekindergarten grants, \$700,000 for Parents As Teachers, and \$320,000 for Best Beginnings.<sup>5</sup> Governor Bill Walker approved the compromise budget, although he used his veto power to reduce funding for Parents As Teachers to \$500,000 and to cut state funding for child care by \$1 million.<sup>6</sup>
- **Arizona** Governor Doug Ducey proposed increasing child care assistance by \$6.4 million to comply with the new federal requirements under the CCDBG Act of 2014,<sup>7</sup> but the final FY 2017 budget approved by the legislature did not include this increase.<sup>8</sup> The legislature did approve a measure to allow families receiving child care assistance to continue receiving it for at least 12 months, even if their income rises above the state's initial eligibility limit of 165 percent of poverty, as long as their income does not exceed 85 percent of state median income<sup>9</sup>; this measure brings the state into compliance with the CCDBG reauthorization law. The legislation, which was signed by the governor, also explicitly permits the state's Department of Economic Security (which administers the child care assistance program) to vary provider payment rates based on quality indicators.<sup>10</sup>



- **California's** final budget for 2016-17, approved by the legislature and signed by Governor Jerry Brown, provides an additional \$7.8 million in state funding for preschool starting March 1, 2017, which will support full-school-day slots for nearly 3,000 children; over four years, nearly 9,000 full-school-day state preschool slots will be added with \$100 million in funding. The budget also includes an additional \$67.6 million to increase payment rates for child care providers that have direct services contracts and \$69.9 million to increase payment rates for providers serving families with child care vouchers; these rate increases are intended, in part, to help cover higher costs related to the increase in the state's minimum wage. In addition, the budget provides \$1.4 million for job training, mentoring, and college courses through an Early Care and Education Apprenticeship Pilot Program at Los Angeles Trade-Tech Community College.<sup>11</sup>

The legislature passed, and the governor signed, legislation that requires online child care job posting services to have a written description of the background checks conducted on providers who post on their site and to include information about the Trustline registry (a database of nannies and license-exempt providers that have cleared criminal background checks in the state).<sup>12</sup>

The Assembly unanimously approved legislation that would have allowed families receiving child care assistance to continue receiving it for a full 12 months without having to recertify their eligibility, and would have required the income eligibility limit for child care assistance (which is currently 70 percent of the 2007 state median income) to be based on the most recent median income data from the Census Bureau; these changes would have brought the state into compliance with the federal CCDBG Act of 2014. However, the bill failed to advance in the Senate.<sup>13</sup>

The legislature rejected the governor's proposal to consolidate funding for the state's preschool program, transitional kindergarten program, and quality rating and improvement system into an Early Education Block Grant that would have given local school districts flexibility in their use of early education funds. Under this proposal, all state preschool funding would have been distributed directly to local school districts, rather than allowing private and non-profit preschool providers (in addition to public schools) to receive direct funding from the state, as is the case under the existing early education programs.<sup>14</sup>

- **Colorado's** final budget for FY 2017 increases state funding for the child care assistance program for the third consecutive year, providing an additional \$2 million to support tiered reimbursement rates for child care providers as well as other recent reforms to the program. The budget also provides an additional \$3.8 million to expand early intervention services for infants and toddlers who may have developmental delays and an additional \$6.7 million for nurse home visiting to low-income first-time mothers, and supports an increase in child care licensing staff. The legislature passed, and Governor John Hickenlooper signed, several measures to improve the child care assistance program, including a law that ensures families can continue to receive child care assistance for 12 months before their eligibility is redetermined, as long as their income remains below 85 percent of state median income—a policy aligned with the federal CCDBG Act of 2014; a law exempting teen parents and domestic violence survivors from the requirement to cooperate with child support enforcement in order to receive child care assistance; and a law allowing additional counties (beyond the original 10 pilot counties) to gradually phase out child care assistance for families that exceed the income limit at their redetermination, rather than immediately cutting off their assistance. In addition, the legislature approved a supplemental appropriation to double the number of early childhood mental health intervention specialists employed by the state from 17 to 34.<sup>15</sup>
- **Connecticut** temporarily reduced its income limit to qualify for child care assistance from 50 percent of state median income (\$44,601 a year for a family of three) to 30 percent of state median income (\$26,761 a year for a family of three) as of July 1, 2016. The state restored its income limit to the previous level as of July 31, 2016, but as of August 2016 closed intake for all new applicants, except for current and former recipients of Temporary Assistance for Needy Families (TANF) and teen parents attending high school. With the child care assistance program still facing a funding deficit, the state announced it would close intake for former TANF recipients and teen parents as well as of December 31, 2016; this change will affect an estimated 1,800 families expected to apply over the course of six months. Applicants that do not receive child care assistance are placed on a waiting list; the waiting list had 2,300 families as of December 2016. All families currently receiving child care assistance who meet the income and other eligibility requirements will remain eligible at redetermination; the state had considered cutting off assistance to families when they applied to renew their assistance at the end of their 12-month eligibility period.<sup>16</sup>



