



October 29, 2019

Director of the Information Collection Clearance Division
U.S. Department of Education
550 12th Street SW, PCP, Room 9089
Washington, DC 20202-0023

Submitted via online portal: <https://www.regulations.gov>

Re: Comments on Mandatory Civil Rights Data Collection, Docket Number ED-2019-ICCD-0119

Director of the Information Collection Clearance Division:

The First Five Years Fund (FFYF) appreciates this opportunity to provide input on the Office for Civil Rights' (OCR) proposal to retire the collection of certain data related to early childhood, preschool, and kindergarten. FFYF's mission is to ensure all children from birth through age five have equal access to affordable, comprehensive, high-quality care and education to support their healthy development and help them achieve their full potential in school and life. As part of this work, we encourage practitioners and policymakers, on both sides of the aisle, to collect and use early childhood education (ECE) data to make effective decisions about serving the nation's youngest learners and their families. This includes data currently available in the Civil Rights Data Collection (CRDC) on whether schools provide early childhood or preschool services or programs; at what cost to parents, if any; and the demographic breakdown of the children served. Further, FFYF firmly believes this information is essential to ensure equity and enforcement of applicable civil rights laws. Consequently, we strongly oppose the OCR proposal to retire collection of this data as its value far outweighs the burden collection and reporting may cause.

Expanding access to high-quality early learning programs is essential to preparing more children to succeed in kindergarten and later in life. Research shows that children who participate in these programs have reduced healthcare costs, increased school achievement, and provide a more educated workforce. This OCR proposal comes at a time of unprecedented effort by federal, state, and local leaders and lawmakers to ensure that more families have access to early learning opportunities, a time when data about access to services, including the data found in the CRDC, is indispensable. In fact, the Early Childhood Data Collaborative's (ECDC) 2018 State of State Early Childhood Data Systems report shows that many policymakers "still lack the comprehensive data needed to assess early childhood policies and outcomes." ECDC's report notes that to "make informed policy decisions about whether government services are equitable, cost effective, and responsive to the diverse needs of families while also yielding the greatest benefits, policymakers need access to accurate and comprehensive information about who receives the services and how they fare later in life."¹ Foregoing collection of this vitally important data will deprive policymakers and other stakeholders of information that is required to ensure all families have access to a high-quality early childhood education.

¹Early Childhood Data Collaborative, 2018 State of State Early Childhood Data Systems, Carlise King, Victoria Perkins, Courtney Nugent, and Elizabeth Jordan.

Recognizing ECE's critical importance, members of Congress have worked on a bipartisan basis to expand investments in young children. Congress has also approved important initiatives like the Preschool Development Grant Birth through Five (PDG B-5) program, which the U.S. Department of Health and Human Services, Administration for Children and Families (ACF) administers in consultation with the U.S. Department of Education (ED). PDG B-5 helps states develop and implement plans for expanding early learning opportunities, especially to vulnerable populations who too often lack access to quality programs. Initial planning grants, which were awarded to 46 states and territories, called for recipients to conduct a needs assessment to gather data about the current early learning landscape in their state and use the needs assessment to create a strategic plan. Building on these efforts, ACF recently released the Funding Opportunity Announcement for the second year of PDG B-5, asking states to describe their work to improve data collection in early learning, including linking data across agencies.

Like early childhood delivery systems, ECE data has historically been diffuse and not effectively linked to K-12 and other data systems. States have made improvements in early learning data collection and use, but our early childhood data landscape still features multiple, often independent, data systems. While states are working to address the disconnected nature of the system and to develop better early childhood and K-12 data linkages, the consistent benchmark provided by federal data collection is critical to understanding the status of early childhood services around the country. It also helps federal and state policymakers comprehend the relationship between state-funded preschool programs and the federally-funded Head Start program, a relationship that has been of significant interest to both federal and state elected officials. To facilitate policymakers' work toward providing children and families with the supports they need, FFYF asks that the Department continue to collect this invaluable information.

In addition to their value in crafting policy, the data collections OCR proposes to retire offer some of the most useful statistics available to gauge equity in ECE. Without question, the loss of this data would be substantial for early childhood educators, researchers, and advocates in their efforts to address inequities in early learning. At the same time, it would impede the work of ED's Office of Early Learning and put the OCR at a tremendous disadvantage in its efforts to investigate alleged discrimination and violations of federal civil rights laws. In a recent report, the Urban Institute found that nationwide, ECE is more segregated than kindergarten and first grade, even while enrolling a similar number of students. Additionally, it found early childhood programs are twice as likely to be nearly 100 percent Black or Hispanic and less likely to be somewhat integrated (with a 10 to 20 percent Black or Hispanic enrollment share). Segregation is even more prominent in home-based settings compared to center-based care.²

The impact of segregation at this crucial moment in a child's development cannot be ignored. Research shows that racially-diverse schools are associated with higher student achievement than high-minority schools; can reduce the prejudices and social isolation of children by race and class; and promote cross-cultural relationships that have long-term benefits such as greater social capital, employment opportunities, and comfort in multi-racial settings.³ More research is needed to fully understand the scope of this issue, to be intentional and proactive about integration efforts, and to mitigate the effects associated with segregation. That research will rely on school-level data on the race and ethnicity of preschool children, which this proposal seeks to eliminate.

²Urban Institute, Segregated from the Start (<https://www.urban.org/features/segregated-start>)

³The Century Foundation, A Better Start - Why Classroom Diversity Matters in Early Education, Jeanne L. Reid, Sharon Lynn Kagan, and Michael Hilton and Halley Potter.

Similarly, data from the CRDC shows that male African American children are disproportionately subject to suspension. The proposal to combine the counts of preschool children who received one out-of-school suspension with those who received more than one out-of-school suspension threatens access to disaggregated data on whether and to what extent this trend persists. Further, the CRDC is unique in its compilation of school level expenditure data from across the country into a single source. This data is meaningful in the equity context as funding disparities between schools often align with the racial composition of the student body. Given the scope of these issues and the necessity of this data in monitoring and addressing them, the rationale offered for retiring the data collection does not outweigh the value in continuing to collect it.

FFYF is deeply committed to ensuring all children from birth through age five get the best possible education and support. This proposed cut to the civil rights collection will hinder policymakers who rely on this data to inform the growing federal investment in early learning and will only make it more difficult to monitor significant known issues regarding equity in ECE.

We appreciate your consideration of these comments. If you have any questions about our concerns, please do not hesitate to reach out.

Sincerely,

A handwritten signature in blue ink, appearing to read 'SR', with a horizontal line extending to the right.

Sarah Rittling
Executive Director
First Five Years Fund