

**OMB – Request for Information**  
**Methods and Leading Practices for Advancing Equity and Support for Underserved**  
**Communities through Government**

**Responding Organization:**

The Mississippi Low Income Child Care Initiative (MLICCI)

**Area 2: Barrier and Burden Reduction**

**Responding Organization Mission:**

The Mississippi Low Income Child Care Initiative (MLICCI) is a statewide non-profit public policy advocacy organization working to strengthen women’s economic security in Mississippi (MS) by making child care affordable for low-income working moms, achieving gender and racial equity in the workforce and making the public safety net work for women. MLICCI’s primary focus and expertise is MS’ administration of the Child Care and Development Fund (CCDF) and all related policies, programs and procedures. MLICCI also works to advance direct service models that aim to move women into higher-paying work. MLICCI’s Employment Equity for Single Moms (EESM) project serves single moms with young children through a team of case managers working to connect them to employment, training and child care. As part of this project, MLICCI has been awarded sub-grants through the state’s Temporary Assistance for Needy Families (TANF) program and has served as a SNAP Employment & Training (E & T) Third Party Partner. MLICCI also works extensively to connect single moms to CCDF assistance.

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*How can agencies address known burdens or barriers to accessing benefits programs in their assessment of benefits delivery?*

MLICCI urges the United States Department of Health and Human Services, Administration for Children and Families, Office of Child Care, and any other relevant agency or legislative body, **to prohibit states from requiring single parents to comply with Child Support in order to be eligible for CCDF assistance.**

Poverty in MS is highly concentrated in single-mom headed families. Though single moms participate in the labor force at high rates, they are disproportionately stuck in low wage jobs which leave them unable to afford the high cost of child care without CCDF assistance. Single moms are the parents who have the greatest need for CCDF assistance, and yet they are the very targets of the punitive and obstructive consequences of the child support compliance requirement in CCDF.

While single moms need child care to go to work and/or attend education and training, their young children need access to safe early childhood education settings. CCDF achieves both. Yet, access to CCDF will remain limited and obstructed in states like MS which opt to require child support compliance for CCDF eligibility. As a result, the potential benefits of investments in CCDF from federal stimulus funds, such as those from the American Rescue Plan Act, will fall short of creating equitable opportunities for economic recovery unless federal intervention on this policy occurs.

This policy has a disparate impact on Black women in MS. According to data provided by the Office of Child Care for fiscal year 2019, 86% of children served by CCDF in MS are in single-parent headed households. In addition, OCC reports that 84% of children in care are Black/African-American (non-Hispanic). This highlights the disparity which prevents equity primarily for Black single mothers in the workforce by denying child care that is essential for the economic security of single mothers' and their families. (Sources: <https://www.acf.hhs.gov/occ/data/fy-2019-preliminary-data-table-18>; <https://www.acf.hhs.gov/occ/data/fy-2019-preliminary-data-table-12a> )

In fact, in 2016, the U.S. Commission on Civil Rights MS Advisory Committee conducted a field investigation and hearing regarding CCDF administration and the impact of race on CCDF policymaking which yielded a report with recommendations to HHS, ACF and OCC. The Commission report found that cooperation with child support enforcement in MS' CCDF program **had a disparate impact on women:**

“The Office of Child Care should consider whether sufficiently compelling justification exists for lead agencies to include in their eligibility criteria any requirements which are differentially applied to single (as opposed to married) parents. If sufficiently compelling justification does not exist, such eligibility criteria should be prohibited. As is the case with requiring single parents to initiate legal action for child support in order to be eligible for CCDF assistance, such differential requirements necessarily have a disparate impact on women. The MDHS has not produced data about any purported benefits of such policies that might justify such a disparate impact.”

Source: [https://www.usccr.gov/press/archives/correspd/PR\\_LettertoHHSonLow-IncomeChildCare.pdf](https://www.usccr.gov/press/archives/correspd/PR_LettertoHHSonLow-IncomeChildCare.pdf)

MLICCI has engaged in many efforts to change this policy in MS both administratively and legislatively. However, due to state politics shaped by a long history of systemic racism and sexism, these efforts have run into a lack of political will to remove this child support barrier that is so punitive and deterring for the very families with the greatest need for CCDF.

MS is NOT required by federal or state law to impose this policy. This policy is an invasive overreach into the lives of single moms.

We should state clearly that MLICCI supports child support – all parents should pay their share to support their children. However, moms should not be denied the child care assistance they need based on child support compliance. Also, MLICCI has learned from CCDF eligible moms they have many and good reasons not to comply. Often, they negotiate informal support based on changing employment circumstances of the dad. Sometimes they fear retaliation from the dad for complying. Always, these single moms who are overwhelmingly Black, are reluctant to turn the dad into a criminal justice system that demonstrates systemic racism.

Single moms in MS who are eligible for and need CCDF to achieve economic security will continue to be thwarted until federal agencies intervene and prevent states like MS from denying CCDF assistance to mothers and children due to non-compliance with child support.

### **Background on MS' Mandatory Requirement that Single Parents Comply with Child Support to be Eligible for CCDF Assistance**

**The child support cooperation requirement is NOT federally mandated in CCDF.** See, [https://aspe.hhs.gov/system/files/pdf/260046/EMPOWERED\\_Child\\_Support\\_Cooperation\\_Issue\\_Brief.pdf](https://aspe.hhs.gov/system/files/pdf/260046/EMPOWERED_Child_Support_Cooperation_Issue_Brief.pdf).