- **Delaware's** budget for FY 2017, approved by the legislature and signed by Governor Jack Markell, increases funding for Delaware Stars for Early Success, the state's quality rating and improvement system, by \$9.4 million, from \$6.9 million to \$16.3 million. The funding will be used for tiered reimbursement for child care providers, onsite support and assessment of providers in the Stars program, professional development activities, early childhood mental health consultation, developmental screenings and surveys, an inclusive teaching model at the University of Delaware's Laboratory Preschool, evaluation and awareness of the Stars program, and other activities.<sup>17</sup>
- **Florida's** final FY 2016-17 budget, approved by the legislature and signed by Governor Rick Scott, includes an increase of \$10 million for the child care assistance (School Readiness) program (with a proviso that allows for contracted slots targeting children in concentrated areas of poverty); an increase of \$10 million for the Teacher Education and Compensation Helps (T.E.A.C.H.) program, which provides scholarships to help early care and education professionals earn degrees or credentials; an increase of \$5 million for the early learning performance funding program, which offers professional development for participating child care providers and gives them financial awards for improvements in their teacher-child classroom interactions, as measured using the CLASS (Classroom Assessment Scoring System) observation tool; an increase of \$3 million for Early Learning Florida, the state's professional development system; and an increase of \$650,000 for Help Me Grow, which connects families to services and support to identify and address concerns about their young children's health, development, behavior, and learning. The legislature also passed, and the governor signed, legislation that makes changes to the state's child care assistance program to comply with the requirements of the federal CCDBG Act of 2014; for example, the legislation includes provisions allowing families to receive child care assistance for 12 months without having to recertify their eligibility during that time as well as provisions directing the Office of Early Learning to establish quality standards—including maximum child-staff ratios and group sizes—for providers serving families that receive child care assistance.<sup>18</sup>
- **Georgia** increased funding for the state prekindergarten program in FY 2017 by 11 percent (\$36 million) to raise salaries for prekindergarten lead and assistant teachers.<sup>19</sup> The state also increased its tiered reimbursement rates for child care providers that serve families receiving child care assistance and that have ratings of one star or higher in the state's quality rating and improvement system (which has three star levels).<sup>20</sup> However, as of August 1, 2016, the state is not serving any new applicants for child care assistance unless they belong to a priority group.<sup>21</sup>
- **Hawaii's** legislature passed and Governor David Ige signed legislation requiring background checks, including sex offender registry checks, for household members and all employees of child care facilities and providers that are licensed or registered by or receive subsidies from the state, and requiring the Department of Human Services to set health and safety standards and monitor providers for compliance with these standards; these changes bring state law into alignment with the federal CCDBG Act of 2014.<sup>22</sup> The state also increased funding for the state Preschool Open Doors program from \$6 million to \$10 million.<sup>23</sup>
- **Illinois** did not pass a budget for FY 2016 until the last day of the fiscal year, which ended on June 30, 2016. The stopgap measure that was finally approved by the legislature and Governor Bruce Rauner includes funding for education for all of FY 2017 as well as partial funding for human services and other state programs and operations for all of FY 2016 and the first half of FY 2017 (through December 2016). Funding for the Early Childhood Block Grant (ECBG), which supports preschool programs as well as center-based and home visiting programs for infants and toddlers, was increased by \$79 million, bringing the ECBG to just over the previous peak funding level reached in FY 2009. The budget also includes federal appropriations necessary to continue payment to child care centers serving families receiving child care assistance and to support child care resource and referral operations. Department of Human Services grant-funded programs, including home visiting, received 65 percent of the funding amount they would normally have received over the 18-month period for services in FY 2016 and the first half of FY 2017. The budget measure does not include funding for early intervention services for infants and toddlers with disabilities and developmental delays or for payments to family child care providers serving families receiving child care assistance, but funding for these services will continue through court orders and consent decrees.<sup>24</sup> In addition, the legislature passed and the governor approved legislation requiring that, each year, 25 percent of any increase in ECGB funding over the previous year's funding be set aside for programs for infants and toddlers, until the percentage of total ECGB funding set aside for infants and toddlers reaches 20 percent.<sup>25</sup>



