



Commonwealth of Massachusetts Department of Early Education and Care

Reopening Update

Meeting of the Board

August 11 2020





Agenda

- Overview of Subsidy Changes
- Reopening Capacity Projections
- Strategic Plan - Revisiting our Vision in a New Landscape
- BRC Regulations



Overview of Subsidy Changes

EEC continued subsidy reimbursement to closed providers at a cost of ~\$160M throughout the closure to provide businesses with some stable revenue through the crisis. Now, it has modified subsidy policies through reopening to support the needs of families and programs through the initial recovery period, and adjust elements to be more supportive of health and safety concerns.

Key changes include:

- Continuing subsidies through July and August for all families who have confirmed interest in continued enrollment – even if they do not physically return to care
- Continued underwriting of parent fees for July and August 2020 during the phased reopening process
- Allow for unlimited absences to ensure parents and children can stay home when a family member is sick
- Flexibility and options for parents who do not wish to return to care immediately.
- Guidance on restarting the reauthorization of families through streamlined processes
- Extended job search periods up to 26 weeks for all families to maintain subsidy eligibility during uncertain employment
- Waiver of the Operational Services Division Pricing Limitation Regulation; the waiver period is from March 2020 through June 30 2021; effect is to waive the requirement that providers charge private pay families a rate equal to or higher than the state subsidized rate
- Revised closure policy for providers who need to close due to exposure

Additional modifications from September forward will be evaluated based on circumstances in July and August.



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Reopening Summary

Summary of Reopening Protocols and Process:

- Providers (FCC and Child Care Centers) submitted preparedness plans and self-attestation forms to be approved for reopening
- Providers choose the date to resume operations
- Providers serving subsidized families must reopen in July to be eligible for continued subsidy payments
- Subsidized providers are eligible for 2-month reopening grants funded by the federal CARES Act investment

Child Care Provider Reopening as of July 23 2020:

- 5,910 of programs have submitted plans requesting to reopen*
- 5,033 programs have been approved to reopen
- 4,450 programs were open, based on their submitted reopening date

* There is a 4% increase across categories, as of 7/29/20.

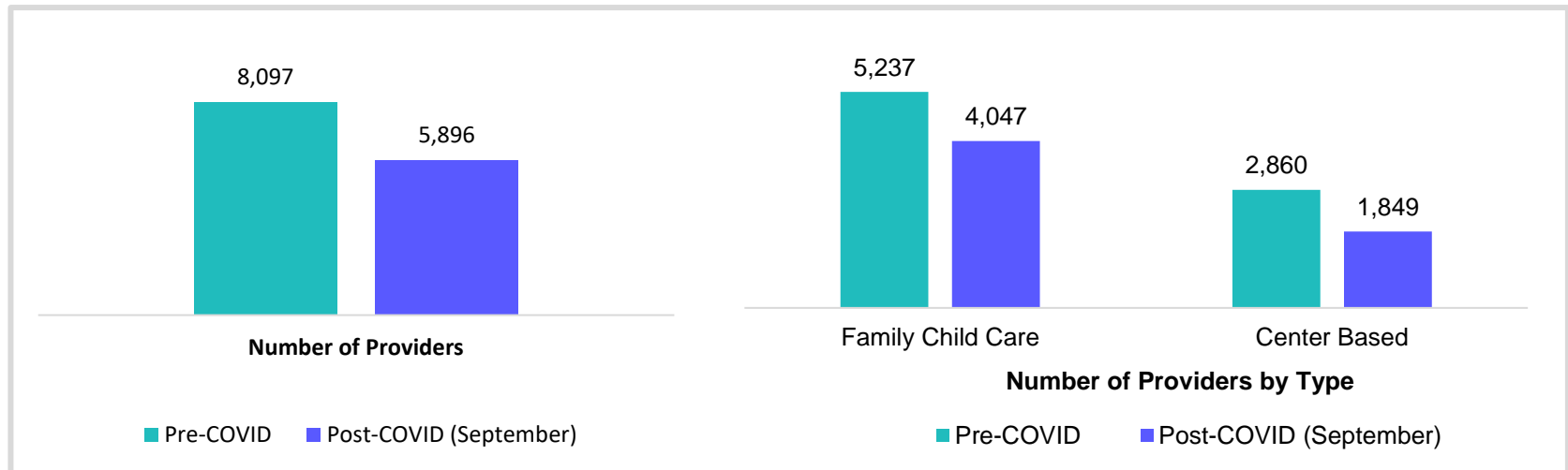
Pre-COVID Child Care Landscape:

