

Hurting Families That Need It Most



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It's Time to Remove Child Support Enforcement from State Child Care Subsidy Programs

Overview

This brief outlines why states should strongly consider removing any child support enforcement requirements from state child care assistance policies. States funded under the Child Care Development Fund (CCDF) are currently able to require child care subsidy recipients to cooperate with the child support program as a condition of eligibility. However, recognizing the barriers that this policy inflicts on families that simply want to return to work, most states have chosen not to adopt it or have removed child support enforcement from the subsidy process. In addition to adding burdensome family requirements, this policy can negatively impact young children and potentially damage healthy relationships that are so essential to early brain development.

Negative Impacts on Young Children

According to the *State of Babies Yearbook 2021* as many as 2 in 5 babies in the United States live in families whose income is inadequate to make ends meet (Keating, 2021). Fundamental to the story of the *State of Babies* is its depiction of racial and economic injustice experienced by too many babies and their families, and this policy is just one example. While child support enforcement, in theory, can bring more financial assistance to families of young children, the practice and implementation have many problematic issues.

- The policy **disproportionately burdens and often excludes single-parent families**, which represent more than 20% (Keating, 2021) of families with infants and toddlers in the United States, from accessing child subsidy supports.
- Compliance often involves many **“hoops” for family members to jump through**, including establishing parentage (often through genetic testing), identifying, and locating noncustodial parents, and providing private and often sensitive information. This may require that parents attend court appointments and participate in multiple legal proceedings, which can take place over many years.
- Data indicates that **teen parents are less likely to engage in child support enforcement** (Florence Crittenton Services, 2015) and therefore may not access crucial child care supports for continuing their education and entering the workforce.
- Some family structures mean that **one child may be impacted while others in the family are not**, further complicating access to child care and economic security for the entire family.
- Child support compliance in return for access to child care subsidy support ultimately acts as a barrier to child care access and **negatively impacts family economic security and job growth in a post-COVID economy**.

There is no evidence to suggest that child support enforcement in child care subsidy processes improves compliance (Selekman, 2018) or helps families gain access to additional funds to improve their financial security and therefore does not justify this increased burden on families or staff in already strained systems. Instead, the imposed sanctions often discourage families from accessing resources and can result in infants and toddlers lacking access to quality child care programs with responsive caregivers, continuity of care, and an environment that is safe for young children to explore and learn.

States Removing the Policy

Research conducted in 2018 found that 23 states still tied child care subsidy to child support enforcement (Selekman, 2018). Since then, several states have begun to make the necessary changes to remove this harmful policy.

- **Colorado** passed [HB 16-1227](#) in 2020, eliminating this as a policy for teen parents. Advocates continue to push for removal for all families.
- In 2006, after parents, child care providers and family advocates made the **Connecticut** Department of Social Services aware of the hardships experienced by some families, the department removed court ordered child support as an eligibility requirement for child care assistance. (Policy Transmittal C4K-POL-06-02)
- Recognizing the undue burden on parents and the system, **Maine** Department of Health and Human Services removed child support enforcement from the state's child care subsidy program rules in 2019.
- In **New Mexico**, the Early Childhood Education and Care Department repealed the regulation that required child care assistance recipients to sue the non-custodial parent for child support after the Department sought guidance from advocates about suggested changes to regulations.
- After legislators in **North Carolina** [mandated](#) the state Department of Health and Human Services, the Division of Child Development and Early Education, and the Division of Social Services to implement a one-year statewide demonstration project requiring child support cooperation, the departments recommended against the practice. As a result, the state does not require families to cooperate with Child Support Enforcement in order to be eligible for subsidized child care.
- In **Pennsylvania**, where the child support enforcement policy was enacted for a short time, enrollment of children in licensed child care dropped by 28% (Philadelphia Citizens for Children and Youth, 2000).
- During the 2020 legislative session, **Virginia** passed [legislation](#) that reorganized and consolidated early care and education programs at the Virginia Department of Education. The bill included elimination of the long-standing child support barrier in the child care subsidy process.

Policy Recommendations:

- First and foremost, **states** should eliminate child support compliance requirements from child care subsidy eligibility. However, states should continue to allow for education about child support enforcement and opting-in to these supports as part of the counseling that accompanies subsidy supports.
- At the **federal level**, clarify that mandating families to cooperate with Child Support Enforcement is not required or recommended for state child care subsidy programs.

Ongoing implementation of this policy will continue to hurt families and disproportionately impact infants and toddlers in families with low-income. Cooperation with child support enforcement is not required in any other system designed to support positive child development, including Early Head Start/Head Start, Maternal Infant and Early Childhood Home Visiting, Individuals with Disabilities Act, public education, or 21st Century Community Learning Centers. States have the power to discontinue this practice and should do so now.

References

Florence Crittenton Services. (2015). *Teen Parent Collaborative Survey*.

Keating, K. P. (2021). *State of babies yearbook 2021*. ZERO TO THREE.

Philadelphia Citizens for Children and Youth. (2000). *Good intentions: Linking child care assistance to child support cooperation: The consequences for children and families*. Child Care Matters.

Selekman, R. A. (2018). *Child support cooperation requirements in child care subsidy programs and SNAP: Key policy considerations*. Mathematica.