- **Kansas's** legislature approved \$49.2 million for early care and education programs funded by the Kansas Children's Cabinet and Trust Fund, a reduction of \$2 million from the amount approved in 2015. The Kansas Children's Cabinet uses the state's share of the 1998 settlement agreement with large tobacco companies to provide grants through the Children's Initiatives Fund (CIF) for programs for children and families. Governor Sam Brownback unilaterally reduced funding for 20 of the early care and education programs supported by the Kansas Children's Cabinet by \$9 million (6.5 percent) in November 2015, and then cut some of these programs by an additional \$3.3 million (14 percent) in May 2016, while also cutting the Kansas Reading Success program fund by \$680,000 in June 2016. In addition, the legislature replaced \$11.3 million in CIF dollars used to support programs such as Parents As Teachers and the Kansas Pre-K Pilot with TANF dollars; now that these programs are funded by TANF, parents must meet one of 19 risk factors to qualify. The legislature rejected a proposal by the governor to sweep \$50.5 million in CIF dollars into the State General Fund (SGF) and fund early care and education programs using SGF dollars, which would have left the programs more vulnerable to future cuts.<sup>26</sup>
- **Kentucky's** final budget for 2016-2018 provides an additional \$21.2 million over the biennium to increase the income eligibility limit for child care assistance from 150 percent of the 2011 federal poverty level to 160 percent of the 2016 federal poverty level, with annual adjustments for the updated federal poverty level. The state also increased the income limit for the state preschool program from 160 percent to 200 percent of the federal poverty level, although the legislature did not provide any additional funding to serve more children.<sup>27</sup>
- **Louisiana's** legislature, confronting a significant state budget shortfall, considered cutting funding for prekindergarten programs by \$23 million, which could have reduced enrollment by more than 5,000 children. However, the legislature and Governor John Bel Edwards ultimately rejected the proposed cuts and protected funding for prekindergarten.<sup>28</sup> In addition, after years of replacing state general funds for the LA4 prekindergarten program with federal TANF funds—so that by FY 2016, state general funds accounted for only \$8 million of the program's \$75.5 million in funding—the legislature reversed course in 2016 and used state general funds to replace \$27 million in TANF dollars; those TANF dollars were shifted back to support child welfare services.<sup>29</sup>

The Board of Elementary and Secondary Education adopted changes to eligibility requirements for child care assistance to make it easier for families to qualify. Under the new rule, the minimum number of hours per week that parents must be working or participating in job training to qualify for child care assistance is reduced from 30 to 20, and parents of children with special needs are only required to participate in work or training for 15 hours per week; students enrolled full time in an education or training program resulting in a degree or certificate designed to promote job skills and employability are now eligible for assistance; families above the state income limit for assistance (but below the federal limit of 85 percent of state median income) at redetermination can continue to receive assistance during a graduated phase-out period of two months; and the amount of time homeless families can remain categorically eligible for assistance is increased from 180 days to one year, to align with the federal CCDBG Act of 2014.<sup>30</sup>

- **Maine's** legislature passed a measure requiring the state's Department of Health and Human Services to implement criminal background checks for child care providers using fingerprints,<sup>31</sup> as mandated by the federal CCDBG Act of 2014, after Governor Paul LePage refused to implement this requirement.<sup>32</sup> The governor vetoed the legislation, but the House and Senate overrode his veto.<sup>33</sup>
- **Maryland's** final FY 2017 budget provides a modest increase in child care funding of \$5.7 million (including a \$2 million increase in federal funds and a \$3.7 million increase in state general funds), an increase that had been included in Governor Larry Hogan's budget proposal.<sup>34</sup> The legislature also passed a measure requiring the governor's FY 2018 and FY 2019 budgets to include the matching funds that the state committed to provide when it was awarded the four-year federal Preschool Development Grant in December 2014; the legislation became law without the governor's signature.<sup>35</sup> In addition, the legislature passed, and the governor signed, a measure requiring local health and social service departments to inform low-income families applying for their services that children approaching age four may be eligible for publicly funded preschool.<sup>36</sup>