- Total Providers: 8,100
 - 5,300 Family Child Care; 2,800 Center-Based
 - 50% serve subsidized children, to varying degrees
- Total Child Care Capacity: ~240,000 children age birth to 14 years old
 - Approximately 1 million children birth to age twelve in the Commonwealth
 - A little less than half of capacity was used to serve children in elementary school during after school and school vacations
- Subsidized children: ~55,000 children (~40% are in elementary school)

Number of Providers Returning

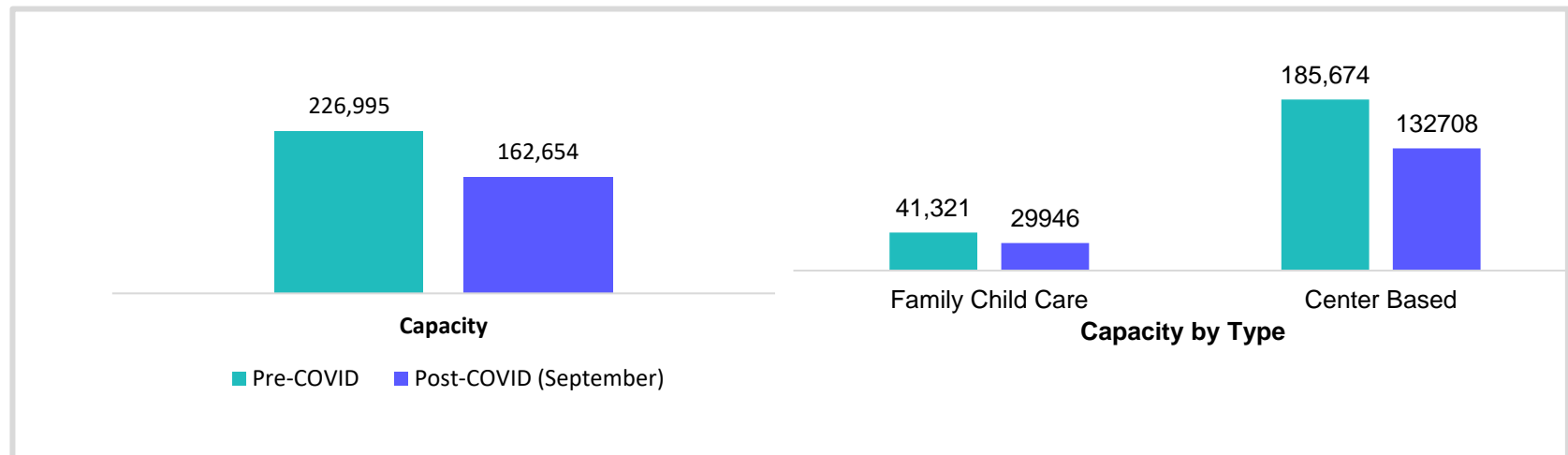
Summary of Return Data (to date):

- 5,910 (73%) of all providers intend to reopen, based on submitted plans
 - 79% of all family child care (FCC) providers
 - 69% of all child care centers
- 4,450 providers are currently providing services
 - 61% of providers plan to reopen by the end of July
 - 12% of providers plan to reopen in August or September
- 163 providers (2% of total) have indicated they do not intend to reopen at all
 - 133 (82%) are family child care
 - 30 (18%) are child care centers
 - Estimated capacity of 2,855 spots (1.3% of former field capacity)
 - Only 49 of these providers serve 1 or more subsidized children



*Post-COVID includes all programs that have applied to reopen.