In 2004, MS began imposing a requirement that single parents (virtually all of whom are single moms) comply with child support in order to be eligible for CCDF. If she does not, MS denies her application for CCDF child care assistance.

MS carves out a few narrow exemptions for working parents trying to access CCDF, but only for the most extreme cases involving rape, incest, physical and emotional harm, or where a legal adoption is pending. Even these exemptions require extensive documentation and evidence that proves difficult for single mothers to obtain and provide the agency.

Federal CCDF rules encourage states to avoid imposing policies that create an undue burden and disruption in work, education or training for parents applying or being re-determined for CCDF. In March 2007, the MS Office of the State Auditor published an audit of CCDF, "A Review of the Child Care and Development Fund (CCDF) Program in MS". In it, MS' OSA took the position that affordable child care for low-income working parents is a "critical element" in their

ability to retain employment. This audit found that the child support compliance requirement presented a barrier for working parents seeking child care as a work support.

CCDF rules make clear that a primary program goal is to increase the share of eligible parents and children participating in the state certificate program. Yet MS' child support compliance requirement is a deterrent and a procedural obstacle to child care assistance so needed by single moms. When this requirement went into effect in 2004, MDHS reported that the waiting list for CCDF child care assistance fell from over 10,000 children to 200 children in less than two months. This sharp decline in the state's CCDF waiting list was not followed by a significant uptick in state-reported CCDF caseload data, meaning the sharp disappearance of children on the CCDF waiting list was NOT due to more children being served.

Since this requirement went into effect in 2004, MLICCI has surveyed CCDF child care providers in MS. The results of these surveys show an increasing rate of CCDF child care providers reporting that the child support compliance requirement both obstructs and deters eligible parents from applying to CCDF. For example:

- A 2005 MLICCI survey of 144 child care centers showed that 1,284 children lost their child care certificates when this policy change was implemented, a loss of 40% of the children in the surveyed centers. In 2005, 44% of CCDF providers MLICCI surveyed reported that mothers stopped participating in CCDF when the child support compliance requirement went into effect in 2004, totaling 1,310 mothers in the centers surveyed.
- In 2007, 70% of child care providers reported that mothers they serve have declined to apply for CCDF because they do not want to initiate child support actions against the father.
- In 2010, 74% of surveyed CCDF providers reported that child support was a deterrent for parents applying for CCDF.
- In 2016, 91% of surveyed CCDF providers reported the child support compliance requirement keeps eligible parents from applying for CCDF assistance.

In 2020, MLICCI launched the Employment Equity for Single Moms (EESM) program in which case managers are currently assisting hundreds of mothers across MS with their applications for CCDF assistance. This provides MLICCI with extensive direct experience working with single moms who are eligible for and need CCDF to achieve economic security, but who are obstructed from accessing the assistance due specifically to the child support compliance requirement. Procedural hurdles obstruct EESM participants from CCDF even when they are attempting to comply with this requirement.

On a weekly basis, MLICCI's EESM case managers hear from clients who are unable to apply for CCDF due to this requirement and our program attempts to craft solutions to single moms' child care problems created solely because of MS' refusal to change this harmful policy.

Based on MLICCI's history of work and surveying of CCDF providers and our current experiences in our EESM program, MLICCI has urged MDHS to remove this eligibility requirement many times and through many strategies, most recently during the 2022-2024 CCDF State Plan development process. MDHS did NOT take up this recommendation and instead maintained the policy, despite MLICCI and our network of 175 CCDF child care providers joining together in recommending that MS eliminate the child support compliance requirement in CCDF.

MS is now 1 of only 17 states that have opted to mandate this requirement in CCDF. A growing number of states that had opted for this requirement subsequently opted to reverse course and eliminate this requirement due to its deterrent and obstructive impact. Many states have never imposed this requirement at all.

CCDF rules also make clear that aligning early childhood programs is key to improving the delivery and continuity of services for low-income families. But from a systems alignment perspective, the child support policy renders aligning CCDF with other early childhood programs, such as Head Start and public pre-K, virtually impossible. Neither Head Start nor public Pre-K in MS impose the child support compliance requirement. A single mom in MS may have her child in Head Start for part-day, and seek CCDF assistance for extended day services to cover her work hours. She'll qualify for Head Start without complying with child support, but she won't get the CCDF extended day assistance she needs if she doesn't comply with child support. For a single mom caught up in this maze of policy inconsistencies, affordable child care that covers her work hours will remain out of reach.

## **Conclusion**

MLICCI, advocacy partners, parents who need CCDF, providers who serve CCDF parents, some state legislators, community based organizations providing direct services and other stakeholders have attempted to eliminate MS' child support compliance requirement in CCDF through multiple efforts over the years since the policy has been implemented. These efforts have included direct appeals to DHS, the MS state lead agency in CCDF, that holds authority to change this rule as well as efforts to advance state legislation to prohibit the state from denying CCDF assistance due to non-compliance with child support. Despite these efforts, despite the overwhelming evidence that has shown the policy is harmful and obstructs access to child care and despite the lack of data suggesting that this policy is of benefit to the individuals it affects or to the state of MS, the state of MS remains committed to maintaining this policy in its CCDF program.

**MLICCI strongly urges a federal rule prohibiting a state CCDF Lead Agency from implementing policies that deny CCDF assistance to eligible parents due to non-compliance with child support.** A federal policy intervention on this matter is critical to MS' and other

states' ability to improve economic conditions for its citizens and particularly for its single moms.