- **Massachusetts's** final FY 2017 budget allocates \$568.7 million in total funding for early care and education programs, including child care assistance, child care quality initiatives, and other early education programs; this amount is \$1.1 million (0.2 percent) below the FY 2016 total, and \$157.2 million (21.7 percent) below the FY 2001 inflation-adjusted total. The legislature prevented a further reduction of \$8.8 million in total FY 2017 early education funding by overriding five of Governor Charlie Baker's vetoes. However, the legislature failed to override a veto of \$9.0 million in funding for Supportive and TANF Child Care, which provides assistance to children in the care of the Department of Children and Families and those receiving Transitional Aid to Families with Dependent Children; with the veto, funding for Supportive and TANF Child Care in FY 2017 is \$219.4 million, similar to the FY 2016 level. Funding for Income Eligible Child Care was increased by \$5 million (from \$247 million in FY 2016 to \$252 million in FY 2017), and funding to raise payment rates for child care providers was increased by \$7.5 million (from \$5 million in FY 2016 to \$12.5 million in FY 2017), but \$12 million in dedicated funding for reducing the waiting list for child care assistance was eliminated. The FY 2017 budget combined quality funding from several early care and education accounts into a single account, with total funding of \$32.6 million, slightly lower than the previous year's total funding for its components. Funding for child care resource and referral agencies is level-funded at \$6.7 million. Similarly, the state's supplemental funding for the federal Head Start program remains at \$9.1 million.<sup>37</sup>

The FY 2017 budget eliminated Kindergarten Expansion Grants, which aimed to encourage local school districts to offer high-quality, full-day kindergarten and which received \$18.6 million in funding in FY 2016.<sup>38</sup>

- **Michigan's** FY 2017 School Aid Budget, passed by the legislature and signed by Governor Rick Snyder, maintains funding for the state's preschool program, the Great Start Readiness Program (GSRP), at \$243.9 million. The budget also provides new funding for services and programs for children and families in Flint to help address the negative consequences of drinking water contamination in the city. This support for children and families in Flint includes \$6.2 million to provide early intervention services for infants and toddlers with disabilities and their families that are similar to those services provided by Early On (the state's program under Part C of the Individuals with Disabilities Education Act); \$1.5 million to make GSRP preschool available to all Flint four-year-olds, regardless of income; and \$8.1 million in federal CCDBG funds to provide child care assistance to children ages zero to three in families with incomes below 300 percent of poverty. The budget adds \$175,000 for a partnership between a school district and an early learning collaborative to evaluate the benefits of early childhood education for three-year-olds and \$185,000 for several Intermediate School Districts to pilot the Maryland Kindergarten Readiness Assessment as well. In addition, the state increased the income limit for child care assistance from 121 percent to 125 percent of poverty, using federal funds.<sup>39</sup> However, the state failed to provide the \$7.5 million in matching funds needed to draw down \$20.5 million in federal funding for its child care assistance program.<sup>40</sup>
- **Minnesota's** final supplemental budget bill, passed by the legislature and signed by Governor Mark Dayton, provides \$25 million in FY 2017 and \$55 million for the FY 2018-19 biennium for a new voluntary prekindergarten program; approximately 3,300 four-year-olds are enrolled in the program for the 2016-17 school year. The prekindergarten funds were distributed to 74 school districts and charter schools, with priority given to those with high concentrations of low-income students and a limited supply of early care and education programs with a three- or four-star quality rating; schools may contract with Head Start programs, child care centers, community-based organizations, or licensed family child care programs in their area to provide preschool classes. Prekindergarten programs receiving state funding must offer at least 350 hours of instruction each school year, pay teacher salaries comparable to the salaries of district K-12 teachers, provide instruction through play-based learning, involve families in program planning, and meet other quality standards.<sup>41</sup> The budget also provides a one-time additional investment of \$2 million for the state's quality rating and improvement system (Parent Aware) and \$2 million for home visiting.<sup>42</sup> Although both the governor's and the Senate's proposed budgets recommended an increase in reimbursement rates for child care providers that serve families receiving child care assistance, the final supplemental budget bill did not include any rate increase.<sup>43</sup>

The state legislature passed an omnibus tax bill that would have provided \$9.8 million in FY 2017 and \$22.8 million in FY 2018-19 to expand the state's Child and Dependent Care Tax Credit. The maximum credit would have increased from \$720 to \$1,050 for a family with one dependent and from \$1,440 to \$2,100 for a family with two or more dependents, and the adjusted family gross income limit to qualify for the credit would have increased from \$39,400 to \$44,900 for a family with one dependent and to \$51,800 for a family with two or more dependents.<sup>44</sup> The measure was not enacted, however, because the governor—pointing to an error in the omnibus tax bill—refused to sign it.<sup>45</sup>

In an election on unionization for Minnesota's licensed family child care providers that serve families receiving child care assistance, the providers voted against unionizing.<sup>46</sup>