Provider Capacity

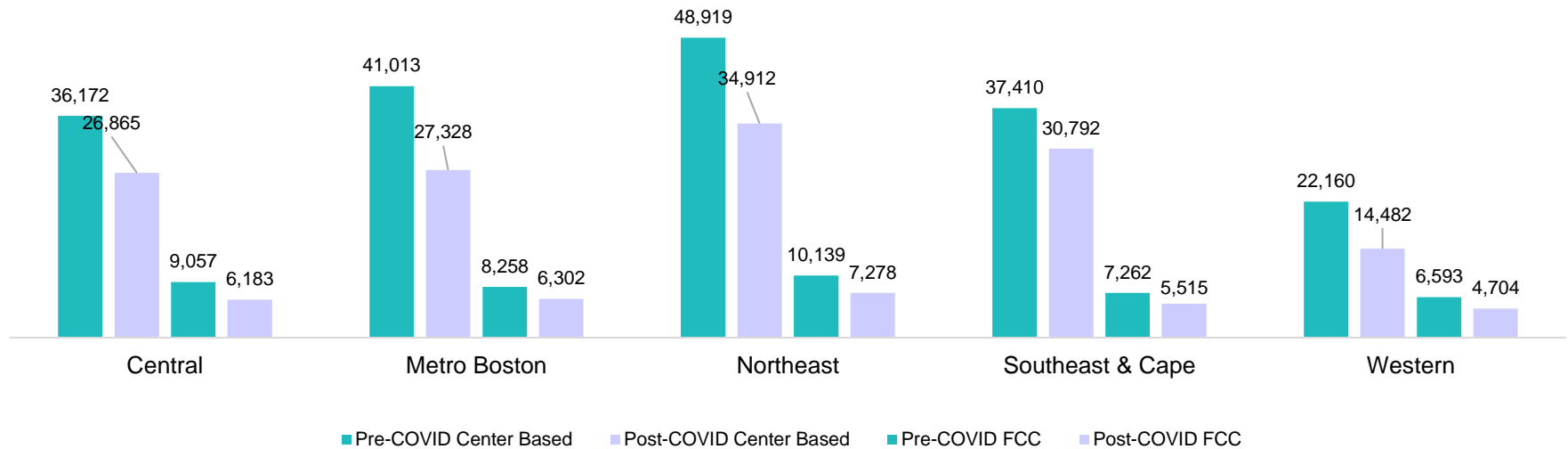


- Child care capacity is currently at 43% of pre-COVID levels, due to reductions in group sizes and limitations in returning workforce during the summer.
- **If public health trends allow EEC to eliminate defined restrictions on group size beginning in September, child care capacity is expected to reach 72% of pre-COVID levels.** However, many providers are still considering their capacity for fall based on community-level data and school district planning. Many programs will remain at far less capacity than pre-COVID in September.

Note: Capacity does not equal utilization; EEC implemented a weekly survey to gather utilization rates in early August.