- Missouri's** FY 2017 budget increases funding for child care assistance by \$17 million, including \$10.7 million to increase payment rates for licensed providers and religiously exempt providers that are compliant with state inspection requirements and \$5.3 million to further enhance rates for providers that care for a disproportionate share of children receiving child care assistance and that are accredited or working toward accreditation.<sup>47</sup> The budget also increases funding for Parents As Teachers by \$537,750, with the new funding targeted to unaccredited or provisionally accredited school districts; however, state funding for the program is still only half of what it was in FY 2009.<sup>48</sup> In addition, the legislature passed and Governor Jay Nixon signed a measure that repeals the prohibition on a child care quality rating and improvement system that was put in place in 2012; the legislation instructs the Department of Elementary and Secondary Education, together with the Missouri Head Start State Collaboration Office, Department of Health and Senior Services, Department of Mental Health, and Department of Social Services to develop a voluntary child care quality rating system.<sup>49</sup> A ballot measure that would have gradually increased the state's cigarette taxes to 60 cents per pack and used the funds generated for early education was rejected by voters.<sup>50</sup>
- Nebraska** enacted two School Readiness Tax Credits, one of which is targeted at the early childhood workforce and the other at early care and education programs. The School Readiness Tax Credit for the Early Childhood Workforce, which is refundable, will become available in the 2017 tax year for early childhood professionals who have attained at least a Child Development Associate credential or a one-year certificate or diploma in early childhood education or child development, and who are employed in early childhood programs participating in the state's quality rating and improvement system, Step Up to Quality. The amount of the tax credit depends on the early childhood professional's educational degrees and professional credentials held, relevant training completed, and work history; those professionals with higher credentials and more experience receive larger tax credits, according to a four-level classification system. The School Readiness Tax Credit for Early Childhood Programs, which is non-refundable, will become available in the 2017 tax year to early childhood programs that are at level three or higher of the state's quality rating and improvement system (which has five levels) and that serve children receiving child care assistance; the amount of the credit increases with the program's quality rating.<sup>51</sup>
- New Hampshire's** legislature passed and Governor Maggie Hassan signed a measure to streamline the state's criminal background check requirements for child care staff and align the requirements with the comprehensive background check requirements of the federal CCDBG Act of 2014. The changes took effect as of October 1, 2016.<sup>52</sup>
- New Jersey's** legislature passed a budget for FY 2017 that included an additional \$25 million for Preschool Education Expansion Aid, but the funding was vetoed by Governor Chris Christie; preschool funding will remain at the FY 2016 level of \$655.5 million.<sup>53</sup>
- New Mexico's** FY 2017 budget, passed by the legislature and approved by Governor Susana Martinez, increases funding for the state's Early PreK program, which serves three-year-olds, by \$750,000. However, the budget does not increase funding for the state's prekindergarten program for four-year-olds. Total funding for the state's prekindergarten programs, which are jointly administered by the state's Children, Youth, and Families Department and the Public Education Department, now equals \$51.8 million. The FY 2017 budget also increases funding for T.E.A.C.H., which offers scholarships and financial incentives to encourage child care teachers to receive degrees in early care and education, and INCENTIVE\$, which offers salary supplements to child care teachers that complete courses or certificate or degree programs in early childhood education, by \$50,000 (to a total of \$1.66 million for T.E.A.C.H and \$521,950 for INCENTIVE\$, if the additional funding is split evenly between the two programs). The budget expands funding for home visiting by \$900,000 (to a total of \$16.4 million) as well. The budget does not increase funding for child care assistance, which remains at \$96.6 million.<sup>54</sup>
- New York's** FY 2017 budget, approved by the legislature and signed by Governor Andrew Cuomo, increases funding for prekindergarten for three-year-olds by \$22 million, the state's quality rating and improvement system by \$3 million (to a total of \$5 million), and after-school programs by \$3 million (to a total of \$5 million). However, the budget includes no new funding for prekindergarten for four-year-olds and reduces funding for the Nurse-Family Partnership home visiting program by \$500,000. The budget also fails to provide new funding for the state's child care assistance program to serve more eligible children or cover the additional costs entailed in complying with the federal CCDBG Act of 2014; instead, like many other states, New York applied for (and was granted) waivers to delay implementation of a number of provisions of the law.<sup>55</sup>



The governor signed legislation establishing paid family leave for workers that need time off to bond with a new child (including adopted and foster children); care for a seriously ill child, parent, parent-in-law, spouse, domestic partner, grandchild, or grandparent; or address certain military family needs. Workers will be able to receive up to 8 weeks of leave a year in 2018, up to 10 weeks of leave a year in 2019 and 2020, and up to 12 weeks of leave a year starting in 2021. During their leave, workers will receive 50 percent of their average weekly wages, up to a cap of 50 percent of the statewide average weekly wage, in 2018, with the amount increasing over the following three years to 67 percent of their average weekly wages, up to a cap of 67 percent of the statewide average weekly wage; the benefits will be funded by small employee payroll deductions.<sup>56</sup>

In addition, the governor issued emergency regulations that expand the state's authority to suspend or stop operations of a child care program. The regulations define the conditions under which the state may revoke or suspend a provider's license, increase penalties for serious violations of child care health and safety standards, and require providers to immediately notify parents in writing when the provider's license has been limited, suspended, or revoked.<sup>57</sup>

- **North Carolina's** final FY 2016-17 budget includes \$1.325 million in additional funding for the state prekindergarten program, which is expected to increase the number of children able to participate by 260, to a total of 29,400 children—which is still about 5,500 fewer children served than in 2009. The budget also includes a \$1.325 million increase to provide child care assistance for an additional 260 children—a small fraction of the number of children on the state's waiting list for child care assistance—and a \$3.45 million increase to raise child care payment rates for providers caring for children ages three to five in 80 of the state's 100 counties (those that are most economically distressed). In the budget, \$3.6 million in state general funds for child care and \$6.4 million in state general funds for prekindergarten are replaced with federal TANF funds.<sup>58</sup>

In addition, the budget includes language requiring the state's Division of Child Development and Early Education to study how provider payment rates for the child care assistance program are set; requiring the Department of Health and Human Services, in consultation with the Department of Public Instruction and other agencies and organizations, to develop a comprehensive approach to early childhood education, from birth through third grade, with a set of data indicators to monitor and measure success, and to report findings and recommendations to the legislature by January 1, 2017, with a follow-up report by January 1, 2018; and requiring the Department of Health and Human Services, in consultation with the Department of Public Instruction, to promote a successful transition from preschool to kindergarten for children enrolled in the state prekindergarten program or receiving child care assistance to attend a four- or five-star program, to develop a standardized transition program, and to report on the standardized transition program to the legislature by January 1, 2017.<sup>59</sup>

- **North Dakota**, in response to a budget shortfall, reduced the income limit for child care assistance from 85 percent to 60 percent of state median income in April 2016. When the income limit was lowered, approximately 500 families receiving child care assistance that had incomes above the new income limit lost their assistance.<sup>60</sup> When the legislature convened for a special session in August 2016 to address the state's budget shortfall, an amendment to restore funding for child care assistance was proposed, but it was rejected.<sup>61</sup>
- **Ohio** had two of its cities, Cincinnati and Dayton, approve ballot measures that increase taxes and use the revenue to support prekindergarten. In Cincinnati, voters agreed to a property tax levy (with a cost to an owner of a \$100,000 property equaling about \$278 per year) that will raise \$48 million a year for five years, of which \$15 million a year will go to expanding access to preschool in the city and improving the quality of preschool programs. The funding will fully subsidize preschool for three- and four-year-olds in families with incomes at or below 200 percent of poverty, and partially subsidize preschool for children in families with incomes above that level. The initiative will allow an estimated 6,000 children to participate in preschool. In Dayton, voters approved a one-quarter of a percentage point increase in the income tax rate (from 2.25 percent to 2.5 percent), with approximately 40 percent (\$4.3 million) of the revenue being used for preschool, and the remainder being used for roads, police, infrastructure, and emergency services. The city aims to provide universal preschool for all of its approximately 1,900 four-year-olds.<sup>62</sup>
- **Oklahoma's** Department of Human Services froze intake for its child care assistance program on June 1, 2016 due to a budget shortfall.<sup>63</sup> The freeze was lifted as of August 1, 2016; the state resumed serving eligible families that applied for child care assistance and sent letters to families that were denied child care assistance during the freeze informing them that they could reapply.<sup>64</sup> The budget shortfall also resulted in a number of other cuts by the Department of Human Services, including a reduction in child care licensing staff; the elimination of REWARD, which provided salary supplements for child



care workers who received additional education; the elimination of funding for environmental rating scale assessments used to measure the quality of child care providers; a reduction in funding for Scholars for Excellence administration and scholarships for prospective child care workers; a reduction in funding for child care resource and referral agencies; and a reduction in funding for telephone consultation for child care providers on mental health and behavioral issues.<sup>65</sup> The Department of Education, in response to the budget shortfall, eliminated all remaining funding (nearly \$1 million) for the Parent Education Program Grant (formerly Parents As Teachers) and reduced funding (by approximately \$2.5 million) for the Oklahoma Early Childhood Initiative, a fund to support enhanced quality in selected child care centers.<sup>66</sup>