Anticipating Fall Regional Capacity Distribution

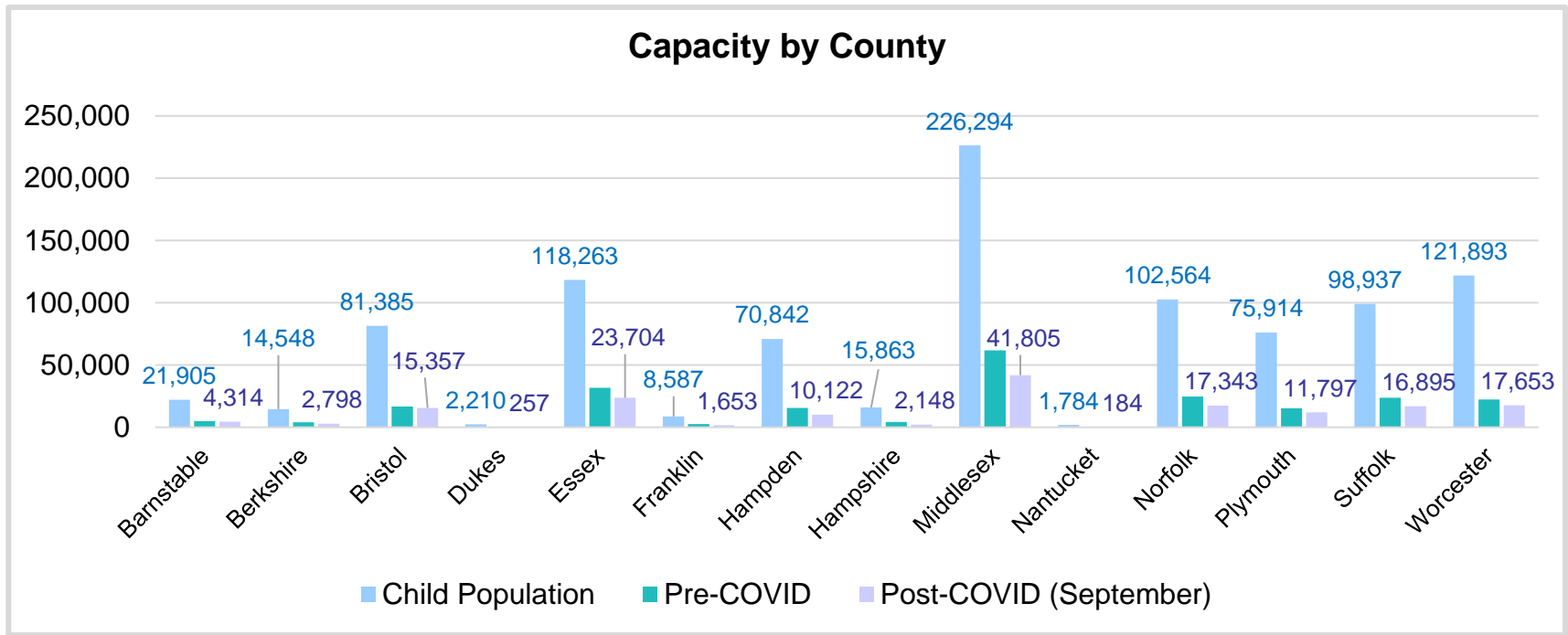
Capacity by Region



All regions will see reductions in capacity:

- Deepest capacity losses expected in Western MA (-35%) and Metro Boston (-33%)
- Secondary capacity losses expected in Northeast (-28%) and Central MA (-24%)
- Southeast and Cape are anticipated to see least overall capacity loss (-16%)
- Capacity losses are largely driven through center based providers

Anticipating Fall Capacity Distribution by County



Gaps in child care capacity are particularly acute when analyzed in specific counties in relation to the overall population of children birth to twelve:

- Middlesex will have capacity to serve 18% of resident children
- Worcester will have capacity to serve 14% of children
- Essex will have capacity to serve 20% of children

- Hampshire County and Duke’s County (Martha’s Vineyard) have the largest relative capacity losses (49% and 34%, respectively), compared to the statewide average of 28% capacity loss.