- **Oregon's** legislature passed and Governor Kate Brown signed a budget adjustment measure (which adjusts the 2015-17 biennial budget adopted in 2015 based on updated revenue forecasts) that includes \$5.4 million in additional funding for the Early Intervention and Early Childhood Special Education programs (which provide services for young children with developmental delays and disabilities and their families) to address caseload increases, and \$5.3 million in additional funding for the state prekindergarten program.<sup>67</sup>
- **Pennsylvania's** enacted budget for FY 2016-17 includes an increase of \$25 million for the state's prekindergarten program (Pre-K Counts), an increase of \$5 million for the state's Head Start supplement, and an increase of \$15.9 million for early intervention services for infants, toddlers, and preschoolers with developmental delays or disabilities and their families. However, the budget reduced state funding for child care assistance by \$20 million compared to the previous fiscal year, with the assumption that more federal funding would be provided through CCDBG. If state child care funding had not been cut, and instead increased by \$12 million as proposed by Governor Tom Wolf, approximately 2,300 children on the waiting list for child care assistance could have been served. In addition, the FY 2016-17 enacted budget fails to include the \$10 million increase for home visiting services proposed by the governor.<sup>68</sup>

Philadelphia's City Council approved a soda tax in June 2016, and a significant portion of the \$91 million expected to be generated by the tax each year will be used for expanding prekindergarten in the city. The funds will also be used to establish community schools; improve parks, recreation centers, and libraries; and offer a tax credit for businesses that sell healthy beverages.<sup>69</sup> The city plans to enroll an additional 6,500 three- and four-year-olds in prekindergarten over the next five years, starting with 2,000 children in January 2017.<sup>70</sup>

- **Rhode Island's** FY 2017 budget, approved by the legislature and signed by Governor Gina Raimondo, provides an additional \$8.4 million in funding (\$3.3 million in state funds and \$5.1 million in federal funds) for child care assistance; while this is the state's largest increase in child care funding in more than a decade, state funding is still lower than it was in the early 2000s. The budget also increases state funding for prekindergarten by \$1.2 million, to \$5.2 million; this state funding, together with \$5.8 million in federal funding, supports high-quality prekindergarten for approximately 1,000 four-year-olds in 11 of the state's low-income communities. Funding for the state Head Start supplement remains at \$800,000. The FY 2017 budget allocates \$2.6 million to help school districts meet the requirement that they all have universal full-day kindergarten by the beginning of the 2016-17 school year. In addition, the state extended the Transitional Child Care Pilot Program by one year, from September 30, 2016 to September 30, 2017; under this program, families already receiving child care assistance can continue to receive it up to an income of 225 percent of poverty, which exceeds the income limit to initially qualify for child care assistance of 180 percent of poverty.<sup>71</sup>
- **Tennessee** expanded the categories of applicants able to receive child care assistance as of June 2016 by launching a new program for families in which a parent is working or attending a postsecondary education program; previously, the state generally only provided child care assistance to families receiving or transitioning from TANF, teen-parent families, foster families, and families with children receiving protective services. To be eligible for the new program, Smart Steps, parents must be employed at least 30 hours per week, or be enrolled in and attending a postsecondary education program full time, or participate in a combination of employment and postsecondary education activities; must have a child between ages six weeks and five years; must live in a county that does not have a state-funded prekindergarten program or that has a waiting list for the prekindergarten program; and must have an income below 85 percent of state median income (\$47,857 a year for a family of three).<sup>72</sup> The state also adopted a measure to bring its policies on criminal background checks for child care staff into compliance with federal requirements under the CCDBG Act of 2014.<sup>73</sup>



In addition, the legislature passed and Governor Bill Haslam signed a measure that aims to improve the quality of the state prekindergarten program. The legislation requires local school districts, in applying to the Department of Education for prekindergarten funding, to include a plan for ensuring coordination between prekindergarten programs and elementary schools within the district so that elementary grade instruction builds upon prekindergarten classroom experiences; a plan for engaging parents and families throughout the school year; and a plan for delivering professional development to prekindergarten teachers.<sup>74</sup>

- **Utah** increased funding for UPSTART, a public online preschool program, by \$1.5 million; Governor Gary Herbert initially vetoed the funding in March 2016, but then, following an agreement with the legislature, called lawmakers into a special session in April 2016 to restore that funding along with other education funding he had vetoed.<sup>75</sup> The governor also signed legislation that appropriates \$11 million in TANF funds each year for FY 2017, FY 2018, and FY 2019 for a program to expand high-quality prekindergarten for at-risk children; this program offers expansion grants for existing high-quality preschool programs in public schools and private early care and education settings and makes preschool scholarships available for children experiencing intergenerational poverty.<sup>76</sup>
- **Vermont's** final FY 2017 budget expands funding for child care assistance by \$1 million, with the additional funding being used to increase the income limit for assistance from 200 percent of the 2014 federal poverty level to 300 percent of the 2016 federal poverty level, to make corresponding adjustments in the income brackets for the sliding fee scale (thereby lowering copayments for many families receiving child care assistance), and to raise payment rates for infant care in both licensed centers and registered family child care homes, effective August 21, 2016.<sup>77</sup> The legislature also approved new child care regulations developed by the Department for Children and Families; regulations had last been updated for child care centers in 2001 and for family child care homes in 1996. The regulations, which went into effect in September 2016, clarify existing standards and set some new standards that providers must meet—for example, specifying when family child care providers are required to buy liability insurance, fencing, and other safety equipment, and requiring child care center teachers to complete additional college courses and ongoing training.<sup>78</sup> In addition, the state's law requiring publicly funded prekindergarten (for at least 10 hours per week for 35 weeks per year) to be available in all school districts for all three- and four-year-olds whose parents want them to enroll, which was signed in 2014, took full effect as of July 1, 2016; the state is the first in the country to provide publicly funded preschool programs to all three- and four-year-olds.<sup>79</sup>
- **Virginia's** 2016-2018 biennial budget, approved by the legislature and signed by Governor Terry McAuliffe, includes an increase of \$1.7 million in FY 2017 and \$2.5 million in FY 2018 for early intervention services for infants and toddlers with disabilities and developmental delays, and an additional \$9.5 million (from TANF funds) for Healthy Families, a home visiting program. The budget also includes a legislative recommendation for a 2 percent increase in funding per pupil for the state prekindergarten program, from \$6,000 to \$6,125, which would cost \$2.8 million over the biennium. In addition, the legislature accepted the governor's proposal to establish a statewide income limit for the prekindergarten program of 200 percent of poverty, while allowing up to 15 percent of a school's students to exceed that income limit if they meet locally established risk factors. The budget includes \$1.5 million in each year of the biennium for a newly established pilot program that will provide grants to local communities to test strategies for delivering preschool in a mix of public and private settings. The legislature recommended \$600,000 in FY 2017 and \$1.3 million in FY 2018 for the creation of scholarships and a competency-based credentialing system for child care providers as well.<sup>80</sup>

The legislature passed and the governor signed a measure to increase the penalty for a child care provider operating illegally without a license when a child dies or is seriously injured while in the provider's care.<sup>81</sup>

- **Washington's** supplemental budget provides \$12.7 million to fund a new collective bargaining agreement for family child care providers, including higher base provider payment rates, tiered reimbursement, quality improvement awards, training and coaching, and expanded contracted slot pilots, and other quality improvement mechanisms. The supplemental budget also includes \$2.152 million for the Early Childhood Intervention and Prevention Services program, which provides services and treatment in a child care setting for more than 350 children ages birth to five with significant developmental, behavioral, and mental health challenges. The legislature attempted to supplant state funds for early learning with federal child care funds, but Governor Jay Inslee used his veto to prevent this supplantation. In addition, the state implemented several changes to its child care assistance program. For example, as of July 1, 2016, families are authorized to receive child care assistance for 12 months before having to recertify their eligibility and families whose incomes are above the initial eligibility limit of 200 percent of poverty but below 220 percent of poverty at recertification can continue to receive assistance for an additional three months before losing assistance; and as of August 2016, all providers serving families who receive child care assistance must participate in the state's quality rating and improvement system.<sup>82</sup>



- **Wisconsin** began implementing an Electronic Benefit Transfer (EBT) system for its child care assistance program as of fall 2016, with full implementation scheduled for February 2017. The new system, used for paying child care providers that serve families receiving assistance, will allow for advanced payment and payment based on enrollment. Under the new system, the state initially planned to cap tiered payment rates for providers with four- and five-star quality ratings so that providers could not receive more than the fees they charged to private-paying parents; however, this policy was reversed in response to advocacy efforts by the child care community.<sup>83</sup>
- **Wyoming's** Senate passed legislation that would have allowed funding for the state's supplemental at-risk financial assistance program, which currently provides grants to school districts for summer school and extended-day intervention and remediation services for academically at-risk school-age children, to be used by school districts for early childhood education for at-risk preschool-age children. However, the measure failed in the House, leaving Wyoming as one of only eight states without a state-funded prekindergarten program.<sup>84</sup>



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