Subsidy Analysis

- **59% of the providers who intend to reopen accept subsidies**
- Of the 4,090 providers who accepted subsidies pre-COVID, **87% intend to reopen**
- Of all subsidized providers who intend to reopen, **89% have resumed operations by July** to continue receiving subsidy payments.
- EEC made the following **accommodations for subsidized families** over the summer:
 - Provided **options for families not yet ready to attend** child care to continue to be enrolled, including continued payment to the provider with parent fees covered
 - Streamlined reauthorization processes, including **extended job search** to allow for continued eligibility during uncertain employment
 - Unlimited absences to ensure parents and children can **stay home when a family member is sick**



CARES Act Update

CARES Act– CCDBG Investment:

The recently signed FY 20 Supplemental Budget (Chapter 124 of the Acts of 2020) mandates that EEC direct the CARES Act funding toward programs that:

1. provide early education services to at least 1 child subsidized through funding from EEC's subsidized accounts; or
2. provide early education services to essential workers through the COVID-19 state of emergency

To prepare for distribution of funding:

- Eligible providers were asked to submit required information the week of July 13
- Funds will be used to support operational costs for reopening during July and August:
 - \$2,250 per month per classroom or family child care provider
 - Total maximum award of \$4,500 for Family Child Care providers and \$4,500 per grouping/classroom within centers



Preparing for Longer Term Operations

1. Questions for both child care and out of school time programs, as school districts prepare to deliver education through different models:

- Coordination around uses of school building space
- Solutions for working parents who need supervision while learning remotely
- Considerations for health and safety when serving children across multiple schools, districts and attendance schedules
- Subsidy implications for EEC (moving from half-day to full-day reimbursement rates)
- Supporting shared workforce to accommodate school aged children

2. Needed support for EEC licensed programs around key operational pain points:

- Challenge to the sustainability of programs with business model disruptions
- Support to recruit and retain educators in the face of health and safety concerns, concern around care for their own children with hybrid school models, and budgetary constraints

3. Amended guidance for fall balances flexibility with operational requirements for health and safety:

- Close work with DPH and EOE to release guidance in time for needed planning
- Alignment with DESE, allowing for local flexibility in program structure as long as health and safety operational requirements can be maintained
- Focus on preparing for year-long operational approach and moving to a more user-friendly package of materials

EEC is working closely with DESE and DPH to coordinate on both revised health and safety guidance and the solutions needed for working families



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Strategic Plan – A New Landscape

Impact on Children

Without sufficient access to quality education and care during the pandemic it is estimated that children will experience significant learning losses that are difficult to recover (Kuhfeld, M. et al, 2020), as well as other impacts on their health and well-being related to prolonged physical inactivity (Xiang, M., Zhang, Z., & and Kuwaharab, K, 2020), social isolation (Loades, M. E. et al, 2020), and increased poverty and inequality (Van Lancker, W & Parolin, Z, 2020).

Increased Family Vulnerability

US unemployment rates continue to rise.

Childcare Gaps

After the pandemic, as of June 2020, some 13% of working parents reported having to quit their jobs or cut back their hours to take care of their children and they reported losing an average of a full day of work per week to childcare (The Washington Post, July 2020).



Strategic Plan – Re-Prioritizing our Actions

Immediate or Increased Urgency

Educators (new): Develop strategies to support, retain, and re-hire educators and professionals not retained in the field through the COVID-19 related closures and reopening

Programs (new): pivot program quality supports to meet immediate program needs for sustaining through crisis

System (new): lay the foundation for the comprehensive regulatory review via how EEC has constructed guidance and Requirements under the current Executive Orders

System: Re-orient staffing structures around the constituent experience

Families: (adjusted) address affordability and sustain licensed capacity; build community capacity for family support

Sustained Focus

Programs: Build a backbone for quality to drive investment: implement a universal quality improvement system that prioritizes program supports

Educators: Develop an Educator Credentialing Framework, grounded in teaching competencies, that drives degree and credential attainment for the workforce, and integrates with program quality supports

System: Conduct a comprehensive regulatory review

System: following technology assessment of spring and summer 2020, overhaul technology in support of data informed decision making

Families: Build a measurement system to ensure children are on track to 3rd grade success

Workforce: diversify and grow workforce through aligned higher education pathways, reduced barriers, increased retention

Next Steps

- Integrate utilization and field data into new landscape
- Engage field and staff in re-prioritization
- Bring renovated draft plan to board in September



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- I. Background Record Check (BRC) Regulations History**
- II. Description of Proposed Regulatory Changes**
 - I. Changes in response to CCDBG
 - II. Changes in response to FFPSA
 - III. Changes in anticipation of BRC Policies Workplan
- III. Timeline and Next Steps**



- This presentation addresses several regulatory changes that are needed to ensure the agency is compliant with:
 - The Child Care and Development Block Grant Act of 2014 (CCDBG); and
 - The Families First Prevention Services Act of 2017 (FFPSA).
- Background Record Check (BRC) requirements are designed to protect the health and safety of children in EEC programs by preventing individuals with disqualifying backgrounds from being present in EEC programs.

I. Background Record Check Regulations History



1. EEC's amended Background Record Check (BRC) Regulations were last presented to the Board in May 2019. The regulations had been comprehensively changed to implement CCDBG requirements.
2. The May 2019 changes were designed to address BRC candidate transfers between programs and clear up certain confusing language.
3. The regulations became effective as of August 23, 2019.
4. These changes to the BRC regulations were also enacted to ensure that BRC IT process could be implemented by September 30, 2019 as mandated by Federal requirements.
5. We are proposing these new changes to ensure ongoing compliance to federal changes and to respond to recent litigation.

II. Description of Proposed Regulatory Changes



- **14.04: Definitions**
 - Addition of the definition of Youthful Offender

- **14.10(1): Mandatory Disqualification**
 - Elimination of mandatory disqualification as currently applies to those who have been adjudicated delinquent as a juvenile
 - Clarifies that mandatory disqualifications apply to those who have adult or Youthful Offender convictions

- **14.10(5): Presumptive Disqualification**
 - Addition of juvenile delinquent adjudications to this category

- **Include an adjudicatory hearing process for individuals found to be ‘not suitable’ to ensure a more equitable system**



FAMILIES FIRST PREVENTION SERVICES ACT

- **14.02: Policy**
 - Addition of citation for Families First Prevention Services Act of 2017
 - Removal of definition of BRC
 - Text in this section was an inexact duplicate of the listed definition in 14.04

- **14.05(4): Residential Program and Placement Agency BRC Candidates**
 - Language states that out of state checks and mandatory disqualifications do not apply
 - Addition of the phrase “unless required by state or federal law”

- **14.10(4) and (5)(e): Disqualifications**
 - Language states that any offense deemed a mandatory disqualification for a Child Care Candidate will be considered presumptive for Residential & Placement
 - Addition of the phrase “unless required by state or federal law”

IV. Proposed Timeline and Next Steps cont.



- August 11, 2020: Board vote to move to public comment period required by c. 30A and c. 15D
- September 4, 2020: Proposed regulations published in *Mass Register* along with Notice of Public Comment period
- September 16, 17, and 18 2020 -- Dates of Public Hearings
- As early as September 18, 2020 -- Close of public comment period (may be later at EEC discretion)
- September 21, 2020 – October 2, 2020: Public Comment Review; Revisions as Needed
- October 12, 2020: 60 days from submission to the Joint Committee on Education, Joint Committee on Children and Families and Senate and House Committees on Ways and Means.
- October 13, 2020 Board Meeting: Tentative Board vote
- October 16, 2020: Filing with Secretary of State and publication in *Mass Register*.
- October 30, 2020: Revised BRC regulations become effective.

DISCUSSION



EEC's Next Steps

- Ensure programs are prepared to coordinate with local education entities (ongoing)
- Release Updated Guidance for Upcoming School Year (August)
- Baseline Data from Weekly Survey of Opened Providers to Inform Decisions (August)
- Develop Modeling for a Sustainable Approach to Financing the Field (September)

September Board Meeting:

- Strategic plan considerations
- Update on ongoing initiatives
- Reopening Progress for Fiscal Year 2021